New Studies on Yale Manuscripts
from the
Late Antique to the Early Modern Period

Edited by Robert G. Babcock

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Converso Polemic in Naples: The Transmission of Paulus de Sancta Maria's *Scrutinium Scripturarum*

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Beinecke Library's MS 353, a mid fifteenth-century copy of the *Scrutinium Scripturarum* by the Spanish rabbi-turned-bishop Paulus de Sancta Maria (Solomon ha-Levi), gives no explicit information about its date, place of origin, destination, or copyist. Near the beginning of the work, Paulus himself claims to be writing it in the year 1432,[1] and it is known that his son, Alfonso de Cartagena, delivered the work to other churchmen at the Council of Basel in 1434, making this a clear *terminus ante quem* of the work's genesis. Barbara Shailor notes that the work was written "possibly in Naples or Southern Italy, in the middle of the fifteenth century, according to A. C. de la Mare."[2] Although Shailor describes a number of characteristic features of the manuscript, such as the source of one of the two passages prefixed to the text of the *Scrutinium* in a second hand, she does not consider the implications of the ruling of the text for localizing the manuscript, nor was she able to identify the source of the second added passage. By studying the ruling of the text and by considering the content and sources of the added passages, it is possible to offer further support for de la Mare's attribution and even to localize and date the manuscript more precisely.

Immediately before the beginning of the *Scrutinium Scripturarum* in MS 353, (fig. 1) are two quotations added by a hand different from the one that copied the main text. Shailor identifies the original source of one of these passages, the one that appears second in MS 353 (fig. 2) and begins "*[Q]ui sincera intentione extraneos*," as a letter of Pope Gregory I to Pascasius, bishop of Naples around the turn of the seventh century.[3] The other passage, however, beginning "*[I]udei non sunt cogendi*," she has not properly identified. The original source of the latter is a text

1. Beinecke MS 353, folio 29v; *Scrutinium Scripturarum* (Burgos: Philippum Iuntam, 1591), 145.

2. Barbara A. Shailor, *A Catalogue of Medieval and Renaissance Manuscripts in the Beinecke Rare Book and Manuscript Library, Yale University*, Medieval & Renaissance Texts & Studies (Binghamton, 1984–92), ii.191.

3. Shailor gives the reference to *Monumenta Germaniae Historica*, *Epistolae* v. 2 (Berlin, 1899) *Epistola* 13.15, but gives the incorrect page number, 388, instead of the correct page number, 383.

