

# **MARSILIUS OF PADUA AND 15TH-CENTURY CONCILIARISM: A COPY OF THE DEFENSOR PACIS, DICTIONES II & III, IN THE LIBRARY OF GIMIGNANO INGHIRAMI (1370-1460)\***

## **MARSILIO DE PADUA Y EL CONCILIARISMO DEL SIGLO XV: UNA COPIA DEL DEFENSOR PACIS, DICTIONES II Y III, EN LA BIBLIOTECA DE GIMIGNANO INGHIRAMI (1370-1460)**

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### **Abstract**

This article presents a preliminary study of a previously unexamined copy of Marsilius of Padua's *Defensor pacis*, *Dictiones* II and III, now preserved in MS Q.VIII.5 (22) in the Biblioteca Roncioniana in Prato. This witness, misattributed to William of Ockham, belonged to and was annotated by the canonist Gimignano Inghirami (1370-1460), an auditor of the Roman Rota and a key figure in the Florentine diocese, who actively participated in the fifteenth-century councils from Pisa to Ferrara-Florence. The study provides: (I) an overview of Gimignano's biography and library within their historical and cultural context; (II) a preliminary analysis of this witness, its glosses, and its possible placement within the textual tradition of the *Defensor pacis*; (III) an investigation on the misattribution to Ockham, considered in the context of the manuscript tradition of the *Defensor* and its reception in the *Liber de ecclesiastica potestate* by Laurentius of Arezzo (d. post 1447).

### **Keywords**

Manuscript Tradition; Marsilius' Reception; Conciliarism; William of Ockham; Laurentius of Arezzo

### **Resumen**

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Este artículo presenta un estudio preliminar de una copia hasta ahora no examinada del *Defensor pacis*, *Dictiones* II y III, de Marsilio de Padua, actualmente conservada en el MS Q.VIII.5 (22) de la Biblioteca Roncioniana en Prato. Este testimonio, erróneamente atribuido a Guillermo de Ockham, perteneció al canonista Gimignano Inghirami (1370-1460), auditor de la Rota Romana y figura clave en la diócesis florentina, quien participó activamente en los concilios del siglo XV, desde Pisa hasta Ferrara-Florencia. El estudio ofrece: (I) una visión general de la biografía de Gimignano y de su biblioteca en su contexto histórico y cultural; (II) un análisis preliminar de este testimonio, sus glosas y su posible ubicación dentro de la tradición textual del *Defensor pacis*; (III) una investigación sobre la atribución errónea a Ockham, considerada en el contexto de la tradición manuscrita del *Defensor* y su recepción en el *Liber de ecclesiastica potestate* de Laurentius de Arezzo († después de 1447).

### Palabras clave

Tradición manuscrita; recepción de Marsilio; conciliarismo; Guillermo de Ockham; Laurentius de Arezzo

### Introduction

Despite earlier scholarly efforts to portray Marsilius of Padua as a forerunner or even an inspiration for fifteenth-century conciliarism, it has long been established that tracing the reception of his ecclesiological theories both during and in the decades following the Great Western Schism (1378-1417) is anything but straightforward.<sup>1</sup> While some authors—such as Dietrich of Niem (c. 1345-1418) and possibly Nicholas of Cusa (1401-1464)<sup>2</sup>—were directly familiar with his work and engaged with it, Marsilius was more

<sup>1</sup> For an overview of Marsilius' complex legacy, see Thomas M. Izbicki, "The Reception of Marsilius", in *A Companion to Marsilius of Padua*, edited by G. Moreno-Riaño and C. J. Nederman (Leiden and Boston: Brill, 2012), 305-334. Examples of scholarship that overly emphasize Marsilius' influence on conciliarism include Walter Ullmann, *The Origins of the Great Schism: A Study in Fourteenth-Century Ecclesiastical History* (London: Burns, Oates & Washbourne, 1948); Matthew Spinka (ed.), *Advocates of Reform: From Wyclif to Erasmus* (Philadelphia: Westminster Press, 1953); as well as the 'Marsilian' interpretation of Gerson's ecclesiology presented in Paul de Vooght, "L'ecclésiologie des adversaires de Huss au Concile de Constance", *Ephemerides theologicae Lovanienses* 35 (1959): 5-25; and id., "Le conciliarisme à Constance et à Bâle", in *Les conciles et les conciles. Contribution à l'histoire de la vie conciliaire de l'église*, edited by B. Botte (Paris: Cerf, 1960), 143-181. For a critique of de Vooght's perspective, see G. H. M. Posthumus Meyies, *Jean Gerson - Apostle of Unity. His Church Politics and Ecclesiology* (Leiden and Boston: Brill, 1999), 342-348. For a recent study that challenges the *topos* of a 'conciliarist' Marsilius, see Raúl Morales Muñoz, "¿Fue conciliarista Marsilio de Padua? Reflexiones en torno a la teoría eclesiológica marsiliiana", *Espacio, tiempo y forma ser. 3* 36 (2023): 867-906.

<sup>2</sup> By way of example, see Paul E. Sigmund, "The influence of Marsilius of Padua on XV<sup>th</sup>-Century Conciliarism", *Journal of the History of Ideas* 23 (1962): 392-340; and Cary J. Nederman, "Empire and the Historiography of European Political Thought: Marsiglio of Padua, Nicholas of Cusa, and the Medieval/Modern Divide", *Journal of the History of Ideas* 66 (2005): 1-15.

often known and cited second-hand. Amongst supporters of papal supremacy, in particular, he was primarily invoked as a “papist bogey”<sup>3</sup> and discussed mainly through the reiteration of the five errors attributed to him in the *Licet iuxta doctrinam*, issued by Pope John XXII in 1327.<sup>4</sup> This was also the case, for instance, with Juan de Torquemada (1388-1468), one of the most resolute critics of conciliarism in the aftermath of the Council of Basel (1431-1449). In his *Summa de ecclesia*, completed in 1453 and later a key reference for supporters of papal prerogatives, Torquemada dedicated a section to listing the errors of both Marsilius and John of Jandun.<sup>5</sup> Yet his critique appears to have been based on John XXII’s bull rather than any direct reading of Marsilius’ work.<sup>6</sup>

Charting a history of Marsilius’ reputation by examining how he was portrayed and discussed by later philosophers, theologians, and canonists—regardless of whether they had actually read his writings—is a legitimate scholarly pursuit.<sup>7</sup> However, it is crucial to distinguish this approach from the study of the actual impact of his texts: how they were circulated, read, and referenced by his audience.<sup>8</sup> The period of the Schism and the great councils is particularly relevant to this line of research. Those decades saw a renewed interest in the *Defensor pacis*, as evidenced by the fact that most surviving manuscripts date from the late fourteenth to the first half of the fifteenth centuries. In this context, Marsilius’ treatise spread widely and reached an international readership, sometimes

<sup>3</sup> Izbicki, “Reception of Marsilius”, 306.

<sup>4</sup> Even the earliest papalist responses to the *Defensor Pacis*, including those composed to assist Pope John XXII in preparing the bull, appear not to have been based on direct knowledge of the text; cf. Thomas Turley, “The Impact of Marsilius: Papalist Responses to the *Defensor Pacis*”, in *The World of Marsilius of Padua*, edited by G. Moreno-Riaño (Turnhout: Brepols, 2006), 47-64, and Frank Godthardt, “The Papal Condemnation of Marsilius of Padua’s *Defensor Pacis*: Its Preparation and Political Use”, in *Religion, Power, and Resistance from the Eleventh to the Sixteenth Centuries*, edited by K. Bollermann, T. M. Izbicki, and C. J. Nederman (New York: Palgrave Macmillan, 2014), 127-138.

<sup>5</sup> Juan de Torquemada, *Summa de ecclesia* IV.2.37 (Venice: apud Michaelem Tramezinum, 1561), f. 409r-v; cit. in Izbicki, “Reception of Marsilius”, 33.

<sup>6</sup> See Thomas M. Izbicki, “Tarring Conciliarism with the Brush of Heresy: Juan de Torquemada’s *Summa de ecclesia*”, in *Religion, Power, and Resistance*, 139-152.

<sup>7</sup> For a case study on the use of Marsilius as an ‘anti-auctoritas’ by a thinker who did not have direct access to his work, I refer to Serena Masolini, “Between Venice and Sant’Elmo. Tommaso Campanella, Marsilius of Padua, and a ‘Modern Theologian’”, in *Marsilius of Padua Between History, Politics, and Philosophy*, edited by A. Mulieri, S. Masolini, and J. Pelletier (Turnhout: Brepols, 2023), 323-358.

<sup>8</sup> On this point, see Izbicki, “Reception of Marsilius”, 306. For an analysis of Marsilius’ reception in early modernity that effectively integrates both perspectives, the key reference remains Gregorio Piaia, *Marsilio da Padova nella riforma e nella controriforma: Fortuna ed interpretazione* (Padua: Antenore, 1977). In choosing this dual approach—reception of Marsilius’ image and textual transmission—Piaia rejects a third perspective aimed at studying the impact of his thought based on a mere “coincidence of ideas” (i.e., establishing alleged Marsilian doctrines and searching for them in later authors); cf. *ibid.*, p. 2, where he criticizes Orio Giacchi, “Osservazioni sulla fortuna delle idee di Marsilio da Padova nell’età del giurisdizionalismo”, in *Marsilio da Padova: Studi raccolti nel VI centenario della morte*, edited by A. Cecchini and N. Bobbio (Padua: CEDAM, 1942), 170.

circulating anonymously or erroneously attributed to William of Ockham.<sup>9</sup> A further perspective can thus be added to the two mentioned above: how Marsilius' work was transmitted, read, and referenced while being ascribed to another author. The case examined in this article is precisely an example of this dynamic.

The Biblioteca Roncioniana in Prato preserves a manuscript that provides a compelling case of the transmission of the *Defensor pacis*. As the opening text in a collection of ecclesiastical treatises by Pierre d'Ailly (1351-1420), Juan de Casanova (1387-1436), and Juan de Segovia (1395-1458), one finds a copy of the second and third *Dictiones* misattributed to William of Ockham (f. 1r: "Dictio secunda (!) Guiglelmi de Occam in Derisorio suo"). The manuscript in question, Q.VIII.5 (22), belonged to and was annotated by Gimignano Inghirami (1370-1460), a canonist from Prato who had a distinguished career as an auditor of the Sacra Rota. Actively involved in nearly all the major councils of the fifteenth century—from Pisa to Ferrara-Florence—Gimignano was a firsthand witness to the resolution of the Schism at Constance, the papal efforts to reassert primacy over the council during and after Basel, and the attempt to reunify the Western and Eastern churches. This codex thus serves as concrete evidence of how the *Defensor*, albeit attributed to another author, was received by a well-connected figure who found himself at the center of such turbulent moment in Church history.

Gimignano's codex is documented in the catalogues of medieval manuscripts of the province of Prato<sup>10</sup> and has been examined by Francesco Santi, who centered his research on the section containing the three texts by Juan de Casanova.<sup>11</sup> The copy of the *Defensor* in this manuscript, however, has never been the subject of a specific study. Moreover, it appears to have gone totally unnoticed by scholars of Marsilius, as it was neither included

<sup>9</sup> Richard Scholz, "Einleitung", to Marsilius von Padua, *Defensor pacis*, I, XLVIII-XLIX. For an overview of the readership of Marsilius and Ockham's political works between the fourteenth and fifteenth centuries, see Jürgen Miethke, "Marsilius und Ockham. Publikum und Leser ihrer politischen Schriften im späteren Mittelalter", *Medioevo. Rivista di storia della filosofia medievale* 6 (1980): 543-567.

<sup>10</sup> Francesco Santi, "Prato, Biblioteca Roncioniana", in *Catalogo di manoscritti filosofici nelle biblioteche italiane*, VIII: Firenze, L'Aquila, Livorno, Prato, Siena, Verona, edited by G. M. Cao et al. (Florence: Leo S. Olschki, 1996), 93-96; Simona Bianchi et al. (eds.), *I manoscritti medievali della provincia di Prato* (Florence: SISMEL-Editioni del Galluzzo, 1999), 96-97; Marisa Boschi Rotiroti, *I manoscritti datati delle provincie di Grosseto, Livorno, Massa Carrara, Pistoia e Prato* (Florence: SISMEL-Editioni del Galluzzo, 2007), 77, nr. 64.

<sup>11</sup> Francesco Santi, "Gimignano Inghirami (1370-1460) lettore del *Tractatus de potestate papae* de Joan de Casanova: il manoscritto Q VIII.5 (22) della Biblioteca Roncioniana di Prato", *Revista catalana de teología* 38 (2013): 767-785. This codex was a crucial asset for determining Juan Casanova's authorship of these three texts. On this topic, in addition to Santi's study, see Josep Perarnau i Espelt, "Raphael de Pornaxio, Joan de Casanova o Julià Tallada? Noves dades sobre l'autor del *De potestate papae et concilii generalis* (i obres complementàries), publicat a nom de Juan de Torquemada", *Spanische Forschungen der Görresgesellschaft* 1, 29 (1978): 457-482, and his review of Santi, "Prato, Biblioteca Roncioniana", in *Arxiu de Textos Catalans Antics* 17 (1998): 930.

in the critical editions realized by Charles W. Previté-Orton<sup>12</sup> and Richard Scholz,<sup>13</sup> nor referenced in later studies on the textual tradition of this work.<sup>14</sup>

The aim of this article is to offer a first study of this overlooked chapter in the reception of Marsilius. It provides: (I) an overview of Gimignano's biography and library within their historical and cultural context; (II) a preliminary analysis of the copy of the *Defensor* in MS Q.VIII.5 (22) and its glosses; and finally, (III) some observations on its misattribution to Ockham, examined in relation to the manuscript tradition—especially MS Vat. lat. 3974—and the notes on this topic found in the *Liber de ecclesiastica potestate* by Laurentius of Arezzo (d. post 1447).

### I. Gimignano Inghirami, the Fifteenth-Century Councils, and His Library

Our knowledge of Gimignano's life comes primarily from a collection of autobiographical notes preserved in MS Prato, Biblioteca Roncioniana, Q.V.19 (37), which was edited under the title *Ricordanze* by the nineteenth-century philologist Cesare Guasti.<sup>15</sup> Born in Prato in 1370 into a family of jurists, notaries, and physicians, Gimignano studied in Bologna under renowned canonists such as Gaspar Calderinus (ca. 1345-1399)—with whom he obtained his title of *doctor decretorum*—, Antonius de Budrio (1330-1408) and Petrus de Ancharano (ca. 1333-1416). Before the age of thirty, he became vicar to the bishop of Pistoia and later served as provost. Within a few years, he was already active in the Roman Curia. He participated in the Council of Pisa (1409) and after a couple of years he was sent to the court of Ladislaus of Anjou, King of Naples, as papal ambassador. By 1411, he had already been appointed as an auditor of the Sacra Rota, and, in 1414, he attended the opening of the Council of Constance (1414-1418). He then followed Pope Martin V to Italy, where he witnessed the intricate attempts to convene a council in Siena

<sup>12</sup> Charles W. Previté-Orton, “Introduction” to Marsilius of Padua, *Defensor Pacis*, edited by C. W. Previté-Orton (Cambridge: Cambridge University Press, 1928), XXVI-XLI.

<sup>13</sup> Scholz, “Einleitung”, V-L.

<sup>14</sup> Among the most recent contributions on the manuscript tradition, see Alexander Fidora and Matthias M. Tischler, “Zwischen Avignon, München und Tortosa. Die *Defensor pacis*-Handschrift des Marsilius von Padua in der Bibliothek Benedikts XIII.,” *Scriptorium* 69/2 (2015): 179-189, and Jürgen Miethke's “Einleitung”, to Marsilius von Padua, *Defensor pacis, Der Verteidiger des Friedens*, translated by H. Kusch (Darmstadt: Wissenschaftliche Buchgesellschaft, 2017), XLIII-XLVIII.

