

dium ab unitate proficiscitur, ut ecclesia Cristi una monstretur. *Hec ibi.* Que scilicet ecclesia Cristi non consistit in hominibus ratione potestatis vel dignitatis, ecclesiastice vel secularis, quia multi principes et summi pontifices et alii inferiores inventi sunt apostatasse a fide, propter * quod ecclesia consistit in illis personis in quibus est noticia et vera confessio fidei et veritatis. *Hec Lira, Mat. xvi.*¹⁰⁰ *Secundus:* Quando est lata post appellacionem legitimum. *Tercius casus:* Quando continet intollerabilem [f. 245'] errorem. *Quartus casus est,* quando alius excommunicaret maiori excommunicatione illos qui excommunicato participarent; non in crimine sed in locutione et aliis casibus in quibus incurritur minor. Nam talis sententia non valet nisi trina amonitione premissa vel una pro tribus. Et nisi exprimentur nominatim ipsi admonendi. *Ut De sententia excommunicationis, Statutum, et c. Constitucionem, Libro Sexto.*¹⁰¹ *Quintus:* Quando prelati interdicerent suis subditis ne exponant suis superioribus vel legatis, aut inquisitoribus, statum ecclesiarum suarum seu monasteriorum suorum, et de hoc ferrent sententiam excommunicationis. *Ut De officio ordinarii, Quia plerique, Libro Sexto.*¹⁰²

from the unity of the church, which is represented by Peter, can curse, but does not avail to consecrate, and has no power of excommunication or of reconciliation, etc. *Thus far [Gratian].* For outside the unity of the church the Holy Spirit is not received, as *Cyprian says in the Decretum, XXIV. q. i, c. 18:* Thus the Lord speaks to Peter: I say to you that you are Peter and upon this rock I will build my church (*Mat. xvi, 78*). He builds his church upon one man, and although he will bestow power upon all the apostles after his resurrection—As my Father has sent me, even so I send you. Receive the Holy Spirit (*John xx, 21-22*)—nevertheless, in order to show unity, he ordered the origin of that unity by his authority as beginning from one person. Certainly, the other apostles were what Peter was: furnished with equal fellowship of dignity and power. But the origin springs from unity, in order that the church of Christ may present itself as one. (*Thus far Cyprian.*) And this church of Christ does not consist in men by reason of their power or office, whether ecclesiastic or secular, because many princes and supreme pontiffs and others, subordinates, have been known to have abandoned the faith; therefore the church consists in those persons in whom are knowledge and true confession of faith and of truth (*So Lira, on Mat. xvi, 18*).

Secondly [i.e., in Pisanus's cases: supra]: When the sentence has been pronounced after a legitimate appeal.

The third case: When the sentence includes an intolerable error.

A fourth case is when someone else excommunicates through a major excommunication those who are associated with the excommunicated, not in crime, but in speech, and in the other cases in which a lesser excommunication is incurred. For such a sentence is invalid unless preceded by three admonitions or by one for the three, and unless those to be admonished are cited by name. (*Sext., V, xi, 13; 9.*)

A fifth case: When prelates forbid their subordinates to disclose the state of affairs of their churches or monasteries to their superiors, or to legates, or to inquisitors, and when on account of this the prelates pronounce a sentence of excommunication (*Sext., I, xvi, 4*).

[III]

1. Clemens Quintus, *De statu monachorum, Ne in agro, Clementinis*,** de habitu monachorum nigrorum dicit:¹⁰³ Statuimus ut superior vestis ipsorum habitui proxima, nigri, brunni, aut albi coloris existat. Sit etiam vestis ipsa rotunda per circuitum et non fissa

(III)

1. *Clement V, in the Clementines, III, x, 1,* says of the habit of the black monks: We have decreed that their upper garment, directly over their habit, should be black, brown, or white in color; it should be a round, undivided garment. And let them have full sleeves,

* In quibus consistit ecclesia.

¹⁰⁰ Lyra *super Mattheum, xvi, 18, in verba* "et porte inferi."