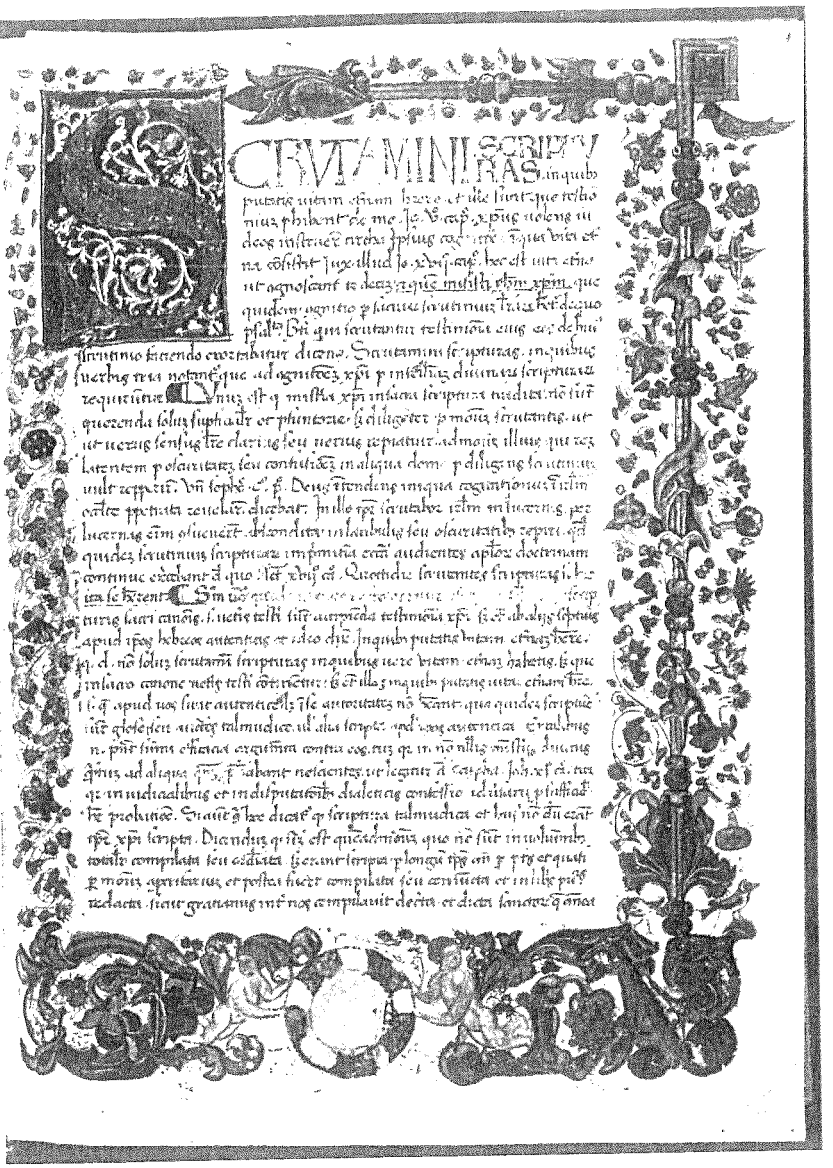


Fig. 1

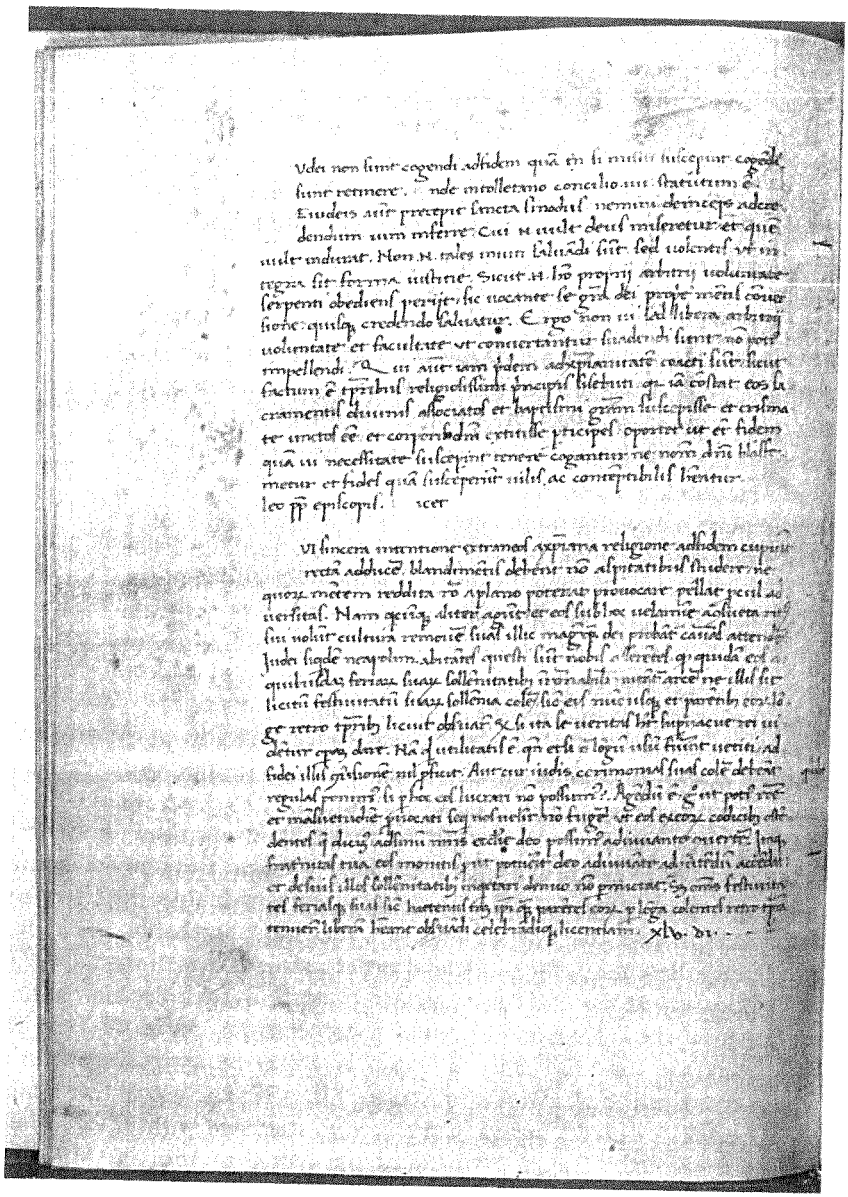


Fig. 2

from the fourth Council of Toledo in 633.[4] At first glance, the mention of Naples in the first quotation suggests a possible contextual connection of the manuscript to the city. But the fact that Gregory's letter is directed to the bishop of Naples must be considered in light of the fact that both texts are, in fact, given in Gratian's *Decretum*, (fig. 3) Pars Prima, *distinctio* XLV, *causae* III and V.[5] The second hand that included the quotations copied first the text from Toledo (C. V). Immediately following this quotation are the words "*Leo Papa episcopis* [sic] *licet*," indicating that the person writing the quotations into the manuscript made an error and began to copy the first words of the chapter that follows the first quotation in Gratian's *Decretum*, a selection from letter LXXXII of Pope Leo to Anastasius, bishop of Thessalonica.[6] Not aware that the text was taken from Gratian, Shailor did not know what to make of this seemingly random addition, and observed the following: "the text ends incomplete? The following line and a half blank."[7] It appears that the person copying these quotations into MS 353, after first copying C. V (the text from Toledo) and accidentally running a few words into C. VI (the letter of Pope Leo), then jumped backward in the *Decretum*, copying the quotation that appears second in MS 353 from the beginning of Gratian's C. III (the letter of Gregory). Contrary to Shailor's supposition, both quotations were copied completely, exactly as they appear in the *Decretum*, but in a different order.

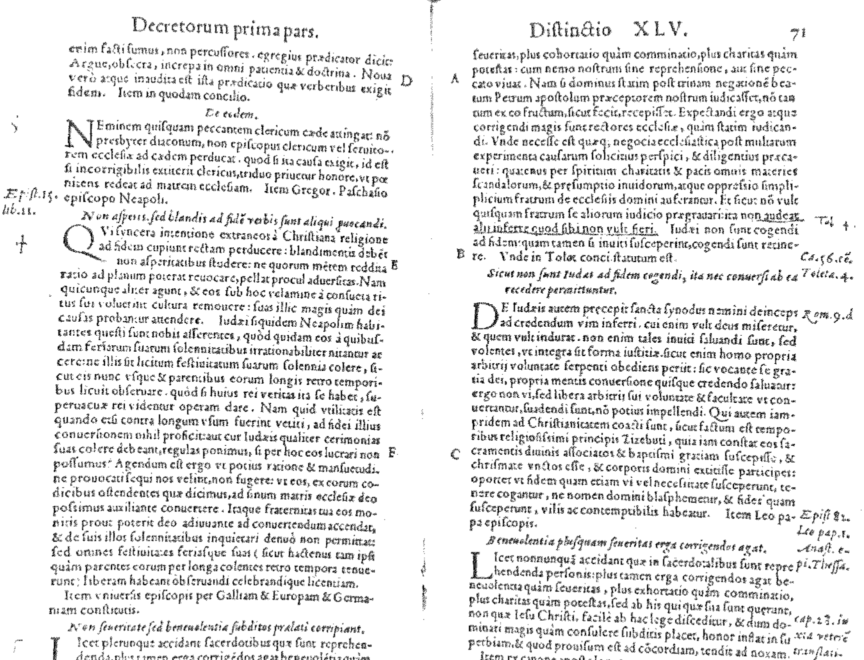
From a general standpoint, the correct identification of the original sources of two quotations leads us only to suggest the possibility that both excerpts were copied into MS 353 from the *Decretum*, because the two passages appear so close together there. This fact alone, however, is not enough to confirm such a possibility. Finding the mistake in the copying of the first quotation (running a few words into the letter of Pope Leo) makes the link to Gratian's text more probable, since the two texts follow the same sequential order there. The final words, "*xlv. di*," appearing at the end of the second quotation, offer certain confirmation that these texts were copied together from *distinctio* XLV of the *Decretum* (the full title of which is *Discordantium Canonum*), which contains the chapters in question. Likewise, the actual text from the Council of Toledo begins in the second sentence with "*De Judaeis autem praecepit.*" The first words of the first quotation in MS 353,