<sup>15</sup> Geminianus de Inghiramis, *De rebus praesertim ecclesiasticis ab anno 1433 ad annum 1452*, at ff. 210r-211r, 215r-217v, 221r-224v, edited by Cesare Guasti, “Ricordanze di Messer Gimignano Inghirami concernenti la Storia ecclesiastica e civile dal 1378 al 1452”, *Archivio storico italiano* ser. 5 1 (1888): 43-68. Gimignano's account of the Council of Ferrara-Florence was later republished in Georg Hofmann (ed.), *Fragmenta protocolli, diaria privata, sermones, Concilium Florentinum: documenta et scriptores*, III/2 (Rome: Pontificium institutum orientalium studiorum, 1951), 31-40. For a comprehensive biography, see Isabella Gagliardi, “Inghirami, Gimignano”, in *Dizionario biografico degli italiani* (Rome: Istituto dell'Enciclopedia, 2004), LXII, 376-379. Further annotations by Guasti on Gimignano are found in MS Prato, Biblioteca Roncioniana, *Carte Guasti* 59, nr. 6.

(1423-1424), all while advancing his ecclesiastical career—first as prior of San Frediano and later as a canon of Santa Maria del Fiore in Florence.

In 1433, after being appointed dean of the Sacra Rota, Gimignano witnessed Sigismund of Luxembourg's journey to Italy and his imperial coronation by Pope Eugenius IV in the Basilica of St Peter in Rome. In his *Ricordanze*, he recounts that, four days before the ceremony, he visited Sigismund at his residence and delivered a speech in his honor.<sup>16</sup> Sigismund's coronation was a moment of great political and symbolic significance, and it provides a key insight into the relationship between Rome, the papacy, and the Empire at the time of the Council of Basel. Carefully orchestrated to signal a renewed reconciliation between the two universal powers, the event became an act of mutual legitimization, with the pope and the emperor presenting themselves as the guarantors of peace and the unity of Christendom in a period of fragility for both. Gimignano's account offers a unique perspective on the coronation ritual, as his role as dean of the Sacra Rota required him to stand in close proximity to the ceremony, holding the papal mitre.<sup>17</sup>

Gimignano maintained strong ties with the Medici family, cardinal Giordano Orsini, and the Roman Curia. He was also very close to Eugene IV, whom he accompanied from 1437 to 1443 during his travels through Bologna, Ferrara, and Florence to organize the council aimed at uniting the Greek and Latin churches (“pro unione fienda inter Grecos et Italicos”).<sup>18</sup> Later, he attained the ranks of apostolic protonotary (1451) and provost (1452) of Prato, where he spent his remaining years balancing his ecclesiastical duties with his scholarly interests and his activity as a patron of the arts. Among his notable artistic commissions were the decoration of the main chapel of the Pieve of Santo Stefano in Prato—eventually executed by Filippo Lippi after Beato Angelico declined the task—and the altarpiece *Funeral of St. Jerome*, also by Lippi, which includes a portrait of Gimignano himself, depicted kneeling with hands joined in prayer.<sup>19</sup> Furthermore, he was closely connected with those who oversaw the commission of the new external pulpit by Donatello and Michelozzo, intended for the public display of the relic of the Virgin's Holy Girdle. When, in the wake of the closing of the Council of Florence, the Byzantine Emperor John VIII Palaeologus officially visited Prato to see the pulpit, it is likely that Gimignano

<sup>16</sup> Geminianus de Inghiramis, *De rebus praesertim ecclesiasticis*, 46-47.

<sup>17</sup> For an analysis of Sigismund's coronation based on the accounts of direct witnesses, including Poggio Bracciolini, Andrea Santacroce, Paolo dello Mastro, and Gimignano himself, see Veronika Proske, “*Pro duabus magnis luminaribus mundi. Das Papst-Kaiser-Treffen 1433 und seine humanistische Rezeption*”, in *Emperors and Imperial Discourse in Italy, c. 1300-1500*, edited by A. Huijbers (Rome: École française de Rome, 2022), 129-156. For a broader study on Sigismund's journey to Italy and his use of political and symbolic communication to assert his authority, see ead., *Der Romzug Kaiser Sigismunds (1431-1433). Politische Kommunikation, Herrschaftsrepräsentation und -rezeption* (Cologne, Weimar, and Vienna: Böhlau, 2018).

<sup>18</sup> Geminianus de Inghiramis, *De rebus praesertim ecclesiasticis*, 48.

<sup>19</sup> Eve Borsook, “Fra' Filippo Lippi and the Murals for Prato Cathedral”, *Mitteilungen des Kunsthistorischen Institutes in Florenz* 19 (1975): 1-148.

played a direct role in the event.<sup>20</sup> He died in 1460, at the age of ninety, leaving behind a collection of writings and a rich library.<sup>21</sup> Currently, 22 manuscripts definitively traced to Gimignano's collection are preserved in the Biblioteca Roncioniana in Prato, while at least another 57 are housed in the Biblioteca Medicea Laurenziana in Florence.

Further insight into the contents of his original library comes from inventories compiled in different circumstances. One, drawn up in 1416, lists his movable belongings, including six volumes, he had with him in Constance during the Council. Other lists record codices sent by him from Rome to his hometown.<sup>22</sup> Most notably, a 1442 inventory, compiled as part of Gimignano's testamentary wishes, documents 71 items bequeathed partly to the Oratory of San Girolamo, "pro commoditate et evidenti utilitate virtuosorum hominum" (nr. 1-57), and partly to his nephew, Niccolò di Matteo Inghirami, as well as to any future members of his family, male or female, who might wish to study law (nr. 58-71).<sup>23</sup> A few years later, Gimignano modified his will, redirecting part of the books originally intended for San Girolamo to the Canons of Santa Maria del Fiore, who at the time were establishing a public library (1451).<sup>24</sup>

His collection was primarily composed of juridical works, including: (i) a few texts of civil law, particularly by or attributed to Bartolus of Sassoferato, often interwoven with writings on canon law; (ii) essential readings from the thirteenth-century canon law tradition, such as those of Raymond of Peñafort, William of Rennes, Goffredus of Trani, Innocent IV, and Guillaume Durand; and (iii) a substantial number of works by fourteenth- and early fifteenth-century canonists, reflecting Gimignano's engagement with the latest legal scholarship. This last category comprised writings by his own

<sup>20</sup> In a recent study, Francesco Santi has contextualized the construction of the pulpit within the theological and political context of the early fifteenth century, in which Gimignano played an active role ("Il pulpito di Donatello e Michelozzo e la reliquia di Maria a Prato. Ipotesi sulla cultura della committenza di una sacra rappresentazione", in *Fleur de clergie. Mélanges en l'honneur de Jean-Yves Tilliette*, edited by O. Collet, Y. Foehr-Janssens, and J.-C. Mühlthaler (Genève: Droz, 2019), 149-168). Santi suggests that this enterprise reflected the Marian devotion of the time, revitalized by the debates on the Immaculate Conception and the Assumption of Mary at the Council of Basel. This renewed Marian sensitivity, shared with the Greek Church, was likely used by Pope Eugenius IV as an additional means of establishing a relationship with the Greek Fathers and Emperor John VIII Palaeologus so to promote the union of the two churches (*ibid.*, esp. 156-163).

<sup>21</sup> Cf. Bianchi et al. (eds.), *Manoscritti medievali*, 14-19 and 37-69 (Roncioniana), and Lorenzo Fabbri, "Sapientia aedificavit sibi domum": una biblioteca pubblica nella Canonica di Santa Maria del Fiore", in *I libri del Duomo di Firenze. Codici liturgici e biblioteca di Santa Maria del Fiore (secoli XI-XVI)*, edited by L. Fabbri and M. Tacconi (Florence: Centro Di, 1997), 33-56, esp. 53-56 (Laurenziana).

<sup>22</sup> The 1416 inventory and other lists are edited in Guasti (ed.), "Ricordanze", 22-23 fn. 4, and Bianchi et al. (eds.), *Manoscritti medievali*, "Appendice Documenti. III.2. Elenchi sparsi di libri di Gimignano Inghirami", 92-93. Cf. Giovanni Fiesoli and Elena Somigli (eds.), *RICABIM. Repertorio di Inventari e Cataloghi di Biblioteche Medievali dal secolo VI al 1520, I: Italia. Toscana* (Florence: SISMEL-Editioni del Galluzzo, 2009), 263, nr. 1568.

<sup>23</sup> The inventory is edited in Bianchi et al. (eds.), *Manoscritti medievali*, "Appendice Documenti. III.2. Volontà testamentarie del 1442", 93-97.

<sup>24</sup> Santi, "Gimignano Inghirami (1370-1460)", 774-776; Fabbri, "Sapientia aedificavit", 33-56.

teachers—Gaspar Calderinus, Antonius de Budrio, and Petrus de Ancharano—as well as works by jurists such as Simon of Borsano, Guido de Baysio, Johannes Andreae, Henri Bohic, Fredericus of Siena, Recupero of San Miniato, Paulus de Liazari, Lapo of San Miniato, Johannes of Legnano, Dominicus of San Gimignano, and Ludovicus Pontanus.<sup>25</sup>

Beyond canon law, his library also encompassed classical literature, history, theology, and philosophy: Virgil's *Aeneid*, Eutropius' *Breviarium ab urbe condita*,<sup>26</sup> the *Fons memorabilium universi* by Domenico Bandini of Arezzo, numerous works by Jerome, to whom he was especially devoted,<sup>27</sup> Augustine, Hugh of Saint-Cher, Thomas Aquinas, Nicholas of Lyra, as well as Thomas Waley's commentary on the *De civitate Dei*, and a copy of Francis of Meyronnes' commentary on the *Sentences*, Books II and IV.<sup>28</sup> Item nr. 51 in the inventory records a volume containing “quodlibet et questiones disputate fratris Petri (!) de Aquasparta, Sinonima Ysidori et Anselmi et Secreta secretorum Aristotelis in uno volumine in cartis pecudinis”,<sup>29</sup> while nr. 53 mentions a copy of the “Liber de minoralibus (!) in cartis papiri”. Unfortunately, neither of these volumes can be identified among the surviving codices.

Especially significant for this study is item nr. 25 (also lost), which contained a compilation of writings on the Schism in the context of the Councils of Pisa, Constance, and Basel, including treatises by Franciscus Zabarella, Petrus de Ancharano, and Antonius de Butrio.<sup>30</sup> Alongside the manuscript that is the focus of this article—corresponding to

<sup>25</sup> For a study of Gimignano's juridical library, see Domenico Maffei, “La biblioteca di Gimignano Inghirami e la *Lectura Clementinarum* di Simone da Borsano”, in *Proceedings of the Third International Congress of Medieval Canon Law*, edited by S. Kuttner (Vatican City: Biblioteca apostolica Vaticana, 1971), 217–236, esp. 223–224.

<sup>26</sup> In the 1442 inventory, it is identified with “Paulus Orosius ab origine mundi in cartis papiri” (cf. Bianchi et al. [eds.], *Manoscritti medievali*, 45 [Q.V.5 (8)], and “Appendice Documenti. III.2”, 97, nr. 55).

<sup>27</sup> In addition to the altarpiece *Funeral of St. Jerome* that he commissioned from Filippo Lippi (*supra*, fn. 19), Gimignano also promoted the construction of the Oratory dedicated to St. Jerome to which he bequeathed his books in the will of 1442. Santi notes that this preference for Jerome reflects his humanistic taste (“Pulpito di Donatello e Michelozzo”, 162).

<sup>28</sup> This last item can be identified with MS Florence, Biblioteca Laurenziana, Edili 69, although here only Book IV is extant. This codex also contains a compendium of Peter Auriol, penned by Johannes Tollener of Dyedem (one of Gimignano's main copyists) and misattributed to Bonaventure. Cf. Bianchi et al. (eds.), *Manoscritti medievali*, 96, nr. 49.

<sup>29</sup> Bianchi et al. (eds.), *Manoscritti medievali*, 96. Cf. the entry on MS Edili 164 in Fabbri, “*Sapientia aedificavit*”, 55: “164: Quaestiones Fr. Petri de Angl. et Fr. Matthaei de Aquasparta”; cf. *Carte Guasti* 59, nr. 6, f. 16r, 80v.

<sup>30</sup> Bianchi et al. (eds.), *Manoscritti medievali*, 95: “Item in uno volumine de cartis papiri mediocribus de factis scismatis Pisani, concilii Constantinensis et Basiliensis videlicet: tractatus editus per dominum Franciscum de Zabarella cardinalis Florentinum; tractatus domini Petri de Ancharano, tractatus domini Antonii de Butrio et domini Mactei et aliorum doctorum opuscula in eadem materia.”

the immediately following items of the inventory (nr. 26, 27, and 28)—this lost codex attests to Gimignano’s keen interest in conciliar matters.

Finally, among the manuscripts from Gimignano’s collection, one also finds his own writings: *allegationes, consilia, causae, informationes* and *dubia iuris* related to his work as an auditor of the Sacra Rota, as well as his *Repertorium per rubricas interpretum iuris canonici* (or *Repertorium per rubricas Decretalium Gregorii IX*), a compilation of patristic and canonistic sources on which he worked from the 1430s for at least two decades.<sup>31</sup>

The content and organization of Gimignano’s library suggest that it was primarily conceived as a tool for his professional activities. Scholars have observed that he was less of a bibliophile and more of a pragmatic user of books, driven by necessity rather than a collector’s passion.<sup>32</sup> However, this does not mean that his interests were strictly limited to canon law, as evidenced by the presence—albeit not predominant—of classical and patristical works in his collection.<sup>33</sup> His humanistic sensibility emerges most clearly in his contribution to the foundation of public libraries, such as that of San Girolamo in Prato and the Library of the Canons of the Cathedral of Santa Maria del Fiore in Florence, as well as in his support for artistic commissions for figures like Filippo Lippi and Beato Angelico.<sup>34</sup> Perhaps this openness to broader intellectual horizons was nurtured by Gimignano’s exposure to the exchange of people, ideas, and texts during the fifteenth-century ecumenical councils he attended, as well as by the challenge of navigating a period of tension, shaped by the frictions between conciliarist demands, efforts to reinforce papal authority, and the desire for Church reform.

A closer examination of the surviving records of the cases he adjudicated could offer further insight into how the books he read influenced his legal reasoning and decision-making. At present, this material exists in a highly fragmented and disorganized state, with much of it remaining largely unexplored. One exception is the research of Martin Cable, who analyzed three cases overseen by Gimignano, specifically in the context of disputes over benefices and the application of the principle of ‘real obedience’ from the decree *Omnia et singula*.<sup>35</sup> The decree *Omnia et singula*, issued at the Council of Constance,

<sup>31</sup> See Santi, “Gimignano Inghirami (1370–1460)”, 772–774. For the list of Gimignano’s writings, see Roberto Gamberini (ed.), *BISLAM. Bibliotheca Scriptorum Latinorum Medii Recentiorisque Aevi*, II: *Censimento onomastico e letterario degli autori latini del medioevo. Identificazione, classificazione per genere letterario e bibliografia fondamentale*, 2 vols. (Florence: SISMEL–Edizioni del Galluzzo, 2010), I, 652–653, and Roberto Angelini, *Geminianus de Inghirami in Compendium Auctorum Latinorum Medii Aevi (500–1500)* (Florence: SISMEL–Edizioni del Galluzzo, 2012), IV.2, 146–147.