¹⁰¹ *Liber Sextus, V, xi, 13, 9* (Friedberg, II, 1103, 1101); *periphrasis.*

¹⁰² *Liber Sextus, I, xvi, 4* (Friedberg, II, 987); *periphrasis.*

** De monachis.

¹⁰³ *Clementine, III, x, 1* (Friedberg, II, 1166-1168); *citatio composita.*

[*recte*: scissa]; largas eciam manicas habeant usque ad pugnum protensas; almucii de panno nigro vel pellibus capuciorum loco cum capuciis habitus quem gestaverint sint contenti: iuxta tamen dispositionem abbatis, fissis [*recte*: scissis] super humeros et honestis capuciis uti possunt. Estivalibus largis aut botis altis pro calciamentis utantur. Nullus zonam, cultellum, calcaria cum ornatu deferre audeat, aut cum sella clavorum ornatu superfluo decorata, vel nimis sumptuosa seu cum freno ferraturam [*MS*: fracturam] ad ornatum habente equitare presumat. Rursus in locis in quibus fuerit congregatio duodecim monachorum aut supra, infra septa monasterii abbas, prior, aut alius presidens portet flocum aut kucullam etc. Extra monasterium flocum, kucullam, aut cappam clausam habeant, et subtus cappam kukullam, aut si maluerint, scapulare. Kukulle nomine habitum longum et amplum sed manicas non habentem; nomine vero floci habitum qui longas et amplas habet manicas, nos intelligere declaramus.

A venacionibus aut aucupacionibus [*MS*: occupationibus] semper abstineant, nisi saltus (et est nomen loci bestiarum saltancium), vivaria (nomen loci piscium), vel garenas (locus tubi aves habitant), proprias, vel ius venandi in alienis haberent, in quibus cuniculi vel fere alie forsitan essent, quo casu hoc eis permittitur, dum nec venacioni presenciam exhibent personalem etc.

Glosa: nigredo habitus [f. 246] in mortificatione carnis fuit inventa; utinam meritorum [nigredo?] et virtutum per illa[m] hodie non signetur. *Estivalibus*: et sunt calciamenta corii quibus in estate utor, et optima fiunt apud Sanctum Severinum. *Botis altis*, que capiunt supra talos et ligantur, id est, sokulares [*recte*: sotulares] corrigiatis [*sic!*]. *Ad ornatum*: patet quod quando non ad ornatum, sed propter ingruentem necessitatem, talibus uterentur, essent excusabiles. *Cappam*: tondelli [*recte*: rondelli] qui nunc sunt in usu, non sunt proprie cappe, seu cappa dicatur a capite seu a "capio-capis," quia totum hominem capiat; non enim habent capucium appensum. *Glosa Johannis Andree*.¹⁰⁴

2. "Ecce ego mitto vos sicut agnos inter lupos. Nolite portare sacculum neque peram neque calciamenta,"¹⁰⁵ "neque virgam,"¹⁰⁶ id est baculi auxilium. *Sic ponitur secundum Mat. et Luc., decimis capitulis, sed secundum Mar. vi. dicitur*: "nisi virgam tantum"¹⁰⁷ —id est potestatem vivendi de ewangelio: *secundum Bedam*.¹⁰⁸ "Sed calciatos sandaliis"¹⁰⁹—*Augustinus*: vel soleis, ut neque pes sit tectus neque ad terram nu-

reaching down to the fist. In place of an [outer] hood they should be content with an almuce of black cloth or of leather, together with the hood of the habit that they have on. By disposition of the abbot, however, they may use finer hoods, divided over their shoulders. For shoes let them use roomy summer-shoes or high boots. Let no monk venture to wear a belt, carry a dagger, or wear ornamented spurs, and let him not presume to rise on a saddle superfluously studded with ornamental nails, or on one excessively sumptuous, or with reins ornamented by iron-work. Back in places where twelve or more monks are grouped, the abbot, prior, or other chief may wear a coat or cowl, etc., within the monastery enclosure. Outside the monastery they may have a coat or cowl; or they may have a fastened cape, and under the cape a cowl or, if they prefer, a scapular. By "cowl" we understand a habit that is long and full but does not have sleeves; by "coat" [*flocus*] a habit that has long and full sleeves.