4. This can be found in Giovan Mansi, *Sacrorum Conciliorum nova et amplissima collectio*, 1764. V. 10, col. 633. In the *Decretum* it is listed as *causa* 56, and is found in Mansi in *causa* 57.

5. J. P. Migne, *Patrologia cursus completus. Series Latina*, 221 vols. (Paris: 1844–64), 187: 233B–235B.

6. Ibid., 187: 233–235a.

7. Shailor, *Catalogue*, ii.190.



Decretorum prima pars.

enim facti sumus, non percussores. egregius prædicator dicit: Argue, obsecra, increpa in omni patientia & doctrina. Noua verò atque inaudita est ista prædicatio quæ verberibus exigit fidem. Item in quodam concilio. D

De eodem.

NEminem quisquam peccantem clericum cæde attingat: nõ presbyter diaconum, non episcopus clericum vel seruitorem ecclesiæ ad cædem perducat. quod si ita causa exigit, id est si incorrigibilis extiterit clericus, triduo priuetur honore, vt pœnitens redeat ad matrem ecclesiam. Item Gregor. Paschasio episcopo Neapoli. *Epist. 15. lib. 11.*

Non asperis, sed blandis ad fidẽ verbis sunt aliqui prouocandi.

QVi syncera intentione extraneos à Christiana religione ad fidem cupiunt rectam perducere: blandimentis debẽt non asperitatibus studere: ne quorum mẽtem reddita ratio ad planum poterat reuocare, pellat procul aduersitas. Nam quicunque aliter agunt, & eos sub hoc velamine à consueta ritus sui voluerint cultura remouere: suas illic magis quàm dei causas probantur attendere. Iudæi siquidem Neapolim habitantes questi sunt nobis asserentes, quòd quidam eos à quibusdam feriorum suarum solennitatibus irrationabiliter nitantur arcere: ne illis sit licitum festiuitatum suarum solennia colere, sicut eis nunc vsque & parentibus eorum longis retro temporibus licuit obseruare. quòd si huius rei veritas ita se habet, superuacuæ rei videntur operam dare. Nam quid vtilitatis est quando etiã contra longum vsum fuerint vetiti, ad fidei illius conuersionem nihil proficit: aut cur Iudæis qualiter cerimonias suas colere debeant, regulas ponimus, si per hoc eos lucrari non possumus? Agendum est ergo vt potius ratione & mansuetudine prouocati sequi nos velint, non fugere: vt eos, ex eorum codicibus ostendentes quæ dicimus, ad sinum matris ecclesiæ deo possimus auxiliante conuertere. Itaque fraternitas tua eos monitis prout poterit deo adiuuante ad conuertendum accendat, & de suis illos solennitatibus inquietari denuò non permittat: sed omnes festiuitates feriasque suas (sicut hactenus tam ipsi quàm parentes eorum per longa colentes retro tempora tenuerunt) liberam habeant obseruandi celebrandique licentiam.

Item vniuersis episcopis per Galliam & Europam & Germaniam constitutis.

Non seueritate sed beneuolentia subditos prælati corripiant.

LIcet plerunque accidant sacerdotibus quæ sunt reprehendenda, plus tamen erga corrigẽdos agat beneuolẽtia quàm seueritas,

Distinctio XLV. 71

seueritas, plus cohortatio quàm comminatio, plus charitas quàm potestas: cum nemo nostrum sine reprehensione, aut sine peccato viuat. Nam si dominus statim post trinam negationẽ beatum Petrum apostolum præceptorem nostrum iudicasset, nõ tantum ex eo fructum, sicut fecit, recepisset. Expectandi ergo atque corrigendi magis sunt rectores ecclesiæ, quàm statim iudicandi. Vnde necesse est quæq; negocia ecclesiastica post multarum experimenta causarum solicitius perspici, & diligentius præcaueri: quatenus per spiritum charitatis & pacis omnis materies scandalorum, & præsumptio inuidorum, atque oppressio simplicium fratrum de ecclesiis domini auferantur. Et sicut nõ vult quisquam fratrum se aliorum iudicio prægrauari: ita non audeat aliis inferre quod sibi non vult fieri. Iudæi non sunt cogendi ad fidem: quam tamen si inuiti susceperint, cogendi sunt retinere. Vnde in Tolet. conci. statutum est. *Tob. 4. Ca. 56. cõ. Toleta. 4.*

Sicut non sunt Iudæi ad fidem cogendi, ita nec conuersi ab ea recedere permittuntur.

DE Iudæis autem præcepit sancta synodus nemini deinceps ad credendum vim inferri. cui enim vult deus miseretur, & quem vult indurat. non enim tales inuiti saluandi sunt, sed volentes, vt integra sit forma iustitiæ. sicut enim homo propria arbitrij voluntate serpenti obediens periit: sic vocante se gratia dei, propria mentis conuersione quisque credendo saluatur: ergo non vi, sed libera arbitrii sui voluntate & facultate vt conuertantur, suadendi sunt, nõ potius impellendi. Qui autem iampridem ad Christianitatem coacti sunt, sicut factum est temporibus religiosissimi principis Zizebuti, quia iam constat eos sacramentis diuinis associatos & baptismi gratiam suscepisse, & chrismate vnctos esse, & corporis domini extitisse participes: oportet vt fidem quam etiam vi vel necessitate susceperunt, tenere cogantur, ne nomen domini blasphemetur, & fides quam susceperunt, vilis ac contemptibilis habeatur. Item Leo papa episcopis. *Rom. 9. d. Epist. 82. Leo pap. 1. Anast. epi. Thessa.*

Beneuolentia plusquam seueritas erga corrigendos agat.