<sup>32</sup> Bianchi et al. (eds.), *Manoscritti medievali*, 14–15.

<sup>33</sup> Santi suggested that the limited presence of patristic and classical texts in his library may have been due to the availability of other collections, such as Orsini’s, which Gimignano might have accessed (“Gimignano Inghirami [1370–1460]”, 766).

<sup>34</sup> On this point, see Santi, “Gimignano Inghirami (1370–1460)”, 772–776.

<sup>35</sup> Martin J. Cable, “Resolving Benefice Disputes after the Great Schism: The Survival of the Council of Constance’s 4 July 1415 Decrees *Omnia et singula* and *Pro majori pace* in Two Disputes from Auch and Rieti Brought before the Rota Auditor Gimignano Inghirami at the Time of the Council of

aimed to facilitate the reunification of the ‘Pisan’ and ‘Gregorian’ obediences by legitimizing all acts carried out by Pope Gregory XII within his obedience before his abdication. Rather than determining which obedience was the ‘true’ one, it sought to preserve legal continuity for offices and benefices granted by the rival pontiffs, while also providing a framework for resolving disputes. In cases where two ecclesiastical officials contested the same benefice, each appointed by a different pope, the quarrel was settled by validating the appointment made by the pope recognized within the community where the ecclesiastical office was located. Essentially, *Omnia et singula* ensured legal security for individuals who had received an ecclesiastical benefice from a particular pope, provided that the appointment occurred within the boundaries of a community that had acknowledged his authority.

Cable demonstrates that this principle was invoked in the cases examined by Gimignano even two decades after Constance. Furthermore, he proposes a thought-provoking interpretation of its significance by drawing a parallel with the later principle *cuius regio, eius religio*, introduced in the wake of the Peace of Augsburg (1555) to resolve conflicts between Protestants and Catholics. According to this interpretation—partially revised by Phillip H. Stump in a recent study—, the decree *Omnia et singula* would represent a shift from a legal system based on personal allegiance to one rooted in territorial jurisdiction. Additionally, it would mark a move towards secularization, as, within this framework, temporal authorities would play a decisive role in determining which papal obedience prevailed within their domains.<sup>36</sup> Without delving into this interpretive debate, which falls beyond the scope of this study, it is nonetheless noteworthy that Gimignano, in his role as auditor of the Sacra Rota, frequently handled disputes of this nature. While there is no evidence that his familiarity with the *Defensor pacis* influenced his legal approach or verdicts, it is worth considering how the jurisdictional challenges he encountered in his daily work—including resolving conflicts

Basle”, *Annuarium Historiae Conciliorum* 38 (2006): 321-424; and id., “Cuius Regio eius ... Papa?” The Decree on ‘Real Obedience’ at the Council of Constance (1414-1418). Konrad von Soest and the Contest for a Parish Church in the Diocese of Regensburg Brought before the Rota Auditor Gimignano Inghirami”, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 94 (2008): 66-102. See also id., ‘*Cum essem in Constantie...*’ Raffaele Fulgosio and the Council of Constance 1414-1415 (Leiden and Boston: Brill, 2015), IX-XI.

<sup>36</sup> Cable, “Resolving Benefice”, 325: “It meant that where a particular town, kingdom or region had publicly recognised Gregory as pope, his actions within its territorial frontiers were valid. [...] that decision was to be made in terms of how a particular territory had behaved in the schism; and the individuals who had in effect decided how a territory should behave were its territorial, and thus often secular, rulers. Real obedience, in short, put the choices of territorial prince over and above those of their ecclesiastical counterparts. It made *their* choice of obedience the one which would decide which of the papal contenders was to be considered as having properly wielded papal power in their territories.” For Phillip H. Stump’s account of Cable’s interpretation and his own considerations on this matter, see *Conciliar Diplomacy at the Council of Constance (1414-1418): Unity and Peacemaking in a World Historical Perspective* (Leiden: Brill, 2024), 87-89.

between competing authorities—may have intersected with the theoretical issues he explored in his readings.

## II. The *Defensor pacis* in MS Q.VIII.5 (22)

### II.1. The Codex

MS Q.VIII.5 (22) is a composite manuscript, consisting of at least three distinct codicological units, corresponding to items nr. 26, 27 and 28 of the 1442 inventory.<sup>37</sup> These units remained separate at least until that time. However, they were likely collated into a single codex relatively early, most probably at Gimignano's own initiative. I provide here the list of contents, including the transcription of possible colophons, rubrics with titles and author attributions, along with the corresponding entries in the inventory.

I. ff. 1-101 (XV<sup>1</sup>)

**1. ff. 1ra-101vb: Marsilius de Padua, *Defensor pacis, Dictiones II and III***

f.1ra: (mrg. b) *Dictio secunda (I) Guilelmi de Occam in Derisorio suo.*

(Invent. nr. 26: *Item tractatus Guillelmi de Occam in Derisorio suo de potestate pape et concilii.*)

II. ff. 102-117 (12 marzo 1437, Edinburgh)

**2. ff. 102ra-114vb: Petrus de Alliaco, *De ecclesiae concilii generalis, Romani pontificis et cardinalium auctoritate.***

f. 102r: (mrg. b) *Tractatus domini cardinalis Cameracensis*

f. 114r: (text) *Scriptus in Scocie regno in Edymburgho, anno Domini M<sup>o</sup>CCC<sup>o</sup>XXXVII<sup>o</sup> die duodecima mensis Marci.*

(Invent. nr. 27: *Item tractatus de potestate pape et concilii generalis editus a reverendo in Christo patre domino Petro cardinali Cameracensi editus in sacro concilio Constantiensi.*)

<sup>37</sup> The units have been identified based on codicological analysis; for a more detailed description of the codex, especially from a material perspective, I refer to Santi, “Prato, Biblioteca Roncioniana”, 93-936, and Bianchi et al. (eds.), *Manoscritti medievali*, 56-57, who identified three codicological units. Boschi Rotiroti has instead identified four codicological units, further subdividing the third one, see *infra*, fn. 38 and 39 (*Manoscritti datati*, 77, nr. 64). For the entries in the inventory, see Bianchi et al. (eds.), *Manoscritti medievali*, 96.

III: ff. 118-214 (XV<sup>1</sup>)

**3. ff. 118ra-146vb: Iohannes de Casanova, *Tractatus de potestate papae et concilii generalis***

f. 118ra: *Incipit tractatus de potestate pape et concilii generalis editus a reverendissimo in Christo patre et domino, domino Iohanne titulo Santi Sixti sacrosante Romane ecclesie presbitero cardinali.*

**4. ff. 146vb-156ra: Iohannes de Casanova, *Quaestio de potestate papae***

**5. ff. 156ra-162rb: Iohannes de Casanova, *Quaestio quid venit nomine Ecclesiae***  
(ff. 162v-166v blank)

(Invent. nr. 28: *Item tractatus de eadem materia a domini Iohanne titulo Santi Sisti Cardinali*)<sup>38</sup>

<IV: ff. 167-214 (XV<sup>1</sup>)?><sup>39</sup>

**6. ff. 167ra-214rb: <Iohannes de Segovia>, *Tractatus decem advisamentorum***

f. 214rb-va: *Tabula tractati decem advisamentorum* (f. 214b: (text) *Tractatus decem avisamentorum ex sacra scriptura de sanctitate ecclesie et generalis concilii auctoritate.*

The hypothesis that the codicological units were combined very early is supported by the presence of glosses and organizational marks that are consistent across all of them. These annotations were made by two fifteenth-century hands: one belonging to Gimignano (g), and another more cursive hand (b), which also appears in some of his other codices. Hand b is responsible for inserting cross-references within the codex, linking one unit to another (f. 101v, f. 117v, and f. 166v).<sup>40</sup>

<sup>38</sup> The inventory only records the first work by Casanova. It is possible that the unit expanded after the inventory was compiled—this later addition seems particularly likely in the case of text nr. 6 by Juan de Segovia, which begins with a new quire without using the blank folios left at the end of Casanova's *Quaestio quid venit nomine Ecclesiae* (ff. 162v-166v); cf. Bianchi et al. (eds.), *Manoscritti medievali*, 57.

<sup>39</sup> Although this section appears homogeneous with the preceding one in terms of hands and layout, Boschi Rotiroti identifies it as a distinct codicological unit (*Manoscritti datati*, 77, nr. 64); cf. *supra* fn. 37.

<sup>40</sup> At the end of the first and second units, hand b records the title of the first text of the following unit. The final reference, on f. 166v, appears at the end of the quire containing the last text by Juan de Casanova, just before the beginning of the text by Juan de Segovia.

The ownership note appears on f. 1r, and follows the formula found in Gimignano's manuscripts dating prior to 1451: *Iste liber dominis Geminiani d<sup>e</sup> Inghyramis de Prato canonici Florentini, et auditoris sacri pallatii apostolici c<sup>a</sup>usarum* (f. 1r) (see Fig. 1).<sup>41</sup>

## II.2. *R<sub>o</sub>* and Its Glosses

Let us now turn to the copy of the *Defensor*. For convenience, I will refer to it as *R<sub>o</sub>*.<sup>42</sup> The rubric on f. 1r, which identifies the text as the “Second *Dictio* of William of Ockham in his *Derisorium*”, was added by hand *b* (see Fig. 2). This information is also recorded in the 1442 inventory, where the editor notably included the phrase “on the power of the pope and the council”, likely reflecting Gimignano’s primary interest in the text. A crucial point to highlight is that the manuscript contains not only the Second *Dictio*, but also the Third. The mistake made by both hand *b* and the editor of the inventory may stem from the fact that three chapters of *Dictio III* are rubricated in the margins as chapters 31, 32, and 33 of *Dictio II*. This misidentification regarding the actual extent of the text is also present in the Roncioniana catalog and in modern studies referencing this codex. I have not found any indication in Scholz’s edition that this peculiar division of the text appears in other witnesses of the *Defensor pacis*.

The loss of a folio—the first half of the fourth bifolio in the fifth quire—has resulted in a textual lacuna. More specifically, the text breaks off at f. 43vb with “[...] induximus per apostolum quoque ac sanctorum” (DP II.17.6; cf. ed. Scholz, vol. II, p. 360, l. 25) and resumes at f. 44ra: “aut curatus, sicque in reliquis minoribus ecclesiasticis officiis” (DP II.17.11; ed. Scholz, vol. II, p. 365, l. 16). Additionally, a copying error due to homoeoteleuton can be observed at f. 83vb. After the passage “Quod sapere videtur glosa, cum dixit: Trine negacioni redditur trina confessio, ne minus amori lingua serviat, quam timori” (DP II.28.9; cf. ed. Scholz, vol. II, p. 538, l. 27), the text erroneously continues with “Ex hoc autem non aliud convincitur [...] testatur autem dictis, quod ecclesia catholica” (DP II.28.8; cf. ed. Scholz, vol. I, p. 237, ll. 19–25). This misplaced section is crossed out, and from that point, the scribe resumes the correct text with: “Hoc enim certissime constat”.

The text features filigreed initials at the beginning of each chapter and employs black ink paragraph marks to separate sections. Hand *b* adds chapter numbers and, occasionally, brief titles. Both the titles and the textual divisions do not correspond to those found in the modern edition. Citations are generally not underlined, though some exceptions can be found, particularly at DP II.3 (ff. 3vb–4rb), II.4 (ff. 5va, 6rb–6vb, 7vb, 8rb), II.5 (9ra, 9va), II.6 (12vb–13ra), II.19 (f. 48vb), II.28 (81vb, 84rb, 88vb, 91ra–91vb), and II.29

<sup>41</sup> Gimignano’s coat of arms was once present in the middle of the inscription; its removal resulted in the loss of some characters. Ownership formulas posterior to 1451 include Gimignano’s titles as *protonotarius sedis apostolicae* and *praepositus* of Prato, reflecting his later positions and status; cf. Bianchi et al. (eds.), *Manoscritti medievali*, 16.

<sup>42</sup> I opted for *R<sub>o</sub>* (short for Roncionianus) to avoid confusion with the sigla of the manuscripts used by Scholz for his edition.

(92vb-93va, 95vb). Throughout the manuscript, *maniculae*, crosses, and vertical marks highlight points of interest. Both *b* and *g* contribute to the marginal glosses, though Gimignano's interventions are more frequent. The glossing remains dense and consistent throughout the text until II.30, where it becomes noticeably sparser. *Dictio III* is left unglossed, with the only exception being the numbering of the first five *conclusiones* of the first chapter (f. 99v, rubricated here as II.31).

The glosses generally fall into three categories:

- (i) Names of cited authorities and Biblical passages (added by both *g* and *b*);
- (ii) Cross-references, though relatively few. For instance, in the margins of II.27 (“On some objections to what was determined in chapter 15 of this discourse and in other chapters subsequently”<sup>43</sup>), here at ff. 79ra-79va, hand *b* added references to the arguments in the previous chapters, introduced with the words: “*Responsio infra c. [nr.]*”. At ff. 82ra-98ra, corresponding to DP II.28 (“On the replies to the said objections”), II.29 (“On the solution to the objections adduced from Scripture in chapter 3 of this discourse, to show that bishops have coercive jurisdiction and that the Roman bishop, as such, has supreme coercive jurisdiction”) and II.30 (“On the solution to the objections introduced in the same chapter 3 to the same end, and concerning the transference of the Roman empire or any other principate, sc. to what extent it both should and can take place according to right reason”), it is Gimignano himself who identifies the references, using the expressions: “*Ad [nr.] instantiam...*” and “*Ad illud...*”.
- (iii) Excerpts or summaries of key definitions and relevant passages of the text, written by both *g* and *b*. These are almost always verbatim quotations from the text, usually abridged, although occasionally they feature slight variations in wording or more freely paraphrased passages.

With respect to this latter type of annotations, see, by way of example, the following passages from the *Defensor* in *R<sub>o</sub>* (left) accompanied by Gimignano's glosses (right):

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<sup>43</sup> For convenience, I use the chapter titles from the modern edition (as found in Brett's English translation) to refer to the content of the chapters, even though they are absent from *R<sub>o</sub>*.

DP II.2.3, R <sub>o</sub> f. 2rb (cf. ed. Scholz, vol. I, p. 144)	
Rursum, secundum aliam significacionem debet hoc nomen ecclesia, et omnium verissime et propriissime secundum primam impositionem huius nominis seu intencionem primorum imponencium, licet non prima seu secundum modernum usum <b>de universitate fidelium credencium</b> et invocantium nomen Christi et de huius universitatis partibus omnibus, in quacumque communitate, etiam domestica. Et hec fuit imposicio prima huius diccionis et consuetus usus eius apud apostolos et in ecclesia primitiva.	<i>Ecclesia est congregatio fidelium credentium et invocantium nomen Christi, et prima huius (add. vocis* sed del.) ditionis et consuetus usus eius apud apostolos in primitiva Ecclesia, et hec est propriissima et verissima significatio.<sup>44</sup></i>
DP II.15.7, R <sub>o</sub> f. 38ra-b (cf. ed. Scholz, vol. II, p. 332)	
Unde non plus sacerdotalis auctoritatis essencialis habet <b>romanus episcopus</b> quam alter sacerdos quilibet sicut in beatus Petrus amplius ex hac habuit ceteris apostolis.	<i>non plus sacerdotalis auctoritatis essentialis habet romanus pontifex quam alter sacerdos quilibet.</i>
DP II.18.2, R <sub>o</sub> f. 46rb (cf. ed. Scholz, vol. II, p. 376)	
Quesita ergo proposita reddere temptaturis oportebit de ipsis intendere: primum quatenus processerunt de facto et circa eorum origines; deinde vero quantum iuri divino et humano ac recte rationi sic facta conformiter se habuerint aut habere debuerit ...	<i>Quomodo pontifices romani acuiserunt sibi iurisdictionem coactivam. Et de eorum origine. Et quantum iuri divino et humano ac rationi recte se habuerint.</i>

In the first example, Gimignano reproduces Marsilius' definition of *ecclesia*, slightly abbreviating it and making a small change by replacing *universitas fidelium* with *congregatio fidelium*. In the second case, he transcribes the text verbatim, altering only the papal title—i.e., substituting *romanus episcopus*, as found in Marsilius, with *romanus pontifex*. The third gloss takes a freer approach, making the theme of the passage explicit—namely, indicating that the text explores how popes acquired coercive jurisdiction. The decision to replace *romanus episcopus* with *romanus pontifex* is certainly noteworthy. Gimignano and *b* often opt for *pontifex*—usually when the text does not specify a title and in many cases even when *episcopus* appears in the original passage. This choice may suggest a politically motivated adjustment, emphasizing the Petrine primacy in contrast to Marsilius' theory, which rejected the preeminence of the bishop of Rome over other bishops. However, this pattern is not consistently applied across the glosses, as *episcopus* is also frequently

<sup>44</sup> Unlike the scribe of the main text, Gimignano's spelling introduces the *-ci-/ti-* distinction. I have therefore chosen to reproduce it here faithfully as it appears in the manuscript.

retained.<sup>45</sup> Therefore, although the choice is significant, its inconsistency suggests that it should not be overinterpreted as a strongly politicized decision.