Let them always abstain from hunting or falconry unless they have their own forests [*saltus*] (the name of a place where there are beasts that jump [*saltancium*]), fish-ponds [*vivaria*], (the name of a place where there are fish), or warrens [*garenas*] (a place where birds live), or the right of hunting on others' property where there may perhaps be rabbits or other game. In this case hunting is allowed to them, provided that they are not personally present at the hunt.

John Andree's gloss: Blackness of habit, was designed for mortification of the flesh—would that blackness of merits and virtues were not signified by it today. *Summer-shoes*: these are shoes of hide that I use in the summer—the best ones are made near St. Severin's. *High boots* are those that come up above the ankles and are bound—that is, laced shoes. *Ornamented*: It would of course be excusable if they used these not for the sake of ornament but in case of unforeseen necessity. *Cape*: the round mantles that are now in use are not properly capes—whether cape [*cappa*] be so called from "head" [*caput*] or from "to cover" [*capio*], because it covers the whole man—for they do not have an attached hood.

2. "Behold, I send you forth as lambs among wolves, Carry neither purse, nor scrip, nor shoes"; "nor a staff," that is, the help of a stick. This is what is written in the tenth chapters of *Luke* (x, 3-4) and *Matthew* (x, 10), but according to *Mark* vi, 8, it says "Save a staff only"—that is, the power of living from preaching the gospel (*this according to Bede*). "But be shod with sandals" (*Mark* vi, 9)—*Augustine*: Or with strapped-on soles, so that the foot be neither cov-

¹⁰⁴ Johannis Andree, *Glose in verba citata, Clementine, III, x, 1* (*Edit. Lugdun., col. 206*). *Sed glosa alia invenitur in verbum "nigredo."*

¹⁰⁵ Luc. x, 3-4; cf. Mat. x, 16, 10.

¹⁰⁶ Mat. x, 10.

¹⁰⁷ Mar. vi, 8.

¹⁰⁸ *Non inventum.*

¹⁰⁹ Mar. vi, 9.

dus; ¹¹⁰ *et secundum Liram*, non dicuntur calciamenta proprie.¹¹¹ "Non panem neque in zona es," *secundum Mar.*; ¹¹² *sed secundum Mat.*: "nolite possidere aurum neque argentum neque pecuniam in zonis vestris," "neque duas tunicas."¹¹³ *Secundum Luc.*: * "Et neminem per viam salutaveritis." "Nolite transire de domo in domum," etc.¹¹⁴

Veniet hora ut omnis qui interficit vos arbitretur se obsequium prestare deo. Absque sinagogis facient vos. *Joh. xvi.*¹¹⁵ Non est discipulus super magistrum suum neque servus supra dominum suum. Si patrem familias Belzebub vocaverunt, quanto magis et domesticos eius. Cavete ergo ab hominibus; tradent enim vos in conciliis. Nolite timere eos qui occidunt corpus, etc.; capilli capitis vestri omnes numerati sunt, etc. *Mat. x.*¹¹⁶ Beati estis cum maledixerint vobis homines et persecuti vos fuerint, etc. *Mat. v.*¹¹⁷ *Translatio antiqua habet*: et expulerint.¹¹⁸ Non veni mittere pacem in terram, etc. *Mat. x.*¹¹⁹ Hec locutus sum vobis ut in me pacem habeatis; sed confidite, quia ego vici mundum. *Joh. xvi, in fine.*¹²⁰ Qui non accipit crucem suam et sequitur me non est me dignus. *Mat. x.*¹²¹ Qui animam suam perdiderit propter me et ewangelium salvam faciet eam. *Mar. viii.*¹²² Et accipiat centies tantum cum persecucionibus. *Mar. x.*¹²³ Ponite in cordibus vestris non premeditari quemadmodum respondeatis. Ego [f. 246'] enim dabo os et sapienciam cui non poterint [*recte*: poterunt] resistere et contradicere omnes adversarii vestri. Trademini autem a parentibus, fratribus, et cognatis et amicis, et morte afficient ex vobis; et eritis odio omnibus propter nomen meum. Et capillus de capite vestro non peribit. In paciencia vestra possidebitis animas vestras. *Luc. xx[i], et Mat. x.*¹²⁴ Iam conspiraverunt iudei ut si quis confiteretur eum Cristum, extra synogogam fieret. Ideo maledixerunt ceco nato et dixerunt: Tu discipulus illius sis. In peccatis natus es totus et tu doces nos? Et eiecerunt eum foras. Et audivit Ihesus et cum invenisset eum dixit ei: Tu credis in filium dei? *Joh.*