LIcet nonnunquã accidant quæ in sacerdotalibus sunt reprehendenda personis: plus tamen erga corrigendos agat beneuolentia quàm seueritas, plus exhortatio quàm comminatio, plus charitas quàm potestas. sed ab his qui quæ sua sunt quærunt, non quæ Iesu Christi, facilè ab hac lege disceditur, & dum dominari magis quàm consulere subditis placet, honor inflat in superbiam, & quod prouisum est ad cõcordiam, tendit ad noxam. Item ex canone apostolorum. *cap. 23. iuxta veterẽ translationem.*

Deiiciatur

Fig. 3

"*Judaei non sunt cogendi*," are actually a version of Gratian's introductory words in Dist. 45, C. 5,[8] proving unequivocally that the quotations were copied from the *Decretum*.

The correct identification of the two quotations prefixed to the text of MS 353 is important for a number of reasons. First, the fact that one of the passages makes reference to Naples, while initially promising as a piece of circumstantial evidence for localizing the manuscript, turns out to be of no immediate help because the text can be found in a chapter of Gratian's *Decretum* that deals with the conversion of Jews to Christianity, the central theme in the main text of the manuscript, Paulus' *Scrutinium Scripturarum* (figs. 4–6). Knowing that both quotations were taken from Gratian does not add to the available evidence that could help us localize the manuscript, because Gratian chose these texts for their subject matter, the rights of converted Jews, and not for their incidental details mentioning Toledo or Naples.

The choice to include a quotation of Gregory's letter to the bishop of Naples in MS 353, however, may be of more significance when considered together with the other quotation, relating to Toledo. Both texts quoted in the *Decretum* speak explicitly about the rights and treatment of Jews, and particularly those faced with conversion to Christianity. Linking the two cities by pairing these two quotations together, in the context of a discussion of Jewish conversion to Christianity, thus evokes a concrete historical situation faced by Spanish rulers in the middle of the fifteenth century: the anti-*converso* uprising of Toledo in 1449. The link between Toledo and Naples lies in the circumstantial connection of the main text of MS 353, the *Scrutinium Scripturarum*, to the royal house of Aragon, which ruled Naples in the second half of the fifteenth century. The first Aragonese ruler of Naples, Alfonso V, was closely linked to the author of MS 353, since Paulus had been the private tutor of Alfonso's cousin, King Juan II of Castile. In addition, both Paulus and Alfonso were tied up in the contemporary papal schism between Rome and Avignon, making skillful use of their allegiance to the antipopes to advance their own interests.[9] The question of the legal rights

8. Gratian's words, as found in a number of early editions of the work, are "*sicut non sunt judei ad fidem cogendi*."

9. Paulus had been promoted to the prestigious bishopric of Burgos in September 1415 through his friendship with and fealty to the "antipope" Benedict XIII (against the Roman pontiff Gregory XII). In the 1430s, as part of his campaign to force the Roman pope to support his interest in Naples, King Alfonso sought the support of the Council of Basel (which gave more support to the Avignon papacy, and at which Pablo's son, Alfonso de Cartagena, was present, having brought the text of his father's *Scrutinium* for distribution). On Paulus's appointment, see Luciano Serrano, *Los conversos, d. Pablo de Santa María y d. Alfonso de Cartagena, obispos de Burgos, gobernantes, diplomáticos y escritores* (Madrid: C. Bermejo, 1942), 65–66; On Alfonso's papal politics, see J. N. Hillgarth, *The*

of apostates had become critical between 1449 and 1451 following the Toledo riots, when Paulus de Sancta Maria's son, Alfonso de Cartagena, also a man well known to Alfonso of Naples, legally defended recent converts from Judaism before the Castilian monarch and instigated the papal excommunication of those involved in sparking the persecutions. In the first half of the 1450s, Juan inquired to the pope about the legal rights of converted Jews, and set up an inquisitorial council to investigate their sincerity. The addition of quotations concerning the legal rights of converted Jews to a work of exegesis and theology about the same topic does not seem to be without consequence, especially considering that Paulus' son Alfonso de Cartagena, a man trained in canon law, in his *Defensorium unitatis Christianae* of the same years, quotes often from the *Decretum* regarding the very same issue of the legal rights of converts.[10] From this perspective, although the mention of Naples in Gregory's letter alone does not seem significant, its mention together with the Council of Toledo—the very site of the anti-converso uprising—may indeed be deliberate. This seems even more possible, given the fact that Gratian includes at least thirty-one selections dealing with the Jews and Jewish rights, and at least seven dealing with converted Jews, out of which the two quotations in question were chosen.[11]

The possibility that the two passages were chosen as a pair becomes even more compelling when the contents of the two quotations are compared. The first, from Toledo, although originally written to clarify the waning rights of Jews within a newly Catholic Visigothic society in the early seventh century, was adopted by Gratian as a legal precedent for dealing with an issue that was of growing importance for the Catholic Church after the first crusade: the validity of forced conversions to Christianity. After many Jews were forced to convert by marauding bands of crusaders on their way to the Holy Land, the church, which had been clearly opposed to forced conversions since the papacy of Gregory I the Great, had to face the question of forced converts' right

Spanish Kingdoms 1250-1516. 2 vols. (Oxford, 1978), ii.249-53; and Alan Ryder, *The Kingdom of Naples under Alfonso the Magnanimous. The Making of a Modern State* (Oxford, 1976), 27-53.

10. On Alfonso's *Defensorium*, see *Defensorium unitatis christianae. Tratado en favor de los judíos conversos*, ed. Manuel Alonso (Madrid: Escuela de Estudios Hebraicos, 1943); and Guillermo Verdín-Díaz, *Alonso de Cartagena y el Defensorium unitatis christianae* (Oviedo: University of Oviedo, 1992). Alfonso refers to Gratian to quote the same text of the fourth Council of Toledo in *particula secunda, theor. Quartum*, cap. 25 (page 232 in Alonso's edition).