More generally, as far as I have been able to ascertain, the glosses do not deviate further from Marsilius' text; a closer examination could help determine whether there is consistent pattern of subtle lexical substitutions and whether these hold any significance. In any case, what stands out here is that, even without providing interpretative glosses or elaborating on the text's content, Gimignano engaged with the *Defensor* meticulously, reading it line by line with great attention. This manuscript was not part of his collection out of mere bibliographic interest: he studied it closely, added rubrics to facilitate the retrieval of key passages, and annotated the most relevant definitions—perhaps to commit them to memory and reference them at a later time. Just as he did with the works of Pierre d'Ailly, Juan de Casanova, and Juan de Segovia, Gimignano may have examined the doctrines of the *Defensor* with the intent of better understanding and contributing to the conciliar discussions taking place in his social circles.

A particularly long and significant gloss appears at f. 53va, DP II.21.7 (Fig. 3). This chapter discusses who holds the coercive authority to convene a council and to establish binding norms under penalty of excommunication. At §7, Marsilius cites an edict beginning with the words *Imperatores Caesar Theodosius et Valentinianus*,<sup>46</sup> and comments that it aligns with three conclusions he previously advanced:

the first, that it is expedient to define anything that is doubtful about the divine law; the second, that this definition does not belong to the authority of a single person or college, but to a general council; and the third, that the authority to call or command a council of this nature, to establish and determine the persons suitable to it, to lay it down that those things that have been defined and ordered by this council should be observed, and to suppress transgressors of those things that have been laid down, <in and for the status of this present world,> belongs to the faithful human legislator alone or to the prince by its authority.<sup>47</sup>

Rather than summarizing the passage, Gimignano transcribes all three conclusions verbatim and in full, without shifts in wording or significant omissions. His interest for this passage is worthy of attention, considering his close ties to Pope Eugenius IV. Indeed,

<sup>45</sup> For *romanus pontifex*, see for instance the chapter titles added by *b* at II.24 (f. 62vb), II.25 (f. 66rb), II.26 (f. 71rv) and the gloss at II.18.3 (f. 46va; cf. ed. Scholz, vol. II, p. 376). Gimignano uses *pontifex* at II.6.9 (f. 14va; cf. ed. vol. I p. 207), II.15.7 (f. 38ra-b; cf. ed. vol. II, p. 332), II.18.2 (f. 46rb, cf. ed. vol. II, p. 376), II.21.3 (f. 52ra; cf. ed. vol. II, p. 404), II.22.20 and 23.1 (f. 60; cf. ed. vol. II, p. 440), II.24.2 (f. 63ra; ed. vol. II, p. 452), II.24.14 (f. 65ra; cf. ed. vol. II, p. 462), II.25.2 (f. 66va; cf. ed. vol. II, p. 468), II.25.7 (f. 68ra; cf. ed. vol. II, p. 473), II.28.13 (f. 87ra; cf. ed. vol. II, p. 544). For the sake of brevity, I do not list here the instances where *episcopus* appears (e.g., ff. 3vb, 4rb, 41va, 47va, etc.) but I have counted occurrences in at least 18 folios, sometimes more than once per page.

<sup>46</sup> For the identification of this particular reference, see Scholz' edition, vol. II, 409.

<sup>47</sup> DP II.21.7, transl. Brett, 383. I have used angle brackets to indicate text absent from Gimignano's gloss.

Marsilius' ideas on this matter stand in clear counterpoint to the position defended by the supporters of papal supremacy, to which Gimignano was likely exposed in the context of his professional activity and social interactions. Perhaps he was intentionally recording the opposing theses to his own faction—studying the enemy, so to speak.

### II.3. Notes on R<sub>o</sub>'s Place Within the Manuscript Tradition

According to Previté-Orton and Scholz, the manuscripts of the *Defensor pacis* can be divided into two families: the French group, derived from the version completed in Paris in 1324, and the German group, which spread from the copy that Marsilius had with him while at the court of Ludwig of Bavaria.<sup>48</sup> A key witness for both traditions is MS Tortosa, Arxiu Capitular de la Catedral, 141 (= T). The copy of the *Defensor* preserved in T aligns with the French group, yet it contains numerous corrections and marginal annotations—introduced by at least two hands over different stages<sup>49</sup>—that are found incorporated into the text in witnesses of the German family. A study by Alexander Fidora and Matthias M. Tischler has confirmed that the revisions in T (= T') were likely overseen by Marsilius himself (or by a close collaborator) while in Munich.<sup>50</sup> From Germany, the manuscript had reached Avignon by the time of Pedro de Luna—the last pope of the Avignon obedience with the name of Benedict XIII (1394-1423)—, where it became part of his library. After Benedict XIII's death, it found its way to Tortosa.<sup>51</sup> From a philological perspective, this

<sup>48</sup> Previté-Orton, "Introduction", xxvi-xlii; Scholz, "Einleitung", v-l. An updated list including codices unknown to the two editors, bringing the total to 36 known manuscripts and excerpts, is provided in Miethke, "Einleitung", xliv fn. 75-76. I include the list here for convenience, without specifying the shelf marks. French group = A, B, C, D, E, and F (Paris), G (Auxerre), K (Vienna), L (Vatican), M (Florence), O and Y (London), Q (Oxford), R (Cambridge), U (Bruges), W (Ulm), and N (Turin). German group = H, I, and J (Vienna), P (Oxford), S (Bremen), V (Freiburg i. Ü.), X (Ulm) and Z (Weimar), Z' (Nuremberg), and a manuscript copied from the *Editio princeps* (Hannover, 17<sup>th</sup> cent.); the *Editio princeps* (Basel: Valentinus Curio, 1522) stems from the German tradition, having likely been copied from the same manuscript on which Z may also depend. T (Tortosa) is at the intersection between the two traditions. Among the manuscripts unknown by Scholz, Miethke lists, for the French group, Vatican, Ottob. lat. 2078, Reims 885, and Bruges 226; for the German group, Florence, Bibl. Naz., Conv. soppr. E.3.379, as well as the fragments in Kassel, Murhardsche und Landesbibliothek, theol. 168, f. 168, and Lucerne, Zentralbibliothek, 18, ff. 14v-15v.

<sup>49</sup> For an analysis of the hands, see Fidora and Tischler, "Zwischen Avignon, München und Tortosa", 182-183.

<sup>50</sup> Fidora and Tischler, "Zwischen Avignon, München und Tortosa". The main argument for attributing the authorship of this revision to Marsilius (or a close collaborator) is that many of the textual additions, particularly regarding biblical citations, precisely match passages found in the *Defensor minor*.

<sup>51</sup> Miethke considered the possibility that it reached Tortosa via the book trade at the Councils of Constance or Basel ("Marsilius und Ockham", 557 fn. 48). On the other hand, Fidora and Tischler suggest that, after the death of 'Papa Luna', the manuscript was transferred to Guillem Cardona, a Catalan nobleman, as compensation for his services to the papal court. Through Cardona it then arrived in the Kingdom of Aragon and eventually in Tortosa.

manuscript holds particular significance as it stands at the intersection of the two textual traditions, preserving both the earliest form of the text and the later additions that define the German family. A comparison with this witness is therefore essential to determining where a copy of the *Defensor* fits within the stemma.

At this stage of my research, I do not have sufficient evidence to determine  $R_o$ 's exact position within the tradition. To clarify this, it would be necessary to conduct a more thorough examination of  $R_o$ 's textual variants and reassess Scholz's stemma in light of any new data on the codices that might have emerged over the past nearly hundred years.<sup>52</sup> For the purposes of this article, I will therefore limit myself to offering some preliminary observations that might contribute to a tentative placement of  $R_o$  within the broad framework outlined by Scholz. My analysis will focus on the *loci critici* from *Dictio II* that, according to Scholz's reconstruction, are crucial for distinguishing between the two traditions.<sup>53</sup> The key aspect to examine is whether  $R_o$  includes the additions from  $T'$  at II.4.5, II.4.11, II.9.2, II.14.8, and II.14.24, which are entirely absent in the French group.

The table below presents the text from Scholz's edition on the left—with asterisks \* marking  $T'$ 's additions and square brackets [ ] indicating the corrections introduced by  $T'$  to the original text of  $T$ —and the text from  $R_o$  on the right. The next row lists the textual variants found in both traditions, followed by a preliminary note on the similarities and discrepancies observed which I will expand on later.<sup>54</sup> I also include here the stemmata of the French and German groups according to Scholz's reconstruction.<sup>55</sup>

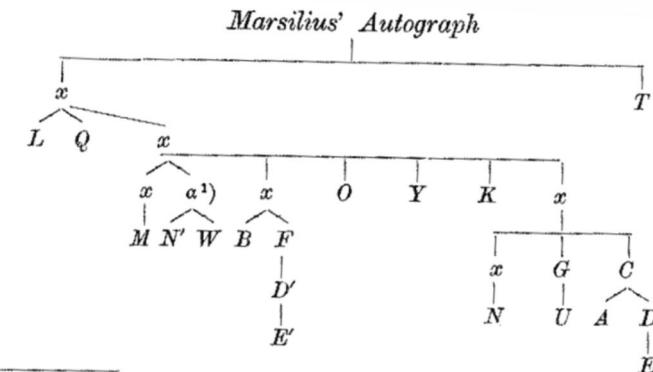
<sup>52</sup> Despite the challenges posed by such a complex tradition, Scholz's edition of the *Defensor* has been recognized as solid. However, more precise studies on textual variants and the history of the codices could provide fresh insights into the manuscript tradition as a whole.

<sup>53</sup> Scholz, "Einleitung", xxiv–xxv and xlvi–xlvi.

<sup>54</sup> I have relied here on Scholz's apparatus, which, unfortunately, does not seem to record all the variants of the manuscripts known to him. Both Previté-Orton and Scholz have, in fact, only reported the variants they considered most relevant.

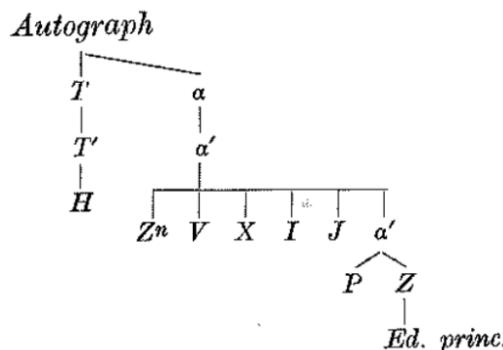
<sup>55</sup> Scholz, "Einleitung", xxv and xlvi.

## French Group (A)



<sup>1)</sup>  $\alpha$  = *Abschrift des Goffinus.*

## German Group (B)



(a) DP II,4.5

ed. Scholz, vol. I, p. 162	R <sub>o</sub> f. 5vb
<p>Ecce de quo regno docere atque disponere venit, quoniam de actibus quibus pervenitur<sup>1</sup> ad regnum eternum fidei scilicet ac reliquarum theologicarum virtutum<sup>2</sup>;</p> <p><b>*neminem tamen ad hoc cogendo, ut infra patebit.</b><sup>3</sup> Duo namque coactiva dominia<sup>4</sup> non subinvicem posita <b>*ac<sup>5</sup> respectu eiusdem</b></p>	<p>Ecce de quo regno docere atque disponere venit, quoniam de actibus quibus pervenitur ad regnum eternum fidei scilicet ac reliquarum theologicarum virtutem,</p> <p><b>neminem tamen cogendo ad hoc, ut infra patebit.</b> Duo namque coactiva dominia non subinvicem posita <b>eciam respectu eiusdem</b> se impediunt, ut in 17<sup>o</sup> prime monstratum est</p>

<p><b>multitudinis</b><sup>*6</sup> se impediunt, ut in 17<sup>o</sup> prime monstratum est.</p>	
<p><sup>1</sup> provenitur T      <sup>2</sup> virtutem R<sub>o</sub>      <sup>3</sup> <b>neminem—patebit</b>] <i>om. L, Q, V, I, J, X, W, A, K, G, N; add. marg. T'; in textu H, R<sub>o</sub>, Z, Ed. prin.</i>      <sup>4</sup> <i>add. secularia L, Q, K, A, G, W; add. coactiva sed del. T</i>      <sup>5</sup> <i>eciam R<sub>o</sub></i>      <sup>6</sup> <b>ac—multitudinis</b>] <i>add. supr. lin. T'; om. L, Q, K, A, G, W; in textu sed post dominia I, J, V, Z, X; in textu sed om. multitudinis H, R<sub>o</sub></i></p> <p>The first addition from <i>T' (*neminem—patebit*)</i> is absent in all witnesses, both German and French, except for <i>H, Z</i>, the <i>Editio princeps</i>, and <i>R<sub>o</sub></i>. The second (<i>*ac—multitudinis*</i>) is absent in the French manuscripts but present in the German ones, as well as in <i>R<sub>o</sub></i>. Moreover, <i>R<sub>o</sub></i> shares exclusively with <i>H</i> both the placement of this addition in the text (following <i>posita</i> instead of <i>dominia</i>, as in the other German manuscripts) and the omission of the final word, <i>multitudinis</i>.</p>	

(b) DP II.4.11	
ed. Scholz, vol. I, p. 171	<i>R<sub>o</sub> f. 7va</i>
<p>Constat autem eciam<sup>1</sup> Christum neque Petrum filios fuisse Cesaris secundum carnem, neque secundum spiritum. <b>*Adhuc, quid quesivisset Christus questionem<sup>2</sup> premissam omnibus enim constat filios regum secundum semen non solvere tributa parentibus.*<sup>3</sup></b> Non igitur<sup>4</sup> fuisse videtur exposicio Ieronymi sic consona scripture, quemadmodum<sup>5</sup> Origenis.</p>	
<sup>1</sup> <i>om. L, Q, A, W</i> <sup>2</sup> <i>per questionem H</i> <sup>3</sup> <b>adhuc—parentibus</b> ] <i>om. L, Q, W, A etc.; add. marg. T'; in textu H, I, R<sub>o</sub>, V, X, Z, Z<sup>n</sup>, Ed. prin.</i> <sup>4</sup> <i>ita R<sub>o</sub></i> <sup>5</sup> <i>quamadmodum a.c. R<sub>o</sub></i>	
<p><b>*adhuc—parentibus*</b> is absent in all French manuscript and present in the German ones, the <i>Editio princeps</i>, and <i>R<sub>o</sub></i>. In this case, <i>R<sub>o</sub></i> does not share <i>H</i>'s reading <i>per questionem</i>.</p>	

(c) DP II.9.2	
ed. Scholz, vol. I, p. 232	<i>R<sub>o</sub> f. 19va</i>
<p>Frustra enim ad hec<sup>1</sup> quemquam cogeret, quoniam observatori<sup>2</sup> talium coacto nihil<sup>3</sup> ipsa proficerent ad eternam salutem, <b>*quemadmodum per Chrysostomum, quinimo per apostolum evidenter ostendimus 5<sup>o</sup> huius, parte 6<sup>a</sup> 5<sup>o</sup> 6<sup>o</sup>.</b></p>	
<sup>1</sup> <i>hoc L, A</i> <sup>2</sup> <i>observacioni R<sub>o</sub></i> <sup>3</sup> <i>nisi R<sub>o</sub></i> <sup>4</sup> <i>2<sup>o</sup> R<sub>o</sub></i> <sup>5</sup> <i>6<sup>a</sup> om. R<sub>o</sub></i> <sup>6</sup> <b>quemadmodum—parte</b> ] <i>om. L, Q, A, C<sup>b</sup>, F, G, K, I, V, W, X, Z<sup>n</sup>, scr. marg. T' et iter. per Chrysostomum quinimo; in textu H, R<sub>o</sub>, Z; parte 6<sup>a</sup> om. Ed. prin.</i>	

\**quemadmodum—parte*\* is absent in the French manuscripts and in several of the German ones. Thus, *R<sub>o</sub>*, which includes it (though omitting 6<sup>o</sup>), shares this reading only with *H*, *Z*, and *Ed. prin.* (which omits *parte* 6<sup>o</sup>).