ered nor bare on the ground; and according to *Nicholas of Lira*, sandals are not properly called shoes. "No bread, no brass in their belts," according to *Mark vi, 8*; but according to *Matthew x, 9, 10*: "Do not possess gold, or silver, or money in your belts, "nor two coats." According to *Luke x, 4, 7*: "And salute no man by the way." "Go not from house to house," etc.

The time will come, that whosoever kills you will think that he does God service. They shall put you out of the synagogues. (*John xvi, 2*.) The disciple is not above his master, nor the servant above his lord. If they have called the master of the house Beelzebub, how much more shall they call them of his household. So beware of men; for they will deliver you up in their councils. Fear not them which kill the body, etc. The hairs of your head are all numbered, etc. (*Mat. x, 24, 25, 17, 28, 30*.) Blessed are you when men shall revile you and persecute you, etc. (*Mat. v, 11*.) *The old translation says*: "and shall drive you out." I have not come to send peace on earth, etc. (*Mat. x, 34*.) These things I have spoken unto you, that in me you might have peace; but be of good cheer—I have overcome the world. (*John xvi, 33*.) He that takes not his cross and follows after me, is not worthy of me. (*Mat. x, 39*.) Whosoever shall lose his life for my sake and the gospel's, the same shall save it. (*Mark viii, 35*.) And he shall receive a hundredfold, with persecutions. (*Mark x, 30*.) Put it in your hearts, not to premeditate how you shall answer. For I will give a mouth and wisdom, which all your adversaries shall not be able to gainsay nor resist. And you shall be betrayed both by parents, and brethren, and kinsfolk, and friends; and some of you shall they cause to be put to death; and you shall be hated of all men for my name's sake. But there shall not a hair of your head perish. In your patience possess you your souls. (*Luke xxi, 14-19*; cf. *Mat. x, 19, 53, 22, 30*.)

The Jews had plotted already that if any man did confess that he was Christ, he should be put out of the synagogue. Therefore they reviled the man who had been born blind, and said, "You are his disciple. You were altogether born in sins, and do you teach us?"

¹¹⁰ *Glosa super Mar. vi, ut fertur Augustini, invenitur apud Bedam: In Marci Evangelium Expositio, Lib. II (MPL, vol. 99, col. 187): "Proinde Marcus dicendo calceari eos sandaliis vel soleis aliquid hoc calceamentum mysticae significationis habere admonet, ut pes neque tectus sit, neque nudus ad terram; id est, nec occultetur Evangelium nec terrenis commodis invitatur."*

¹¹¹ *Lira, glosa super Mar. vi, in verba "Sed calciatos sandaliis": "Ex quo patet quod sandalia non dicuntur calciamenta proprie quia illis poterant uti apostoli ut hic dicitur."*

¹¹² *Mar. vi, 8.*

¹¹³ *Mat. x, 9, 10.*

* Persecucio.