11. For a complete treatment of Gratian's discussion of Jews, see Gilbert Dahan, *Les intellectuels chrétiens et les juifs au moyen âge* (Paris: Les Éditions du Cerf, 1990), 114–15 passim.

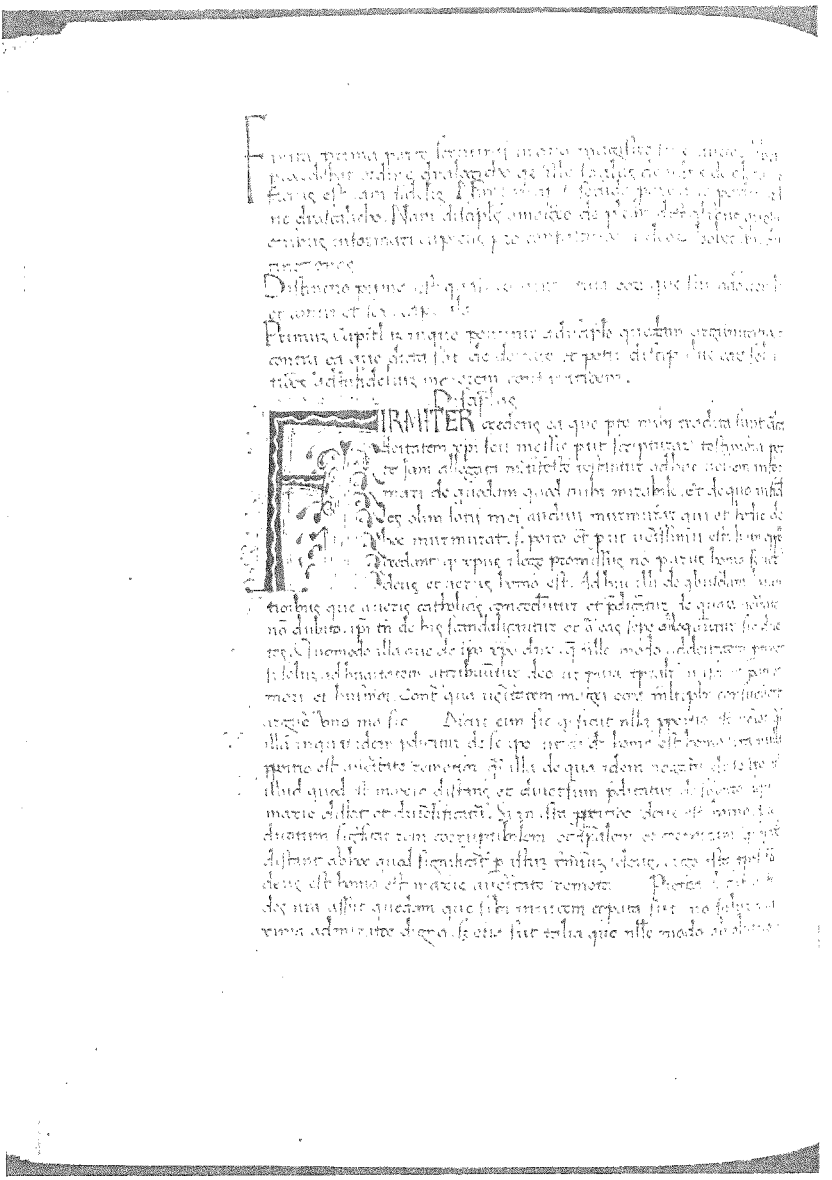


Fig. 4

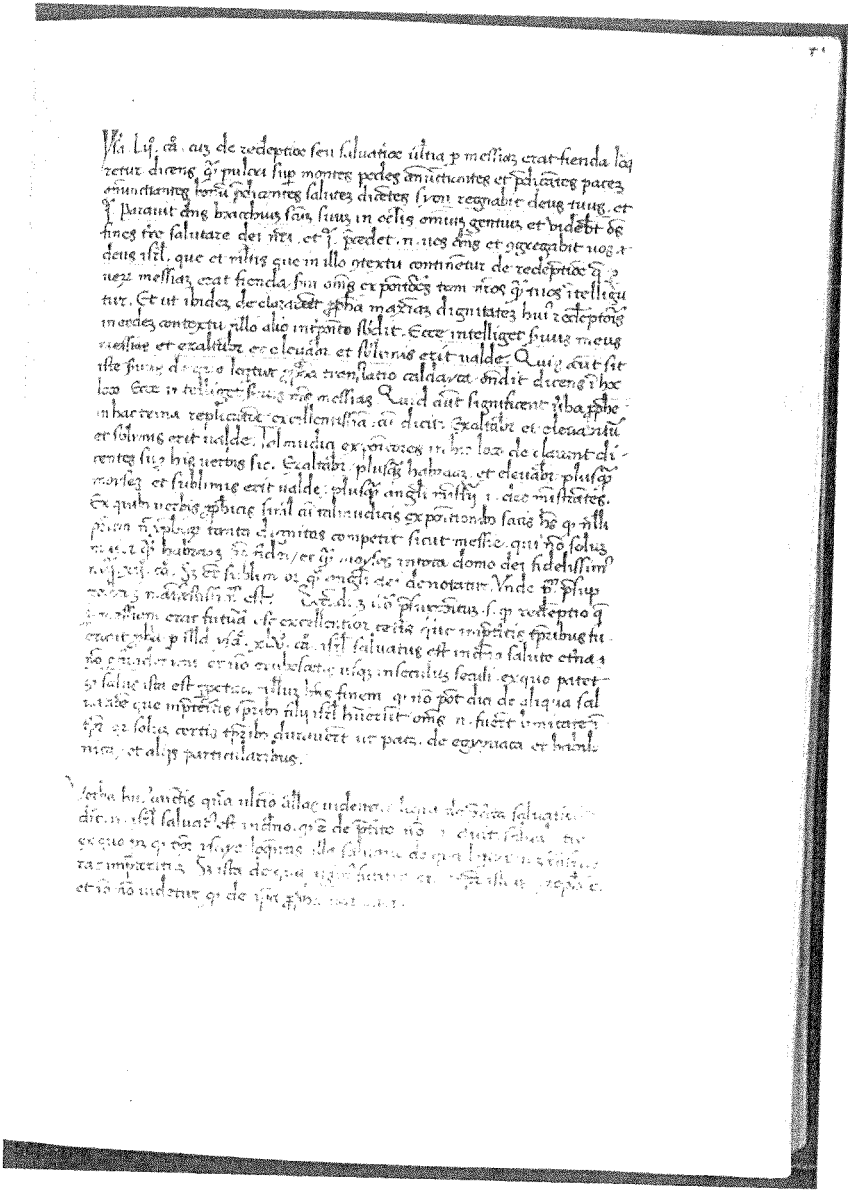


Fig. 5

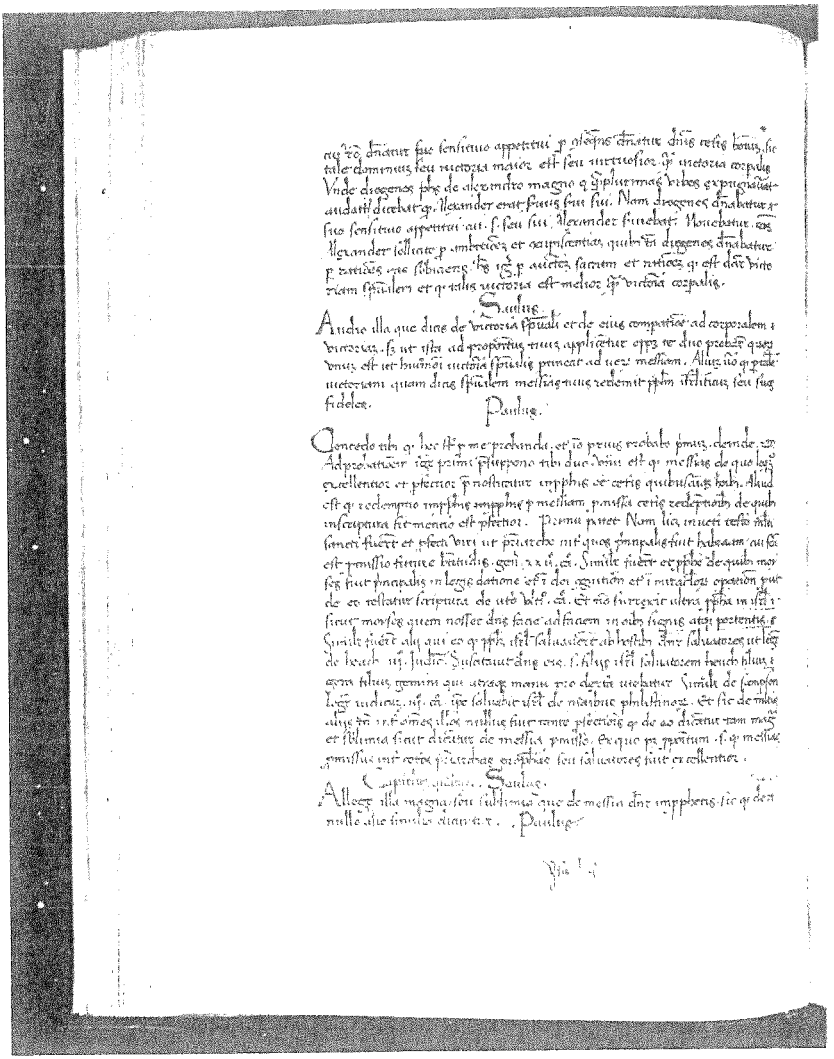


Fig. 6

to return to their original faith. Pope Gregory had established a clear and lasting precedent regarding Christian treatment of Jews in his letters (such as that quoted in the second prefixed text in MS 353) and most famously, in his letter of June 598 to Victor, bishop of Palermo, in which he first penned the phrase *Sicut Judaeis non*, "Just as it should not be permitted the Jews to presume to do in their synagogues anything other than what is permitted by law, so with regard to those things which have been conceded to them they ought to suffer no injury."[12] As Solomon Grayzel explains, it was the first crusade that probably led to the reiteration of Gregorian ideals by Pope Calixtus II in the *Sicut* of 1123,[13] a bull that was destined to be repeated in some form by nearly two dozen popes before 1500.[14] Significantly, it was also in the wake of the first crusade, after emperor Henry IV permitted those Jews who were forced to convert during the first crusade to return to Judaism, the antipope Clement III protested that such a return was opposed to canon law. The claim that, *secundum canonicam sanctionem*, reversion to Judaism even after forced conversion is not allowed is an explicit reference to the fourth council of Toledo, the very same council ruling that is prefixed to MS 353.[15]