(d) DP II.14.8	
ed. Scholz, vol. II, p. 307	<i>R<sub>o</sub></i> f. 33ra
et da pauperibus. * <b>Dato igitur secundum heresim aliquorum Christum in quantum hominem habuisse dominium omnium temporalium rerum, eas vendidit, aut consilium quod ad perfeccionem tradidit non servavit. Si ergo ea vendidit, illa sibi ex successione Christi non potest vindicare Romanus aut alter episcopus neque collegium sacerdotum</b> * <sup>1</sup> , sive talia fuissent ab eis habita in proprio sive eciam in communi.	et da pauperibus, sive talia fuissent ab eis habita in proprio sive eciam in communi.
<sup>1</sup> <b>dato—sacerdotum</b> ] <i>add. mrg. T'</i> , <i>in textu H</i> ; <i>om. ab omnibus aliis codicibus</i>	
* <b>dato—sacerdotum</b> * is attested only in <i>T'</i> and <i>H</i> , while it is absent in all the other manuscripts, both French and German, including <i>R<sub>o</sub></i> .	

(e) DP II.14.24	
ed. Scholz, vol. II, p. 324	<i>R<sub>o</sub></i> f. 36va
Vel dicendum, quod <sup>1</sup> de tali dominio, scilicet <sup>2</sup> temporali, non sensit ibi <sup>3</sup> beatus Iohannes, imo <sup>4</sup> de dominio regni eterni, * <b>vel quantum ad regnum eternum</b> *. <sup>5</sup> Unde glossa subdit: Rex regum, id est, super omnes sanctos. <b>[Hii autem sunt in patria, non in via].</b>	Vel dicendum de tali domino scilicet temporali non sensit beatus Iohannes ymmo de domino regni eterni. Unde glossa subdit: Rex regum, id est, super omnes sanctos. <b>Hii autem sunt in patria, non in via.</b>
<sup>1</sup> <i>om. R<sub>o</sub></i> <sup>2</sup> <i>om. V.</i> <sup>3</sup> <i>om. R<sub>o</sub></i> <sup>4</sup> <i>X<sup>o</sup> H</i> <sup>5</sup> <b>vel—eternum</b> ] <i>om. L, Q, A, W, R<sub>o</sub>; add. mrg. T'</i> ; <i>in textu H, V, X, Z, Ed. prin., I, J</i> <sup>6</sup> <b>Hii—via</b> ] <i>del. T; om. H, V, X, Z, Ed. prin., I, J; in textu Q, L, W, A, G etc.</i>	

\**vel—eternum*\* appears in *T'* as an addition correcting a marginal annotation. It is incorporated into the text in the German manuscripts but not in the French ones, nor in *R<sub>o</sub>*. *R<sub>o</sub>* diverges from the German tradition and aligns more closely with the French group also by preserving [*Hii—via*], which had been deleted by *T* and omitted in the German manuscripts.

In the first three passages examined, *R<sub>o</sub>* includes the additions from Tortosa; thus, this copy can be classified within the German group. One can also note that in two instances (i.e. [a] II.4.5, *neminem—patebit* and [c] II.9.2, *quemadmodum—parte*) *R<sub>o</sub>* reports additions

that are found only in *H*, *Z*,<sup>56</sup> and the *Editio princeps*, while are absent from other German manuscripts. Notably, *R<sub>o</sub>* seems to present some distinctive readings found only in *T'* and *H*. The latter (*H* = Vienna, Österreichische Nationalbibliothek, 464) is a significant witness within the textual tradition.<sup>57</sup> Dated to the mid-fourteenth century, it was acquired in 1407 by Franciscus de Retz (c. 1343-1427), a professor of theology at the University of Vienna who participated in the Council of Pisa and later took part in the preparations for the Council of Constance.<sup>58</sup> According to Previté-Orton and Scholz, *H* is a direct and faithful copy of *T'*.<sup>59</sup> Scholz states that *H* neither corrects nor adds to *T'*, reproduces its errors, and includes readings that can only be attributed to misunderstandings of this witness. Most notably, *H* integrates some of *T'*'s marginal notes that were not originally meant to be part of the text.<sup>60</sup> Among the three cases of this phenomenon signaled by Scholz, one is also present in *R<sub>o</sub>*. At DP II.5.3 (ed. Scholz, vol. I, p. 181), *H* introduces the sentence “*nota quod per seculare negocium exponit Bernardus iudicium actuum contenciosorum*”, which was originally a marginal comment in *T'*. According to Scholz's apparatus, this addition is absent from any other known witness. Yet, remarkably, *R<sub>o</sub>* includes it, albeit with *regimen* instead of *negocium* (f. 9va). Gimignano took note of this passage and repeated some words of the text in the margin (Fig. 4).<sup>61</sup>

With respect to passages (d) II.14.8 and (e) II.14.24, *R<sub>o</sub>* does not incorporate *T'*'s revisions. The omission of *dato—sacerdotum* in (d) II.14.8 is unsurprising, as this reading is attested only in *T'* and *H*. The long integration appears in a chapter addressing the issue of Christ's universal *dominium* within the broader debate on Franciscan poverty.<sup>62</sup> Both

<sup>56</sup> *Z* = Weimar, Herzogin Anna Amalia Bibliothek (olim Thüringische Landesbibliothek), Fol. 74, aligns almost perfectly with the *Editio princeps* (Basel 1522). Scholz suggests that it may be a direct copy of the source used for the edition (cf. “*Einleitung*”, XLIII, XLIV). Cf. Betty C. Bushey, *Die lateinischen Handschriften bis 1600*, I: *Fol max, Fol und Oct* (Wiesbaden: Harrassowitz, 2004), 204-205.

<sup>57</sup> Scholz, “*Einleitung*”, XXXII-XXXIV. Cf. Franz Unterkircher, *Die datierten Handschriften der Österreichischen Nationalbibliothek bis zum Jahre 1400*, 2 vols. (Weimar: Böhlau, 1969), I, 25.

<sup>58</sup> Gundolf Gieraths, “Franz von Retz”, *Neue Deutsche Biographie* 5 (1961): 372. The ownership note is accompanied by an entertaining warning: “*Iustum librum emit m. franciscus de Retz a. 1407 in die gordiani et epimachi pro 1 den. Wienn, qui valde caute legendus est, quoniam pocius offender pacis quam defensor est*”. The manuscript was later owned by Jakob von Hoogstraeten (d. 1527) and eventually incorporated into the Dominican library in Vienna. Cf. Scholz, “*Einleitung*”, XXXII and Miethke, “*Marsilius und Ockham*”, 552.

<sup>59</sup> Michael Bihl did not fully endorse this interpretation (review of “*Marsilius von Padua, Defensor pacis*, herausgegeben von Richard Scholz”, *Archivum Franciscanum Historicum* 27 [1934]: 284).

<sup>60</sup> Scholz, “*Einleitung*”, XXXIII.

<sup>61</sup> *R<sub>o</sub>* f. 9va, marginal note by Gimignano: “*secular Regimen secundum Bernardum est iudicium actuum contemptiosorum*”. The other two marginal notes that Scholz mentions as being incorporated into the text by *H* are absent in *R<sub>o</sub>*; Cf. II.18.3 (ed. Scholz, vol. II, 377; *R<sub>o</sub>* f. 46vb) and II.23.3 (ed. Scholz, vol. II, 442; *R<sub>o</sub>* f. 60vb). The former incorporation is not unique to *H* but is also found in other witnesses of the German tradition.

<sup>62</sup> While commenting on Mt 19:21, *Go and sell all that thou hast, and give unto the poor*, the integration adds: “*Therefore, granted that (according to the heresy of some) Christ as man had dominion of all temporal things, he must have sold them, or he did not keep the counsel of perfection which*

Previté-Orton and Scholz viewed this passage as a later revision introduced by Marsilius himself in response to John XXII's bull *Quia vir reprobis*, issued on 16 November 1329. As a result, they set the year 1329 as the *terminus a quo* for the final redaction of the revisions in *T*.<sup>63</sup> Kerry E. Spiers has challenged this interpretation, arguing—quite convincingly—that the issue at stake in this passage had already been debated before 1329, making it insufficient as conclusive evidence for dating the addition in *T* as post-*Quia vir reprobis*.<sup>64</sup> According to Spiers, this section could have been introduced at any point after Marsilius' flight to Germany in 1326.<sup>65</sup> Regardless of this debate on the dating, it is certain that the copy from which *R<sub>o</sub>* derives did not include this revision.

Turning to the final passage, (e) II.14.24, we find a more substantial divergence. Scholz's apparatus reports that *vel—eternum* was added as an integration to a marginal correction (“in *T* als Ergänzung des Korr. am Rande”), while *Hii—via* was deleted from the text (“in *T* ausgestrichen”). Here, *R<sub>o</sub>* does not include either of these revisions and, in both instances, aligns with the French group against the entirety of the German tradition.<sup>66</sup> To sum up, the analysis of the *loci critici* suggests that *R<sub>o</sub>* derives from a copy of the German group which occasionally shared distinctive readings with *H* but predated both the introduction of (d) *dato—sacerdotum* and the revisions in (e). At this stage, drawing more definitive conclusions about its precise position within the manuscript tradition would be premature. On the other hand, an aspect that warrants further consideration is the attribution of this text to Ockham, as it may provide additional insight into the history of the codex and, more broadly, the reception of the *Defensor pacis* in the fifteenth century.

### III. On the Trail of Ockham's *Derisorium*

#### III.1. *The Attribution to Ockham in the Manuscript Tradition of DP*

Fifteenth-century papalists often failed to clearly distinguish between the ecclesiological theories of Marsilius of Padua and those of William Ockham. While Marsilius was invariably condemned, Ockham was, to some extent, considered acceptable; nevertheless, they were frequently mentioned side by side, both accused of having contributed to the emergence of conciliarism. Even Juan de Torquemada, despite holding the two authors in different regard and employing Ockham's arguments in other contexts, grouped them together in the *Summa de ecclesia* as part of his critique of his contemporary conciliarist opponents. He suggested that Marsilius and Ockham—along

he had given. And if he sold them, then neither the Roman nor any other bishop, nor any college of priests, can claim them for themselves as successors of Christ” (DP II.14.8, transl. Brett, 293).

<sup>63</sup> Ed. Previté-Orton, xxxvi, 248 fn. 3, and ed. Scholz, xxviii, xxxiv, 307 fn. 1.

<sup>64</sup> Kerry E. Spiers, “Pope John XXII and Marsilius of Padua on the Universal Dominium of Christ: A Possible Common Source”, *Medioevo. Rivista di storia della filosofia medievale* 6 (1980): 471–478.

<sup>65</sup> Spiers, “Pope John XXII”, 477–488.

<sup>66</sup> Both revisions are also found in MS Florence, Biblioteca Nazionale, Conv. soppr. E.3.379, which was not taken into account by Scholz; cf. Bihl, review of “Marsilius von Padua”, 285.

with their so-called “accomplices”—had a shared doctrinal influence on the decrees of the Council of Basel, which sought to depose the legitimately elected Pope Eugenius IV.<sup>67</sup> This association between the two exiles who both found refuge in Munich is also reflected in the manuscript tradition of the *Defensor pacis*. Like *R<sub>o</sub>*, at least four (or perhaps five) other witnesses—two (or perhaps three) from the French group (*L*, *O*, and possibly *D*) and two from the German group (*I* and *J*)—misattribute the work to Ockham.

Among the witnesses of the German tradition, manuscript *I* (Vienna, Österreichische Nationalbibliothek, 809) bears on its spine the inscription “*Guilielmi Occami*”, later crossed out, with a modern annotation above it correcting: “*Marsili de Maynardino, Defensor pacis*”. This copy belonged to Martin Tissnowiensis (aka von Tischnowitz), a Moravian Hussite attested as a scribe in Humpolec between 1443 and 1452. The manuscript was likely written in Germany at the beginning of the conciliar movement and later came into the hands of the Hussites in Bohemia.<sup>68</sup> Similarly linked to Hussite circles is *J* (Vienna, Österreichische Nationalbibliothek, 4516), in which the *Defensor* appears alongside a copy of Wyclif’s *Triologus* dated 1440. *J* carries notes by a fifteenth-century hand ascribing the work to Ockham on the front flyleaf “*Defensorium Occam. / Triologum*” and on the front cover (“*N. 253 Occam. Triologus. 6tus*”); on the back cover, a modern hand reiterates: “*Guiliemi Occam Defensorium et Wiclefi Triologus*”.<sup>69</sup> Scholz dates both *I* and *J* to the first half of the fifteenth century, before 1440.<sup>70</sup>

Turning to the French family, the attribution to Ockham appears in *O* (London, British Museum, Royal X. A), which belonged to the Oxford chancellor Thomas Gascoigne (d. 1458) and was later passed on to Lincoln College. The title of the *Defensor* in this

<sup>67</sup> Juan de Torquemada, *Summa de ecclesia* II.100, f. 240r: “[...] sicut fuit Marsilius de Padua Ocham cum complicibus suis, ex quorum doctrina extracta sunt pro magna parte decreta illa praefata Basilien”, cit. in Izbicki, “Reception of Marsilius”, 307. The connection between Marsilius and Ockham became even stronger during and after the Reformation. According to Izbicki, “Tarring Conciliarism”, 145–146, this may have resulted from a revisionist approach to the history of dissent promoted by the Reformers. One of the key figures behind this reinterpretation was Matthias Flacius Illyricus, who, in his *Catalogus testium Veritatis, Qui ante nostram aetatem reclamarunt Papae* (Basel: per Ioannem Oporinum, 1556), listed Marsilius and Ockham—alongside other authors—as potential precursors of the Reformation. For a more detailed account of this association in the early modern period, see Piaia, *Marsilio da Padova*, *passim*.

<sup>68</sup> Scholz, “Einleitung”, XXXVII–XXXVIII. Cf. Maria Theisen, *Mitteleuropäische Schulen VII (ca. 1400–1500). Böhmen – Mähren – Schlesien – Ungarn*, 2 vols. (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2022), I, 94–95.