¹¹⁴ *Luc. x, 4, 7.*

¹¹⁵ *Joh. xvi, 2.*

¹¹⁶ *Mat. x, 24, 25, 17, 28, 30.*

¹¹⁷ *Mat. v, 11.*

¹¹⁸ *Non ad manum.*

¹¹⁹ *Mat. x, 34.*

¹²⁰ *Joh. xvi, 33.*

¹²¹ *Mat. x, 38.*

¹²² *Mar. viii, 35.*

¹²³ *Mar. x, 30: In contextu: (29) "Respondens Jesus ait: Amen, dico vobis, nemo est, qui reliquerit domum aut fratres aut sorores aut patrem aut matrem aut filios aut agros propter me et propter ewangelium, (30) qui non accipiat centies tantum nunc in tempore hoc, domos et fratres et sorores et matres et filios et agros cum persecucionibus, et in saeculo futuro vitam aeternam."*

¹²⁴ *Luc. xxi, 14-19; cf. Mat. x, 19, 53, 22, 30.*

ix.¹²⁵ Ideo et Nicodemus venit ad eum nocte. *Joh.*
 Joh. iii.¹²⁶ Ex principibus multi crediderunt in eum
 sed propter pharizeos non confitebantur, ut de sinagoga
 non eicerentur. Dillexerunt enim gloriam hominum
 magis quam gloriam dei. *Joh. xii.*¹²⁷ Quomodo potes-
 tis vos credere qui gloriam ab invicem accipitis? *Joh.*
 v. [MS: vi].¹²⁸

3. Ampla cuculla nimis, nigra vestis, bucca [recte:
 botta?] rotunda, non faciunt monachum, sed mens a
 crimine munda.¹²⁹ Si cupis hoc esse quod diceris, mo-
 nachus, id est solus, quid facis in urbibus que utique
 non sunt solorum habitacula sed multorum? *¹³⁰ Mo-
 nasteria non sunt construenda in urbibus.¹³¹ *Ut Jero-*
*nimus, XVI. q. i., Si cupis, et in glosa; c. Placuit, ii.*¹³²

4. Loquitur secundum ea tempora, cum monachi
 fuerunt laici; *ut XVIII. q. ii, Quidam, in glosa.*¹³³ Sed
 nunc, proch dolor, in multis deficiunt verborum exem-
 plorum documenta; et ad instar filii prodigi dissipate
 sunt patrum substantie, et quandoque cupiunt implere
 [MS: cupiunt debere implere] de siliquis ventrem
 suum. *Johannes Andree, De statu monachorum, Ne*
*in agro, in Clementinis.*¹³⁴

5. "Monus" grece, latine "unus"; "achus" grece,
 latine "tristis"; unde dicitur "monachus": id est, unus
 tristis. Sedeat igitur tristis, et officio suo vacet. Quia
 sicut piscis sine aqua caret vita, ita sine monasterio
 monachus. Sedeat itaque solitarius, et taceat, quia
 mundo est mortuus. *Ut in Decreto, c. Placuit.*¹³⁵

6. Licet monachus dicatur mortuus mundo, tamen ad
 hoc generare potest; *ut in Speculo, de testibus, par. i,*
*versu, "Item excipitur."*¹³⁶ *Concordat Extra de homici-*
cidio, "Sicut ex literarum," ubi quedam mulier lesam
 dicit se a quodam kartuziensis ordinis,** prius mona-
 chus niger, que eciam asserebat se concepisse ex eo.¹³⁷
 Cauter ergo puer quidem in cunabulis fuit sectus et pos-
 tea monachus factus; *ut Extra de corpore viciatis, Ex*
*parte, primo.*¹³⁸

7. "Monachus" grece, latine "singularis." Unde
 monachum [f. 247] per omnia singulariter agere oportet.
 Quamobrem firmiter et indissolubiler omnes pre-
 cipimus ut aliquis monachus penitenciam nemini tribuat,