Thus, the fact that these two quotations from Gratian are presented alongside one another is in a way perplexing, because they seem to represent opposite ideals. On the surface, both quotations argue that Jews should not be converted by force. Yet while the first argues against the possibility of reverting to one's original faith, even when one has been converted by force, the second quotation from Gregory evokes the very doctrine of toleration that was proffered throughout the High Middle Ages in opposition to this argument. Although they ostensibly agree in their rejection of forced conversions, the two quotations represent opposite sentiments on the question of the rights of Jews faced

12. The full text of this bull is contained in Solomon Grayzel, "The Papal Bull Sicut Judeis," in *Studies and Essays in Honor of Abraham A. Neuman* (Leiden: Brill, 1962), 243–80, 92–94. On this bull and its influence, see also Grayzel's "Popes, Jews, and the Inquisition from '*Sicut*' to '*Turbato*,'" in *Essays on the Occasion of the Seventieth Anniversary of Dropsie University*, 151–88, ed. Abraham I. Katsch and Leon Nemoy (Philadelphia, 1979); reprinted in *The Church and the Jews in the XIIIth Century*, ed. Kenneth R. Stow (New York, 1989), ii.3–45; Schlomo Simonsohn, *The Apostolic See and the Jews*. 8 vols. (Toronto: Pontifical Institute of Mediaeval Studies, 1988–91), vii.39–93; and recently, Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999), 73–94. On Gregory's attitude toward Jews and Judaism, see Solomon Katz, "Pope Gregory the Great and the Jews," *Jewish Quarterly Review*, new series, 24 (1933–34): 113–36.