<sup>69</sup> Scholz, “Einleitung”, XXXVIII–XXXIX. Cf. Franz Unterkircher, *Die datierten Handschriften der Österreichischen Nationalbibliothek von 1401 bis 1450*, 2 vols. (Wien: Böhlau, 1971), II, 100; Theisen, *Mitteleuropäische Schulen VII (ca. 1400–1500)*, 134–135. The manuscript is available for consultation at <https://onb.digital/result/115D8A55>.

<sup>70</sup> Scholz, “Einleitung”, XLVIII fn. 4.

manuscript reads: “*Incipit doctor Okkam fratris minoris in suo defensorio*”.<sup>71</sup> By contrast, *D* (Paris, Bibliothèque Nationale, ms. lat. 14619) presents a more ambiguous case. This manuscript was in the possession of Simon Plumetot (d. 1443), *consiliarius* of the French Parliament, who later donated it to the convent of St. Victor in Paris.<sup>72</sup> In this codex, the *Defensor pacis* is followed by the *Tertia pars* of Ockham’s *Dialogus* and, further on, by a list of *articuli erronei Joh. Wyclif heresiarche*. On f. 169r, one finds the inscription: “*Hunc librum continentem defensorium pacis et partem dyalogi Ockan (!) dedit ecclesie sancti Victoris Parisiensis magister Symon Plumetot...*” (italics mine). Whether this statement attributes Ockham’s authorship solely to the *Dialogus* or also to the *Defensor pacis* remains uncertain.

The most intriguing case, however, is that of *L* (Vatican City, Biblioteca Apostolica Vaticana, Vat. lat. 3974), which contains a copy of the *Defensor* written during Easter in April 1401.<sup>73</sup> The flyleaf features an entertaining note penned by four different hands, forming a sort of back-and-forth conversation (Fig. 5):

[*h<sub>0</sub>* + *h<sub>1</sub>*] The Defender of the peace [*h<sub>0</sub>*] \ by brother Petrus [added above the line by *h<sub>1</sub>*] / of Prato [*h<sub>0</sub>*], minister of the province of St. Francis of the Order of Friars Minor [added by *h<sub>1</sub>*].<sup>74</sup>

[*h<sub>2</sub>*] You are mistaken, for it was Ockham<’s>, according to the testimony of Laurentius of Arezzo, a most reverend doctor of both laws and auditor.

[*h<sub>3</sub>*] However, in the same minor volume, treatise 3, chapter II, § VIII, at the beginning, Laurentius attributes this *Defensorium*, which he calls *Derisorium*, to Marsilius of Padua.<sup>75</sup>

<sup>71</sup> Cf. Scholz, “*Einleitung*”, xxii; Miethke, “Marsilius und Ockham”, 554; and Neil R. Ker, “Oxford College Libraries before 1500”, in *The Universities in the Late Middle Ages*, edited by J. IJsewijn and J. Paquet (Leuven: Leuven University Press, 1978), 307-308 esp. fn. 73.

<sup>72</sup> Cf. Scholz, “*Einleitung*”, xv-xvi and Miethke, “Marsilius und Ockham”, 553-554. On Plumetot’s collection, see Gilbert Ouy, “Simon de Plumetot (1371-1443) et sa bibliothèque”, in *Miscellanea codicologica F. Masai dicata*, edited by P. Cockshaw and M.-C. Garand (Ghent: Story-Scientia, 1979), bookset pt. II, 353-381.

<sup>73</sup> Cf. Scholz, “*Einleitung*”, viii-ix. The manuscript is available for consultation at <[https://digi.vatlib.it/view/MSS\\_Vat.lat.3974](https://digi.vatlib.it/view/MSS_Vat.lat.3974)>.

<sup>74</sup> Brother Petrus, mentioned by hand *h<sub>1</sub>*, should be Petrus de Conzano, the 25<sup>th</sup> Minister General of the Franciscan Order of Roman obedience (1383-1384). However, I am unsure how to interpret the reference to Prato recorded by *h<sub>0</sub>* (without *h<sub>1</sub>*’s integrations, the inscription would simply read: “*Defensor pacis de Prato*”), which seems like one of the many coincidences that we will encounter in this story.

<sup>75</sup> *L* f. 2r: “*Defensor pacis* [*h<sub>0</sub>*] \ fratris Petri [*scr. mrg. h<sub>1</sub>*] / de Prato [*h<sub>0</sub>*], ministri provinciae sancti Francisci ordinis minorum [*add. h<sub>1</sub>*]” / “[*h<sub>2</sub>*] Errasti quia fuit Occham, Teste Laurentio Arretino, iuris utriusque doctore reverendissimo et auditore” / “[*h<sub>3</sub>*] Qui tamen Laurentius in eodem suo minori volumine tractatu 3, c. II, § VIII in principio attribuit Defensorium hoc, quod nominat *Derisorium*, Marsilio de Padua”.

This spirited exchange not only reflects the uncertainty surrounding the authorship of the *Defensor pacis* but also hints at an existing scholarly debate on the matter. The key witness cited by *h<sub>2</sub>* and *h<sub>3</sub>* is Laurentius of Arezzo, who directly addressed the issue in his *Liber de ecclesiastica potestate*. Here we may be facing a coincidence worth exploring: another Tuscan canonist, an *auditor causarum sacri palati* under Pope Eugenius IV, referenced and actively discussed the attribution of the *Defensor*. Moreover, he did so using the very same pun—*Defensorium/Derisorium*—that appears in the Roncioniana manuscript.

### III.2. *The Testimony of Laurentius of Arezzo*

Born in Arezzo, less than 100 km from Gimignano's birthplace, Lorenzo was the son of Domenico Bandini (b. c. 1335), author of the *Fons memorabilium universi*—a work that Gimignano owned in his library.<sup>76</sup> He studied in Padua under Francesco Zabarella (1360-1417) and served as secretary to Pope Gregory XII during the Council of Pisa.<sup>77</sup> He later became chaplain of Pope Eugene IV and auditor of the Sacra Rota. Given that Gimignano and Lorenzo held the same position under the same employer, it is hardly far-fetched to assume that they knew each other.

The *Liber de ecclesiastica potestate* consists of six treatises in which Laurentius systematically compiles all the doctrines formulated up to that point on ecclesiastical power, both by *papistae* and *antipapistae*.<sup>78</sup> Written during the pontificate of Eugenius IV, it serves as a valuable repository of sources for the history of ecclesiological literature up

<sup>76</sup> A. Hankey, “Bandini, Domenico”, in *Dizionario biografico degli Italiani* (Rome: Istituto dell’Enciclopedia, 1963), V, 707-709.

<sup>77</sup> For biography, bibliography and list of manuscripts, see the entries “Laurentius de Aretio” (<https://geschichtsquellen.de/autor/1666>, 03.11.2023) and “Liber de ecclesiastica potestate” (<https://www.geschichtsquellen.de/werk/1719>, 08.02.2002) in the digital *Repertorium Geschichtsquellen des deutschen Mittelalters* of the Bayerische Akademie der Wissenschaften.

<sup>78</sup> The six treatises are: (i) *De ecclesiastica potestate in genere sumpta*; (ii) *De potestate papae*; (iii) *De potestate inferiorum praelatorum*; (iv) *De potestate ecclesiae sive concilii*; (v) *De superioritate papae ad concilium, et si fas est dicere, concilii ad papam*; (vi) *De schismate et remediis contra schisma*. This work has been studied—though it remains largely unexplored to this day—by Ludwig Hödl, “Kirchengewalt und Kirchenverfassung nach dem *Liber de ecclesiastica potestate* des Laurentius von Arezzo. Eine Studie zur Ekklesiologie des Basler Konzils”, in *Theologie in Geschichte und Gegenwart. Michael Schmaus zum sechzigsten Geburtstag*, edited by J. Auer and H. Volk (München: Karl Zink, 1957), 255-278; Anton-Hermann Chroust and James A. Corbett, “The Fifteenth Century Review of Politics of Laurentius of Arezzo”, *Mediaeval studies* 11 (1949): 62-76; Martin Grabmann, *Studien über den Einfluß der aristotelischen Philosophie auf die mittelalterlichen Theorien über das Verhältnis von Kirche und Staat* (Munich: Verlag der Bayerischen Akademie der Wissenschaften, 1934), *passim*, and Karla Eckermann, *Studien zur Geschichte des monarchischen Gedankens im 15. Jahrhundert* (Berlin-Grunewald: Walther Rothschild, 1933), 5-12.

to the Council of Basel.<sup>79</sup> The text is preserved in five codices preserved at the Biblioteca Apostolica Vaticana. Two of these (Vat. lat. 4110-4111, containing Treatises I-III) are fair copies written by a professional scribe, while the remaining three (Vat. lat. 4112-4114, Treatises II-VI) are autographs.<sup>80</sup> As evidenced by the marginal annotations and corrections in the autograph manuscripts, Laurentius revised and reworked the text through multiple stages and over an extended period. The shift in Laurentius' attribution of the *Defensor pacis* from Ockham to Marsilius—which *h<sub>3</sub>* reports in the Vatican manuscript *L*—reflects this layered process of compilation and revision.

There are two key points where this shift is particularly evident. The first is in the *Prohemium* to Treatise II, and the second—referenced by *h<sub>3</sub>*—appears at the beginning of Treatise III, Chapter 2, §8. For both passages, we possess both Laurentius's autograph, which contains numerous corrections and marginal additions (Vat. lat. 4112 pt.1, ff. 1v-2r, 4r-v, and Vat. lat. 4113 pt.1, f. 40r, respectively), as well as the fair copies (two copies for the *Prohemium*: Vat. lat. 4110, ff. 70v-71v, 73r-v and Vat. lat. 4111, ff. 68r-69r, 70v, and one for Treatise III, Chapter 2, §8: Vat. lat. 4110, f. 304r). These fair copies offer a polished text that integrates Laurentius's notes while losing any trace of how he modified and updated his work. Of the two, only the *Prohemium* to Treatise II has been edited—three times, in fact—but all three editions were based on the fair copies. As a result, the editors overlooked crucial information about how the text evolved over time and in response to new evidence that Laurentius encountered.<sup>81</sup>

In the prologue to Treatise II, Laurentius presents a descriptive bibliography, listing over thirty authors he consulted to examine different perspectives on the relationship between papal authority and conciliar power.<sup>82</sup> The first author he mentions, indeed, is

<sup>79</sup> Hödl proposed dating the work to 1431-1437 (“Kirchengewalt und Kirchenverfassung”, 256) whereas Chroust and Corbet place it between 1437 and 1439 (“The Fifteenth Century Review of Politics”, 63).

<sup>80</sup> The five Vatican manuscripts are available for consultation at <<https://digi.vatlib.it/>>. Cf. Thomas M. Izbicki, “A Collection of Ecclesiastical Manuscripts in the Vatican Library: Vat. lat. 4106-4193”, in *Miscellanea Bibliothecae Apostolicae Vaticanae IV* (Vatican City: Biblioteca Apostolica Vaticana, 1990), 93-94. A further copy of the *Prohemium* to Treatise II is found in MS Milan, Biblioteca Ambrosiana, P 253 sup., ff. 39r-42v.

<sup>81</sup> This is the only section of the *Liber de ecclesiastica potestate* that has been edited so far; Chroust and Corbett, “The Fifteenth Century Review of Politics”, 64-76; Grabmann, *Studien über den Einfluß*, 134-144; and Eckermann, *Studien zur Geschichte des monarchischen Gedankens im 15. Jahrhundert*, 161-168. I am currently working on the edition of further parts of Laurentius's work. An edition of the opening section of Treatise III, Chapter 2, § 8 will be published in Serena Masolini, “Ockham or Marsilius? The ‘Derisorium’ *pacis* in Laurentius of Arezzo's *Liber de ecclesiastica potestate*” (forthcoming).

<sup>82</sup> Alongside with William of Ockham and Marsilius of Padua, the sources mentioned in the *Prohemium* to Treatise II are: Alvarus Pelagi, Adam Magister, Augustine of Ancona, Richard FitzRalph, Antonius de Butrio, Matteo Mattesillani of Bologna, Franciscus Zabarella, Petrus de Ancharano, Petrus Mauracenus, Johannes de Podio, Alfonso Carrillo, Cathaldinus de Buoncompagnis de Visso, Antonio Rosselli of Arezzo, Thomas de Birago, Herveus Natalis, Gaspar

William of Ockham, whom he initially defines as an “excellent man of profound knowledge” and one of the first theologians to explore the relationship between the papacy and power of the council, particularly in his *Dialogus* and his response to Pope John XXII’s 1314 proceedings against Michael of Cesena (most likely, the *Opus Nonaginta Dierum*). Here, Laurentius criticizes Ockham for being presumptuous and reckless in some of his statements—a trait he attributes to the *artistae*, whom he dismisses as wasting their learning in idle chatter (“fere omnem eorum doctrinam in garrulitate consumunt”).<sup>83</sup> He further accuses Ockham of employing “fox-like deception” (*vulpina astutia*) in his work, pretending to be a supporter of John XXII while covertly crafting a text intended to denounce the pope as a heretic. By using the dialogue form rather than a traditional *quaestio*, Ockham was able to conceal the extent of his hostility, making it seem as though the critiques of the papacy came from his interlocutors rather than himself. Laurentius acknowledges that some defended him, claiming that he disguised his critiques out of fear of Pope John XXII’s tyranny, and he concedes that in those texts Ockham maintained a degree of formal restraint. For this reason, Laurentius initially continued to respect and praise him for his great learning. However, he adds,

nearly three years after I had written these things, I came across one of his books, entitled *Defensor pacis*, in which he openly revealed that all the schismatic and heretical opinions he had described in his *Dialogus*—pretending that they were not his own but belonged to others—were in fact his own. This made me realize that he was a most iniquitous man and not only an enemy of the Roman Pontiffs and prelates but of the entire Roman Church, as is evident from the conclusions he presents in that work.<sup>84</sup>

The disgraceful conclusions to which Laurentius refers are primarily those in which Ockham asserts that neither the clergy nor the Church have any right to temporal dominium (“in qua temporalitatem nullam clericis vel ecclesie competere constanter affirmet”), a doctrine that, he claims, later became the foundational ideology for

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of Perugia, or Prodoccius of Padua, Ludovicus Pontanus, Dominicus of San Gimignano, Petrus de Palude, Iohannes de Ragusio, Johannes Maurosii, Johannes Gundisalvus, Juan de Casanova, Julian Tagliada, Juan de Segovia, Pierre d’Ailly, Juan de Torquemada, and James of Viterbo. In the final addition found in the autograph manuscript Vat. Lat. 4112 pt. 1, f. 5r-v, Laurentius incorporates further sources, including Alexander of San Elpidio and a sermon delivered by Johannes de Montenigro in Basel on 29 June 1437.

<sup>83</sup> Laurentius of Arezzo, *Liber de ecclesiastica potestate*, prohem. II tr., ed. Chroust and Corbet, 65.

<sup>84</sup> Laurentius of Arezzo, *Liber de ecclesiastica potestate*, prohem. II tr., ed. Chroust and Corbet, 65-66: “Sed fere per tres annos posteaquam hec scripseram, cum ad me devenisset quidam ex libris suis, quem Defensorium Pacis intitulavit, in quo omnes oppiniones dampnatas scismaticas et hereticas, quas in Dyalogo suo descriperat, fingendo quod non sue sed alienae essent oppiniones, in libro hoc Defensorii clare manifestavit suas fuisse et esse talia dicta a cunctis quasi com muniter aliena: ex quo quidem intellexi pro tunc iniquissimum fore virum et non solum Romanorum pontificum seu prelatorum, sed totius Romane ecclesie inimicum, ut in conclusionibus ibi positis comprobatur.”