And they cast him out. And Jesus heard of this and
 when he had found him, he said to him: "Do you be-
 lieve in the son of God?" (*John ix, 22, 28, 34, 35.*)
 Therefore even Nicodemus came to him by night (*cf.*
John iii, 1-2). Among the chief rulers many believed
 in him; but because of the Pharisees they did not con-
 fess him, lest they should be put out of the synagogue.
 For they loved the praise of men more than the praise
 of God. (*John xii, 42-43.*) How can you believe,
 who receive honor one of another? (*John v, 44.*)

3. A full-cut cowl, garments that are all too black,
 a plump cheek—not these make a monk, but rather a
 mind pure of guilt. Do you wish to be that which you
 are called, a monk—that is, a man alone? Then what
 are you doing in towns, which are not indeed the
 dwelling-places of solitaries, but of the many? (*Jerome,*
in Decretum, XVI. q. i, c. 5.) *The gloss:* Monas-
 teries are not to be built in towns.

4. He speaks according to those times, when monks
 were laymen (*Decretum, XVIII. q. ii, c. 10, in the*
gloss). But now, alas, many lack the credentials of
 words and deeds, and, like the prodigal son, they have
 wasted their fathers' substance, and sometimes are
 eager to fill their bellies with husks. (*John Andree*
gloss on "sacra," Clementines, III, x, 1.)

5. "Monus" in Greek, "unus" in Latin; "Achs" in
 Greek, "tristis" in Latin: whence the name "monachus"
 (monk)—that is, "unus tristis" (a sorrowful one).
 Let him therefore sorrowful reside, and let him tend to
 his duty. For as a fish without water lacks life, so does
 a monk without a monastery. And so he should re-
 main solitary and keep silence, for he is dead to the
 world. (*Decretum, XVI. q. i, c. 8.*)

6. Even though a monk is said to be dead to the
 world, still he can procreate thereto, as is said in the
Speculum [iudiciale], "On witnesses." *And the De-*
cretals agree, V, xii, 20, where a certain woman says
 she had been violated by a member of the Carthusian
 order, formerly a black monk, and also said she had
 conceived from him. The boy was therefore cautiously
 castrated in the cradle, and was afterwards made a
 monk (*Decretals, I, xx, 3*).

7. "Monachus" in Greek; "singularis" in Latin.
 Whence a monk must hold himself apart in all things.
 We therefore impose this firm and indissoluble com-

¹²⁵ Joh. ix, 22, 28, 34, 35.

¹²⁶ Joh. iii, 1-2.

¹²⁷ Joh. xii, 42-43.

¹²⁸ Joh. v, 44.

¹²⁹ *Versus ab auctore anonymo; inveniuntur eciam in tractatu*
Johannis Wyclif, De religione privata II, Polemical Works,
ed. R. Buddensieg, II (London, 1883), 535.

* Interpretacio monachi.

¹³⁰ XVI. q. i, c. 5 (Friedberg, I, 762).

¹³¹ *Glosa ordinaria in verbum "solorum," Decretum, XVI,*
q. i, c. 5 (Edit. Lugdun., col. 1093).

¹³² *Id est, capitulum "Placuit" secundum (c. 8), XVI. q. i;*
sed de hoc nichil hic desumptum est.

¹³³ *Glosa ordinaria in verba "vel monachi," Decretum, XVIII,*
q. ii, c. 10 (Edit. Lugdun., col. 1201).

¹³⁴ *Glosa ordinaria in verbum "sacra," Clementine, III, x, 1*
(Edit. Lugdun., coll. 204-205). Hic legitur: ". . . quandoque
nostri cupiunt. . ."

¹³⁵ XVI. q. i, c. 8 (Friedberg, I, 763).

¹³⁶ *Speculum iudiciale Guillelmi Durantis non ad manum.*

** Cisterciensis.

¹³⁷ *Decretales, V, xii, c. 20 (Friedberg, II, 802).*

¹³⁸ *Decretales, I, xx, c. 3 (Friedberg, II, 145); non ver-*
batim; insuper, verba "Cauter ergo" sunt addita a Nicolao.