13. Grayzel, "The Papal Bull," 247.

14. Ibid., 243, notes that it was the most frequent papal utterance regarding the Jews, being issued by six popes in the twelfth century, ten in the thirteenth, four in the fourteenth, and three in the fifteenth.

15. Grayzel, "Popes, Jews, and the Inquisition," (1989), 26n13.

with the threat of conversion. This same issue was of singular importance to the rulers of Castile and Aragon after the persecutions of 1391, when many thousands of Jews were converted, largely by coercion and force, and the issue gained new gravity when the children of those converted Jews were persecuted in the Toledo uprising of 1449.

It was also in the same year that Pope Nicholas V, in an effort to extend the powers of the papal inquisition, sent the Franciscan Fray Matteo de Reggio to Naples to look into the activities of converted Jews living in the kingdom.[16] Considering the fact that, compared to the Castilian king Juan II, Alfonso V had been relatively lenient toward the Jews of Naples, not allowing the stringent papal prescriptions regarding the Jews to be enforced with any rigor,[17] there is reason to believe that Alfonso did not allow friar Matteo to successfully carry out his mission.[18] In any case, it is certain that the pope's actions again raised the issue of converted Jews to King Alfonso at a time when the uprising of Toledo had already made the issue of critical importance for all Iberian monarchs. Against the backdrop of these specific events both in Toledo and Naples in 1449, the additions to MS 353 seem to respond to a very concrete historical situation faced by the house of Aragon in Naples in the middle of the fifteenth century. If this observation is correct, we can propose that the addition of the quotations and, by extension, the copying of the manuscript could not have occurred before 1450, at the very earliest.

Empirical evidence for localizing MS 353 to Naples can also be found in its codicological features. The ruling of the text, consisting of "single vertical bounding lines" and full-length double horizontal bounding lines at the top and bottom of the text, is "very frequent in gothic codicology"[19] but is very rare for humanist manuscripts of fifteenth-century

16. This order was given in the bull "*Licet ex omnibus*," which can be found in Luke Wadding, *Annales Minorum seu trium ordinum a S. Francisco institutorum*, 32 vols. (Florence: Tipografia Barbera, 1931–), xii.26. For discussion of this bull, see L. Amabile, *Il Santo Officio della Inquisizione* (Naples: Città del Castello, 1892), 80–81; and Avelino Sotelo Álvarez, *La inquisición en la Nápoles Aragonesa-virreinal (1442–1547)* (Alicante: PhD Áristos, 2001), 14–16.

17. This is the opinion of Felipe Ruiz Martin, "La expulsión de los judíos del reino de Nápoles," *Hispania: Revista española de historia* 9:34 (1949): 28–76; 9:35 (1949): 179–240, 36–37; See also Nicola Ferorelli, *Gli ebrei nell'Italia meridionale dall'età romana al secolo XVIII* (Turin, 1915), 186–87. Although Alfonso had passed legislation requiring Jews' wearing of a distinctive badge and attendance of Christian sermons, he rescinded that ruling in 1453 in response to Jewish complaints.

18. For a full consideration of the treatment of the Jews in Naples under Aragonese rule, see David Abulafia, "The Aragonese Kings of Naples and the Jews," in *The Jews of Italy* (2000): 82–106; and Viviana Bonazzoli, "Gli Ebrei del regno di Napoli all'epoca della loro espulsione. I parte: Il periodo aragonese (1456–99)," *Archivio Storico Italiano* 137:4 (1979): 495–559.

19. Albert Derolez, *Codicologie des manuscrits en écriture humanistique sur parchemin*, 2 vols. (Turnout, Belgium: Brepols, 1984), i.93.

Italy.[20] Out of the nearly four dozen types of ruling identified by Derolez, this specific ruling, identified by him as "type 16," is found in only eleven out of the twelve hundred manuscripts studied, thus occurring with a frequency of less than one percent. Shailor's observation that the text is ruled "occasionally [in] double vertical bounding lines, full length"[21] only applies to the table of contents, which precedes the main text but is written in the same hand. The entire main text itself is ruled uniformly with single full-length vertical bounding lines and double full-length horizontal bounding lines. What looks like an occasional double vertical bounding line is clearly the result of error or carelessness in ruling by hand, since the double lines, when they are present, always converge at the top, and are never the same width apart in different examples nor of the standard width of the other double bounding lines in the table of contents. This suggests that the line was being traced over or emphasized with a second pass and ended up deviating from the path of the first line (see, for example, 12v, 160v, or 166v).

Almost without variation, the text is ruled vertically on the flesh side and horizontally on the hair side, often leaving a prominent relief on the opposite side of the folio that can frequently be felt even when it cannot be seen. It can be concluded, based on a number of facts about the ruling, that the folios were ruled by hand, not on a ruling board. For example, despite the fact that there are no visible pricking marks and the lines are often faint or not visible (suggesting it could be ruled with a board), the horizontal lines go to the edge of the folio, something that Derolez notes is rare for a board-ruled page.[22] The horizontal lines between the bounding lines end at various places in the margin, sometimes meeting the vertical bounding lines, sometimes stopping short, and sometimes passing them. This variation, especially because it does not follow any pattern from one page to the next, strongly suggests the text was ruled by hand. Most significant, however, is the fact that there is not a noticeable gap at the cross of the vertical and horizontal lines, suggesting very strongly that this was not ruled on a board. This fact is highly significant, because out of the eleven manuscripts with type-16 ruling, only four (37 percent) were ruled with a ruling board, and of those, at least three (75 percent) state that they were written in Naples. In addition, no other manuscript of type-16 ruling besides those ruled by a board can be traced to Naples. Thus, the fact that this manuscript was not ruled by a board seems to suggest that it

20. The work can clearly be located to Italy by the script and the decoration of the initial.

21. Shailor, *Catalogue*, ii.191.

22. Derolez, *Codicologie*, i.74.

might not be from Naples. Since all of the eleven type-16 manuscripts come from Rome, Florence, or Naples,[23] and since Naples seems to be unlikely, de la Mare's proposal that the manuscript might come from southern Italy is called into question.