Hussites.<sup>85</sup> Laurentius expresses strong disapproval of these ideas, noting that he has discussed them in tr. III ch. 2 §8—we will analyze this passage later. It is at this point that, in the autograph (Vat. Lat. 4112 pt.1, f. 2r), he adds a marginal note, which was later incorporated into the main text in the cleaned-up copies of the work (Fig. 6):

However, many defend him, asserting that the book called *Defensor pacis* was not written by him, but rather by a certain Marsilius of Padua, with some passages from Sacred Scripture interwoven. They argue that this is evident above all from the style, which is entirely different from William's in the *Dialogus*, although they appear to agree in their conclusions.<sup>86</sup>

The fact that this annotation was inserted into the text of the scribal copies (as well as by modern editors) without indicating that it consisted of a later addition may cause some confusion in the reader, especially when, a few paragraphs later, Laurentius refers to the *Defensor* once more, again attributing it to Ockham without referencing Marsilius:

A certain book, called *Defensor pacis*, came into my hands, written by William of Ockham in favor of Emperor Henry (!) against the Roman Pontiff, the Roman Curia, and the universal state of the Church. This book contains many profane, erroneous, and heretical statements. He was outraged against the Pope and the clergy because he saw that promotions were granted not according to virtue but for temporal interests, and that the militant Church was being ruled and governed by unworthy individuals. He lamented this situation in various passages of his work.

Since he did not believe that the governance of the Church could be properly reformed unless temporal dominions were removed—so that only truly virtuous and dedicated individuals would bear worldly burdens against the tribulations of the world as princes and prelates—he longed for such a time to come. As a result, he fabricated many falsehoods against the state of the Church and, to the best of his ability, incited secular powers. While I do not deny that he desired to crush and suppress the incompetence of corrupt prelates, his claim that ecclesiastical jurisdiction could not be exercised by churchmen is by no means in harmony with ecclesiastical writings.<sup>87</sup>

<sup>85</sup> As noted above, at least two witnesses of the *Defensor* ascribed to Ockham contained texts by Wyclif (J) or related to Hussite circles (J). The *Defensor* also circulated together with works by Wyclif also in D and B; cf. Scholz, “Einleitung”, XVI, XVIII, and XLIX fn. 1.

<sup>86</sup> Laurentius of Arezzo, *Liber de ecclesiastica potestate*, prohem. II tr., ed. Chroust and Corbet, 66: “Excusant tamen eum quam plurimi asserentes librum illum, qui *Defensorium Pacis* appellatur, per eum non fuisse compositum sed per Marsilium quendam de Padua aliquibus tamen Sacre Scripture auctoritatibus intermixtis, quod dicunt maxime pater ex stilo, qui totaliter diversus a stilo Guigielmi in dicto *Dyalogo*, quamquam in conclusionibus concordare videantur.”

<sup>87</sup> Laurentius of Arezzo, *Liber de ecclesiastica potestate*, prohem. II tr., ed. Chroust and Corbet, 73: “Devenit insuper ad manus meas liber quidam, qui *Pacis Defensorium* nuncupatur, editus a Guigielmo de Occam in favorem Henrigi (!) imperatoris contra Romanum pontificem et Romanam curiam et contra universalem statum ecclesie, in quo multa prophana et multa mendosa et heretica continentur. Commotus [est] contra papam et clerum, quia cernebat non

Did Laurentius believe that the *Defensor* was Ockham's work, as *h<sub>2</sub>* claims in *L*, or that it was written by Marsilius, as *h<sub>3</sub>* asserts? In this passage, Laurentius appears to take Ockham's authorship for granted, seemingly overlooking his earlier statement concerning the possible attribution to Marsilius. The key detail—which becomes evident only when examining the autograph—is that when Laurentius wrote this part of the text, he had not yet come across the claim that Marsilius was the author. *h<sub>3</sub>* was correct: Laurentius later changed his mind and ultimately acknowledged Marsilius' authorship. He takes a clear stand on the matter in tr. III ch. 2 §8, while discussing the earlier debates on ecclesiastical jurisdiction. It is in this section that he also uses the pun *Defensorium-Derisorium* that we found both at f. 1r of Gimignano's manuscript and in *h<sub>3</sub>*'s inscription in *L*:

\ Later, however, ~~the same Ockham~~ Marsilius of Padua [in the margin] /, in the book he titled *Defensorium pacis*—which would have been **more appropriately called Mockery rather than Defense**—in the final chapter of the first treatise, willing to present his own doctrine on the said power, gradually leads to the conclusion, starting from remote premises, that by Christ's institution no priest had coercive power over another priest or any other person. This is the very position that \ William [above the line] / had initially put forth as a doubtful claim in the fifth book of his *Dialogus*, in the chapter on these conclusions. Hence, \ Marsilius [above the line] / states that Christ "first instituted his own apostles as teachers of the law and priests" [!] ministers, granting them, through the Holy Spirit, the authority of this mystery, which the faithful of Christ call 'priestly authority' [...]” [DP I.19.5].<sup>88</sup>

Here too, the process of Laurentius's shift in opinion is visible only in the autograph, as the scribe's copy (Vat. lat. 4110, f. 304r) does not record the deletions and annotations

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juxta virtutes sed ob temporalitates promotiones fieri et ecclesiam militantem per indigos regi et gubernari, super quo in variis locis querelanter multa promebat. Unde cum non videret regimen ecclesie apte reformari posse nisi, temporalitate summota, quo tunc tempore soli virtuosi constantes essent onera mundana portare aduersus tribulationes seculi faciendo se principes et prelatos, id tempus videre optabat; ob quod contra statum ecclesie falsa multa confingens, ad quantum in eo fuit seculares potentias animabat. Optabat ergo ineptias iniquorum prelatorum contundi et reprimi, quod non infitior, sed quod ecclesiastica iurisdictione uti non possint ecclesiasticis libris consonum nequaquam existit."

<sup>88</sup> Laurentius of Arezzo, *Liber de ecclesiastica potestate*, III.2.8, Vat. lat. 4113, pt. 1, f. 40r: "Postea vero Marsilius de Padua [a.c. Idem Guigielmus sed del.] [scr. mrg.] / in libro quem intitulat *Defensorium pacis*, quem aptius *Derisorium* quam *Defensorium* vocavisset, in ultimo capitulo primi tractatus, volens de dicta potestate suam dare doctrinam, aliquantis per incipiens a remotis effectualiter concludit quod ex institutione Christi nullus sacerdos in alium sacerdotem vel alium quemlibet potestatem habuit cohactivam, quam sentenciam dubitative primo posuerat \ Guigielmus [sup. lin.] / in Dyalogo suo libro V, capitulo de istis conclusionibus. Unde dicit \ Marsilius [sup. lin.] / quod Christus *legis doctores et sacerdotum secundum ipsa* [!] *ministros primum instituit apostolos suos ipsis per Spiritum Sanctum auctoritatem huius ministerii conferens quam sacerdotalem appellant Christi fideles*"; cf. DP I.19.5-13. For the edition and a more in-depth analysis of this section of the *Liber de ecclesiastica potestate*, I refer to Masolini, "Ockham or Marsilius?" (forthcoming).

through which he reshaped this passage, transferring the attribution from one author to another. Laurentius's revisions reveal a clear progression of thought, with at least two additional layers of changes beyond the original draft (see Fig. 7). Initially, he adds a marginal note (on the right), at the end of which he attributes the *Defensor* to Ockham. Later, he changes his mind: he crosses out Ockham's name, replaces it with Marsilius of Padua, and, in the main text, clarifies their respective roles—writing Ockham's name above the line when referring to the *Dialogus* and Marsilius's name when referring to the *Defensor*.

This reworking is lost in the scribe's copy. However, in that version, at the very line where the pun *Defensorium-Derisorium* appears, a marginal annotation clarifies: "Note: the *Defensor Pacis* is by Marsilius of Padua, of which elsewhere it is said that Ockham was the author" (Fig. 8).<sup>89</sup> The handwriting of this note is strikingly similar to *h*<sub>3</sub>'s—and in all likelihood, it is the same *h*<sub>3</sub>. This strongly suggests that *h*<sub>3</sub> had consulted the manuscripts of Laurentius' *Liber de ecclesiastica potestate*, noted this information in the margin, and then recorded both Marsilius' authorship and the reference to 'Derisorium' on the flyleaf of the Vatican manuscript *L* of the *Defensor pacis*.

And what about Gimignano's manuscript? Where does it fit into this story? Was it a common joke to refer to the *Defensor pacis* as *Derisorium*, or does this hint at a deeper connection between Laurentius and the Roncioniana manuscript Q.VIII.5 (22)? Further research is needed to determine whether a direct link exists, but another intriguing coincidence deserves attention. Immediately after stating in the *Prohemium* to Treatise II that he had received a copy of the *Defensor pacis* attributed to Ockham, Laurentius lists a series of authors and texts that subsequently came into his possession. The next three texts he mentions are the same ones found alongside the *Defensor pacis* in Q.VIII.5 (22). After Ockham's *Defensor*, Laurentius received:

- 1) A treatise defending papal rights, "domino Johanne tituli Sancti Sixti presbitero Cardinali compositum", later followed by an *additio* to this work allegedly prepared by Julianus Tallada (d. 1445). These can be identified with the *Tractatus de potestate papae et concilii generalis* by Juan de Casanova (cf. *R*<sub>o</sub>, ff. 118ra-146vb).<sup>90</sup>
- 2) A *Summa* titled *Advisamenta*, divided into ten chapters. Initially, Laurentius did not know the author's name but later discovered that it was Juan de Segovia. This work is identified as the *Tractatus decem advisamentorum*, which is also preserved in manuscript *R*<sub>o</sub>, ff. 167ra-214rb, without an explicit author attribution.

<sup>89</sup> Vat. lat. 4110, f. 304r, *mrg. dx.*: "Nota: de Marsilio de Padua est defensorio pacis, cuius alibi dicit Ockham fuisse auctorem." For the possible identification of the author of this note with *h*<sub>3</sub>, see, for instance, the similar forms of *s*, *f*, *p*, as well as the letter shapes in "de" and "Padua" in Fig. 5 and Fig. 8.

<sup>90</sup> For the attribution to Casanova and a discussion of the Tallada's possible contribution, see Perarnau i Espelt, "Raphael de Pornaxio", 466-482, and Santi, "Gimignano Inghirami (1370-1460)", 779-785.

3) The treatise by “Petrus Cameracensis Cardinalis vulgariter nuncupatus”, whom Laurentius rather ungenerously defines as “a man of great simplicity and not at all meticulous in scholarly matters”. This would be Pierre d’Ailly’s *De ecclesiae concilii generalis, Romani pontificis et cardinalium auctoritate* (cf. *R<sub>o</sub>*, ff. 102ra-114vb).<sup>91</sup>

At this stage, I am unable to determine whether the treatises that passed through Laurentius’s hands were the very same ones which later ended up in Gimignano’s library, whether Gimignano had them copied from Laurentius’s collection, or if both were independently acquired copies of the same texts through the same scholarly network.<sup>92</sup> What is clear is that these works circulated within Eugenius IV’s intellectual circle and were regarded as fundamental sources for discussions on the relationship between papal power and the council. Gimignano’s case was not unique: the *Defensor pacis* was read among canonists at the times of the great fifteenth-century councils, sometimes attributed to Ockham, and it was studied—perhaps as a way to know the enemy—alongside more pro-papal readings.<sup>93</sup>

### Some Conclusions

The manuscript Q.VIII.5 (22) at the Biblioteca Roncioniana uncovers a small but significant thread in the broader history of how the *Defensor pacis* was attributed, transmitted, and read at the time of the fifteenth-century ecumenical councils. Far from being merely a collector’s item, this copy of the *Defensor pacis* exhibits clear signs of careful reading, indicating that its owner, Gimignano Inghirami, actively studied the text. While his marginal notes do not reflect extensive personal reinterpretation, they demonstrate a serious engagement with the material, suggesting that he used the text as a resource to

<sup>91</sup> In the scribe’s copy, and thus in the modern editions, between the references to the works by Juan de Segovia and Pierre d’Ailly, one reads the mention of a copy of the sermon delivered by Johanns de Montenigro in Basel for the Feast of Saints Peter and Paul in 1437. However, in the autograph manuscript, this is clearly a later addition, as the text extends beyond the usual lower margin before continuing as a marginal note in the top left corner. The original sequence of works that Laurentius came into possession of was: the *Defensor pacis*, ascribed to Ockham, Juan de Casanova’s work, Juan de Segovia’s, and Pierre d’Ailly’s.

<sup>92</sup> A preliminary comparison between the excerpt from *Dictio II* in Laurentius’s *Liber de ecclesiastica potestate* and *R<sub>o</sub>* seems to suggest that they were not copied from the same manuscript, as they exhibit divergent readings, cf. Masolini, “Ockham or Marsilius?”.

<sup>93</sup> One potential line of inquiry into the reception of the *Defensor pacis* in Gimignano’s intellectual and social *milieu* is to investigate the possible circulation of the anonymous Florentine vernacular translation of this work, completed in 1363; cf. Marsilio da Padova, *Defensor pacis nella traduzione in volgare fiorentino del 1363*, edited by Carlo Pincin (Turin: Einaudi, 1966) and the studies by Lorenza Tromboni, “Looking for Peace in Fourteenth-Century Florence: The *Difenditore della pacie* in Context”, in *After Civic Humanism: Learning and Politics in Renaissance Italy*, edited by N. S. Baker and B. J. Maxson (Toronto: Centre for Reformation and Renaissance Studies, 2015), 93-113; and “Filosofia politica e cultura cittadina a Firenze tra il XIV e XV secolo: I volgarizzamenti del *Defensor pacis* e della *Monarchia*”, *Studi Danteschi* 75 (2010): 79-114.

deepen his understanding of the political and ecclesiastical issues debated in his time. The presence of the *Defensor pacis* in Gimignano's collection is particularly meaningful, offering a concrete case study of how the work was received by a figure who, though not a leading intellectual, was a highly influential professional, serving in a key position close to Pope Eugene IV, and playing an active role in ecclesiastical administration throughout the conciliar period.

The textual analysis of the *loci critici* signaled by Scholz seems to suggest that this copy of the *Defensor pacis* ( $R_0$ ) belongs to the German manuscript tradition. This witness shares some readings found in  $H$ , absent in other manuscripts of the same group, while also exhibiting features that align it with the French family—for instance, it does not include two revisions found in  $T'$ , which are generally present in the German group. Further research on the textual variants could offer new insights into the philological development of the German family and its relationship with the different phases of revision of the Tortosa manuscript.

The attribution of this copy of the *Defensor pacis* to Ockham is not unique but follows a broader tradition found in both French and German groups. A notable similarity emerges between Gimignano's copy and the Vatican manuscript  $L$ , where the same wordplay *Defensorium/Derisorium* appears. This expression was recorded in  $L$  by reader  $h_3$ , who found it in the *Liber de ecclesiastica potestate* by Laurentius of Arezzo—like Gimignano, an auditor of the Sacred Rota and a member of Pope Eugene IV's circle.

In his *Liber de ecclesiastica potestate*, Laurentius indeed demonstrated an awareness of the ongoing debate regarding the text's authorship. Moreover, he recognized this work as a key source in the literature on papal and conciliar powers up to the Council of Basel. Like Gimignano, Laurentius also handled and studied the *Defensor pacis*—which he initially attributed to Ockham before later recognizing it as the work of Marsilius—alongside the writings of Juan de Casanova, Juan de Segovia, and Pierre d'Ailly. Further investigation could reveal whether there is a deeper connection between the copies of these ecclesiastical writings handled by Laurentius and those owned by Gimignano, offering yet another layer to the history of their transmission in the fifteenth century.