Nevertheless, a strong circumstantial link to the house of Aragon in Naples has already been established, and this link is supported by other codicological data. Of the eleven examples of type-16 ruling, three (27 percent) state that they were copied for the house of Aragon. Of the three type-16 manuscripts destined for the court of Naples, one is from Naples (Derolez MS 622) and one is from Florence (640); the third (807) has no date or localization; its copyist, "Angelus," cannot be linked directly to either city.[24] Of the twenty-nine humanist manuscripts located to Naples, eleven (39 percent) were for the court of Naples, only one of which was ruled with type 16; of the 139 located to Florence, only seven (5 percent) were for the court, none of which were ruled with type 16. The colors of the decorated initial (pink and green, especially) suggest the text might possibly be Florentine, but MS 353 is ruled, as Shailor notes, with a mix of lead and dry point, and of the eleven type-16 manuscripts, at least five (45 percent) are from Florence, all of which were ruled with dry point. The connection with Florence is thus tenuous, whether evaluated on the basis of the ruling or of the copyists of similar Florentine manuscripts. Without more evidence, the text cannot be linked firmly to Florence, and Rome seems even less likely as a place of origin, since it only shows up in one of the eleven examples and is ruled entirely in dry point.

Of the eleven type-16 manuscripts, only one provides any possible information to help localize MS 353. Derolez's manuscript 59, a copy of Sallust's *De conjuratione catilinae* and *De bello iugurtino*, is the only example out of the eleven that is ruled in lead. Likewise, only a part of the text is actually ruled in type 16, also including ruling of the much more common type 36, which consists of full-length double bounding lines both horizontally and vertically. Like MS 59, Beinecke MS 353 uses lead ruling at least part of the time, and alternates using ruling type 16 with type 36. Although the use of type 36 is three times more common for manuscripts from Florence than those from Naples, MS 59 is from Naples and is dated 1454. Considering that, of the twelve hundred

23. Ibid, i.93.

24. Derolez lists that no other type-16 manuscript was written by "Angelus," written in this or any other form. Likewise, Angelus wrote no other manuscript destined for the Aragonese court, although one manuscript was written for "André Matthieu Acquaviva d'Aragona" (in Greek). See also Saint-Benoît de Port-Valais, *Colophons de manuscrits occidentaux des origines au XVIe siècle*. Éditions universitaires (Fribourg, Switzerland, 1965–82), i.106–13.

manuscripts studied by Derolez, only this one is ruled in lead in a combination of types 16 and 36 (just as MS 353 combines these two types and is ruled in a mixture of lead and dry point), a strong connection between the two manuscripts can be established. Shailor also comments on the "pathetic" and "crude" quality of the initials, just as Derolez notes the poor quality and seemingly unimportant nature of manuscript 59. It can also be added that MS 59 is ruled in type 36 only on the flesh side, according to Derolez, and Beinecke MS 353 is ruled vertically in lead on the flesh side, and horizontally in lead and dry point on the hair side. The difference between types 16 and 36 consists of precisely an extra vertical ruling line in lead, and this point thus complements, or at least does not conflict with, the data regarding the flesh-side ruling in the Beinecke manuscript.

Viewed together, all of these details indicate that MS 59 in Derolez's catalogue provides the firmest evidence for estimating the origin and date of MS 353 with more precision. Although not with complete certainty, it can be concluded based on this comparison that de la Mare was correct in proposing that manuscript 353 originated in Naples in the middle of the fifteenth century, although careful consideration allows an even more specific evaluation to be proposed. Considering that very few Florentine manuscripts—indeed, none of rule type 16—were destined for the court of Naples, whereas nearly a third of all Naples manuscripts went to the court (including an impressive third of the one percent of those with rule type 16), the identification of this rule type originating from Naples makes a connection with the Aragonese court of Naples a real possibility. Such a theory can be further established by adding another interesting detail: although Derolez does not mention any connection of MS 59 to the Aragonese court at Naples, the original listing for the manuscript in *Manuscrits datés, conservés en Belgique* notes that "*à partir du f. 34 la plupart de feuillets sont palimpsests; la text sous-jacent est celui des letters d'Alphonse V d'Aragon.*"[25]

Considering all the evidence together, the observations of de la Mare and of Shailor regarding Beinecke MS 353 can be confirmed and indeed strengthened and extended. The ruling of the work, because of its extreme rarity in humanist manuscripts from Italy, can serve as a potential key to fixing the manuscript's genesis more exactly. Because all of the Florentine manuscripts of this type were ruled in dry point and not lead, the manuscript cannot easily be associated with Florence. Although the fact that three of the four manuscripts of this type that

25. *Manuscrits datés, conservés en Belgique. Notices établies sous la direction de François Masai et de Martin Wittek*, ed. Albert Brounts, Pierre Cockshaw, Marguerite Debae et al., 6 vols. to date (Brussels: E. Story-Scientia, 1968–), iii.346.

are located to Naples were ruled on a board, whereas our manuscript was clearly not, the close similarity of Derolez's MS 59 to Beinecke MS 353—both being ruled with lead, both mixing ruling types 16 and 36, and both of comparatively poor quality—suggests a considerable likelihood that MS 353 was produced in Naples in the middle of the 1450s. The extracts from Gratian's *Decretum* added to MS 353, suggesting the concrete historical link between the Toledo uprising of 1449 and the papal investigation into the activity of Neapolitan converted Jews in the same year, strengthen the codicological evidence for the manuscript's origin. This localization, in turn, provides important new evidence for the early transmission of the writing of Paulus de Sancta Maria.