## Images

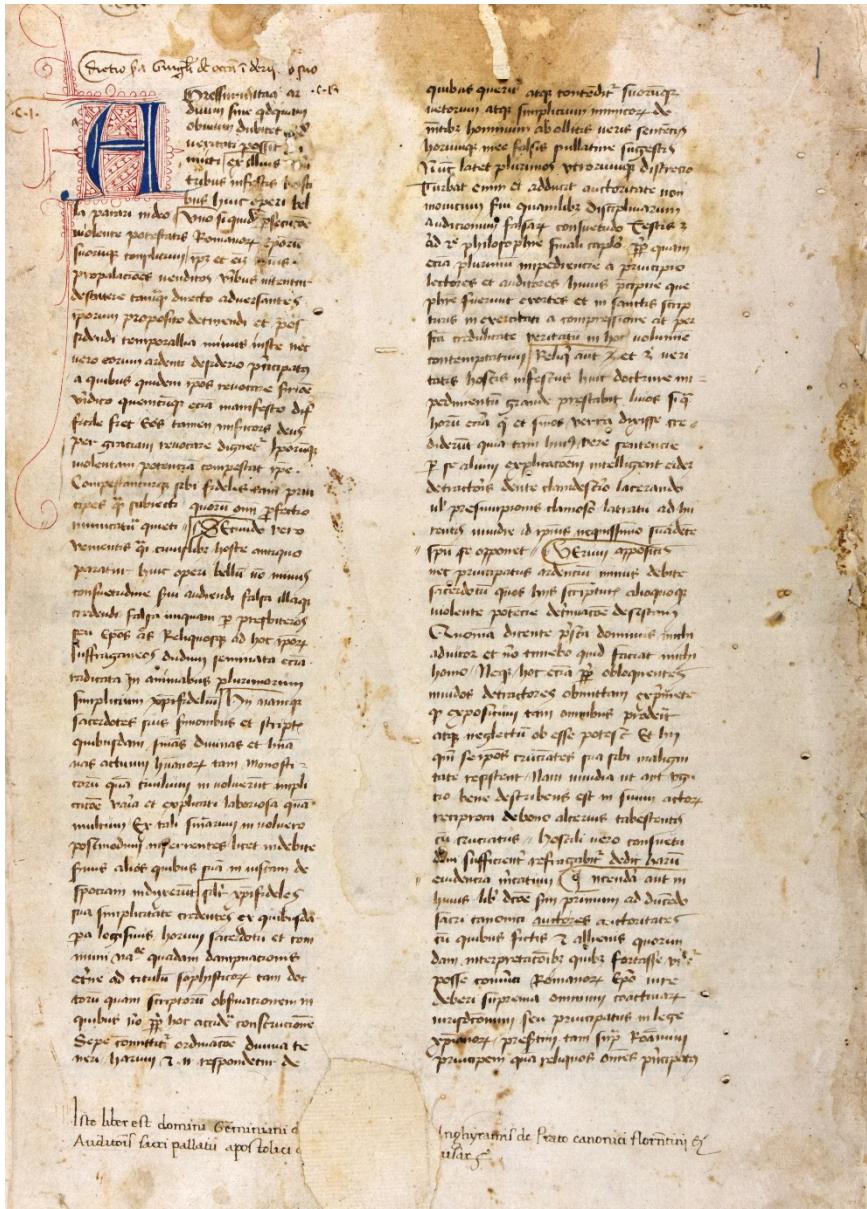
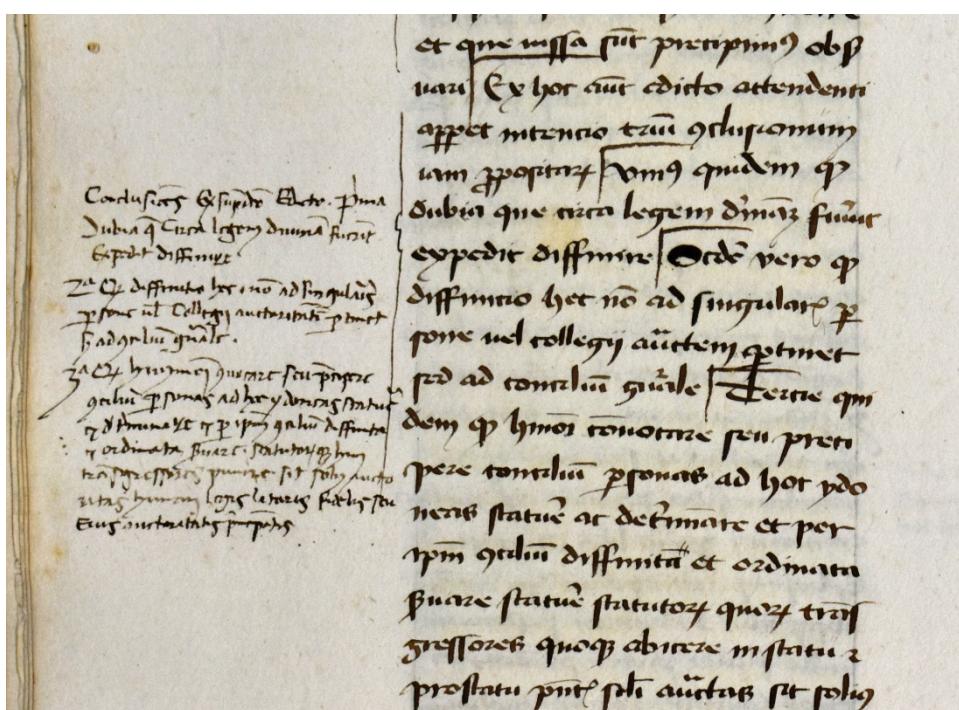
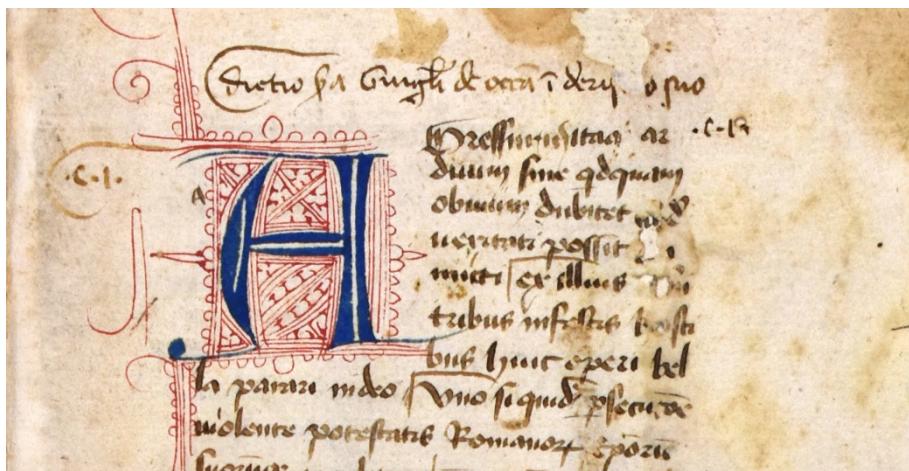


Fig. 1 – Prato, Biblioteca Roncioniana, Manoscritti roncioniani, Q.VIII.5 (22), f. 1r. Incipit of *Dictio II*, with Gimignano's ownership note in the bottom margin.  
By courtesy of Biblioteca Roncioniana, Prato (Italy).



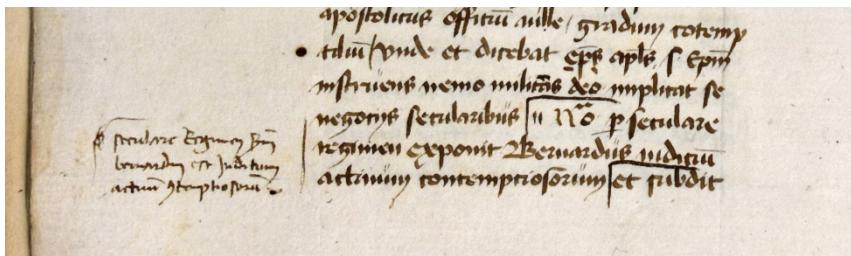


Fig. 4 – Prato, Biblioteca Roncioniana, Manoscritti roncioniani, Q.VIII.5 (22), f. 9va.

Marginal note of *T* on DP II.5.3, here incorporated into the main text as in *H*, accompanied by Gimignano's gloss. By courtesy of Biblioteca Roncioniana, Prato (Italy).

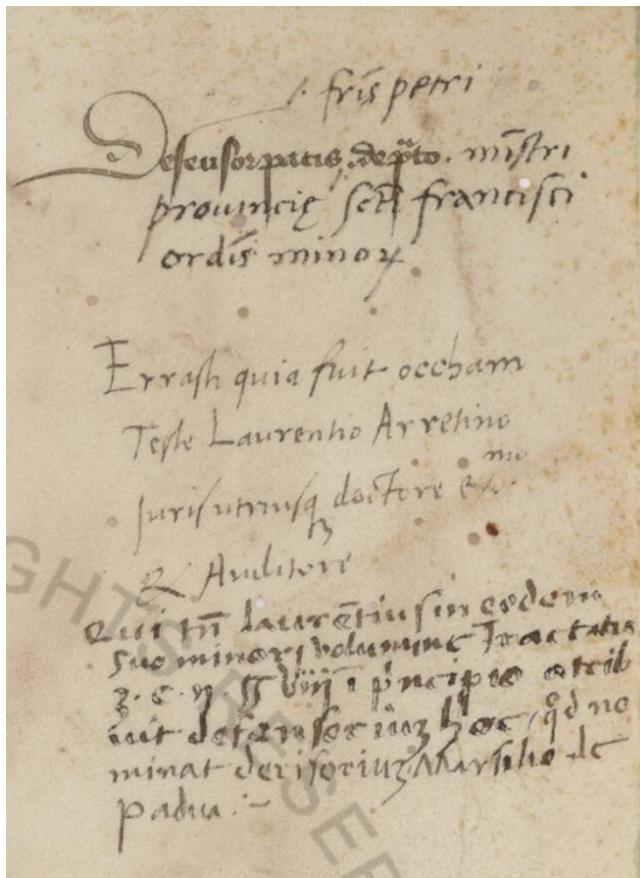


Fig. 5 – Vatican City, Biblioteca Apostolica Vaticana, Vat. lat. 3974, f. 2r. © [2025]  
 Biblioteca Apostolica Vaticana. Inscriptions by *h<sub>0</sub>*, *h<sub>1</sub>*, *h<sub>2</sub>*, and *h<sub>3</sub>* concerning the  
 attribution of the *Defensor pacis*.

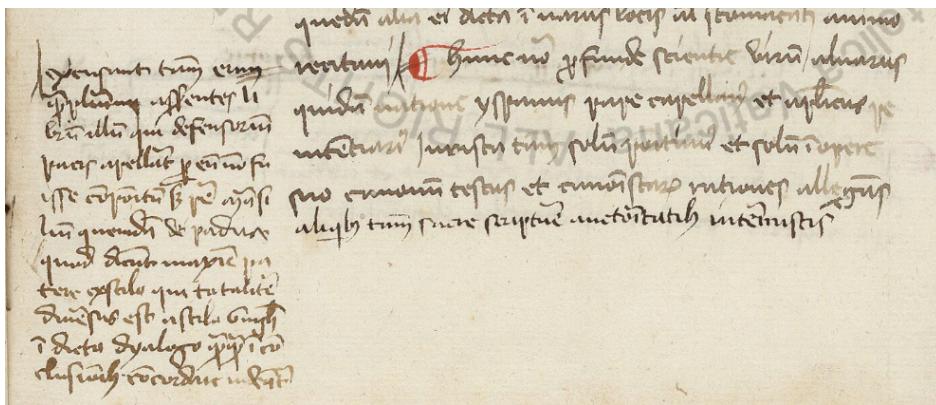


Fig. 6 – Vatican City, Biblioteca Apostolica Vaticana, Vat. lat. 4112 pt. 1 (autograph), f. 2r.  
 © [2025] Biblioteca Apostolica Vaticana. Laurentius's addition in the *Prohemium* to  
 Treatise II regarding the possible attribution of the *Defensor pacis* to Marsilius of Padua.

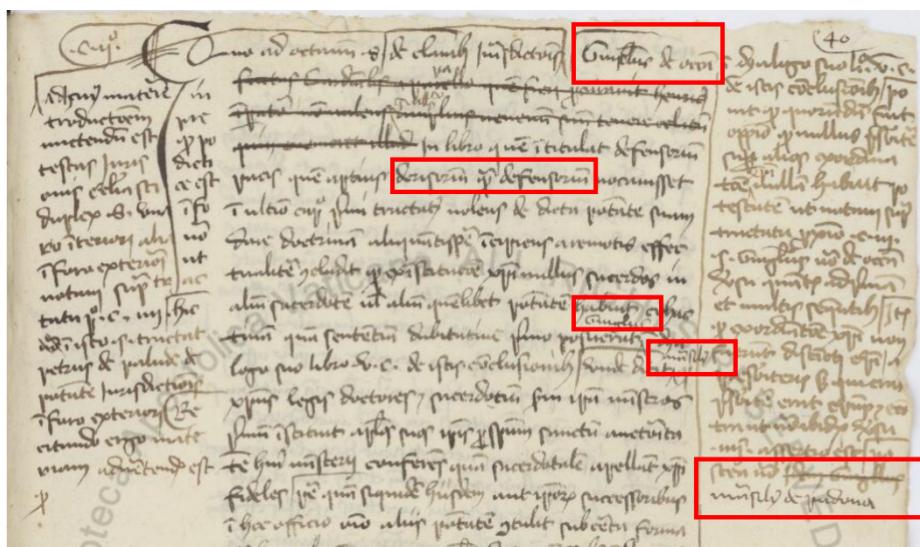


Fig. 7 – Vatican City, Biblioteca Apostolica Vaticana, Vat. lat. 4113 pt. 1 (autograph), f. 40r. © [2025] Biblioteca Apostolica Vaticana. Laurentius's revisions to Treatise III, Chapter 2, §8, altering the attribution of the *Defensor* from Ockham to Marsilius of Padua.

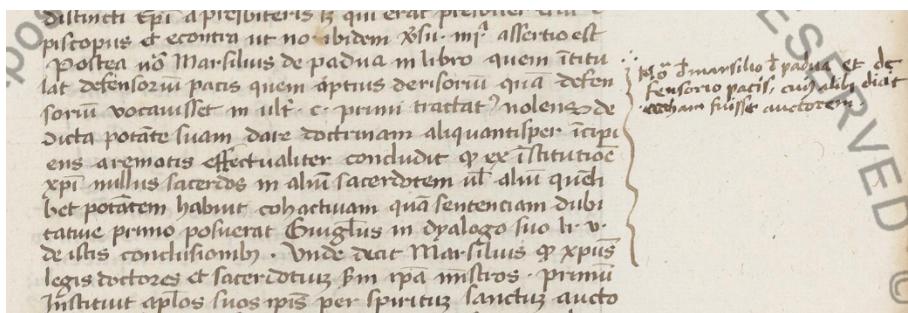


Fig. 8 – Vatican City, Biblioteca Apostolica Vaticana, Vat. lat. 4110 (copy), f. 304r. © [2025] Biblioteca Apostolica Vaticana. The fair copy of the passage from *Treatise III*, Chapter 2, §8, with Laurentius's changes integrated into the text and a marginal note by a reader (possibly *h*) pointing out the previous attribution to Ockham.

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