WHAT REALLY HAPPENED ON 7 MARCH 1277?
BISHOP TEMPIER’S CONDEMNATION
AND ITS INSTITUTIONAL CONTEXT

J. M. M. H. THIJSSEN*

On 7 March 1277 Bishop Stephen Tempier condemned 219 propositions as erroneous and prohibited their dissemination.1 Tempier’s condemnation has been widely considered to be the most dramatic and significant doctrinal censure in the history of the University of Paris. Since the beginning of the twentieth century, the syllabus of 219 prohibited propositions has also played a crucial role in the historiography of medieval science—and of medieval philosophy, for that matter. It borders on the commonplace to recall the momentous role that Pierre Duhem assigned to Tempier’s action in the development of fourteenth-century natural philosophy, and the effects that his thesis had in founding the historiography of medieval science as a discipline. It has often been remarked that Duhem’s identification of 1277 as the birth date of modern science directed the way for subsequent historians of late medieval science in determining the topics of their research agendas. The story of the lasting impression of Duhem’s thesis on the historiography of late medieval science has been meticulously told by John Murdoch in his “Pierre Duhem and the History of Late Medieval Science and Philosophy in the Latin West.”2

It was also Murdoch who emphasized that Duhem’s work should be placed in the wider context of the studies of Anneliese Maier. It is, therefore, not unreasonable to suggest that John Murdoch might feel great sympathy for the procedure recommended by Maier in writing the history of late medieval science—an approach that is characterized by “putting things into their proper medieval context,” and that aims at telling the story of

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medieval science "as it really was." Against this background it seems only natural to honor John with a contribution that tries to be especially attentive to the medieval context of a text that has had such an impact on the history of medieval science.

In the historiography of science, Tempier's condemnation has generally been perceived as a symptom of the conflict between science and theology, though a conflict that, for once, did not lead to the subordination of science but, on the contrary, helped it to take a new direction, away from the prevailing Aristotelian tradition. In particular, the emphasis on God's absolute power in the condemned propositions has seemed to have opened the way to speculations that were contrary to the principles of Aristotle's natural philosophy. The impact of Tempier's action in thirteenth- and fourteenth-century natural philosophy is evident from the many texts that make reference to propositions that occur in Tempier's syllabus. While historians have long recognized the importance of these explicit and implicit allusions, most of their attention has focused on the content of Tempier's censure, rather than on its functional significance. In this study I will take a different perspective and make central what hitherto has been regarded as of secondary importance in the historiography of medieval science and philosophy—namely, the institutional and juridical context of the document issued by Bishop Tempier on 7 March 1277.

THE COLLECTION OF PARISIAN ARTICLES

Tempier's condemnation is only one of the approximately sixteen lists of censured theses that were issued at the University of Paris during the thirteenth and fourteenth centuries. Most of these lists of propositions were combined into systematic collections of prohibited articles. One of the earliest of these collections originated toward the end of the thirteenth century under the name of Collectio errorum in anglia et parisius condemnatorum. Initially this collection consisted of twenty-two chapters, presenting the errors condemned in 1277 by Archbishop Robert Kilwardby at Oxford, in 1241 by Bishop William of Alvernia in Paris, and in 1270 and 1277 by Bishop Stephen Tempier in Paris (in that order). Heinrich Denifle and

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3 See Edward Grant, "The Condemnation of 1277, God’s Absolute Power and Physical Thought in the Late Middle Ages," Viator 10 (1979): 211-44. The role of arguing de potentia absoluta in late medieval (natural) philosophy is controversial. See William J. Courtenay, Capacity and Volition: A History of the Distinction of Absolute and Ordained Power (Bergamo: Pierluigi Lubrina, 1990), for a fundamental study of the genesis and historical context of this idea.

4 See Luca Bianchi, Il vescovo e i filosofi: La condanna parigina del 1277 e l’evoluzione dell’aristotelismo scolastico (Bergamo: Pierluigi Lubrina Editore, 1990), pp. 25-27; and William J. Courtenay, "The Preservation and Dissemination of Academic Condemnations at the University of Paris in the Middle Ages," in Les philosophes morales et politiques aux
Émile Chatelain conjectured that the collection had been composed by some unknown person, without doubt in England, on his own initiative, very much as Giles of Rome had done in the thirteenth century with his collection of "Errors of the philosophers" (*De erroribus philosophorum*).\(^5\) The latter work, incidentally, was not concerned with academic condemnations, but with the allegedly erroneous views of Aristotle, Averroes, Avicenna, Algazel, Alkindi, and Maimonides.\(^6\)

During the fourteenth century, the *Collectio errorum in anglia et parasius condemnatorum* grew significantly, so that, in fact, a second, augmented *Collectio errorum* came into existence. All the propositions that were added to the first compilation had been condemned in the fourteenth century at the University of Paris.\(^7\) It is not certain, therefore, whether the *Collectio errorum* was the result of private initiative, as Denifle and Chatelain suggested, or whether it was the result of a deliberate attempt of the University of Paris to convey information regarding erroneous teaching. The *Collectio* is comparable to other collections of court decisions that circulated during the Middle Ages and the early modern period. It can be seen as a collection of verdicts that emanated from the University of Paris. The opening of each set of verdicts contains information about the parties involved and the date, but motivations for the verdicts are not given, nor does the collection provide an account (*narratio*) of the events leading to the verdicts.

In any case, the collection of Parisian Articles must have had some kind of official status, and must have circulated among medieval scholars, because bachelors in theology were required by oath not to maintain anything "in favor of articles that have been condemned at the Roman curia or in

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\(^5\) *CUP* 1: 556. There is no evidence, however, that the first compilation was made in England.

\(^6\) Giles of Rome, *Errores Philosophorum*, critical text with notes and introduction by Josef Koch, English translation by J. O. Riedl (Milwaukee, Wis.: Marquette University Press, 1944). Giles's collection and the *Collectio errorum* are often to be found joined together in the manuscripts; see, for instance, Vatican, Borgh 360; Erfurt, B. Amploniana Q 151; Munich, Bayerische Staatsbibliothek, Clm. 28126; Paris, BN lat. 16533; Schlägl, Prémonstratenser Abtei, Cpl. [819] 132; Utrecht, Universiteitsbibliothek 286 (283 kk).

\(^7\) This makes it highly likely that the second, enlarged compilation had its origin in Paris. See also n. 5.
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Moreover, as I mentioned above, many medieval texts contain references to and quotations from the Parisian Articles.9

If one compares Tempier’s 1277 syllabus with the other lists of errors assembled in the compilation of Parisian Articles, two features stand out: its anonymity, and its promulgation by a bishop.10 Tempier does not specify the persons behind the false views, but merely states that the errors were disseminated by “certain scholars at the faculty of arts” (nonnulli Parisius studentes in artibus).11 The other condemnations, however, all concern specific scholars whose names are explicitly mentioned in the Collectio errorum (see Appendix 1). In addition, Tempier’s is one of the few censures in which a bishop was involved.

The anonymity of the 1277 condemnation and the episcopal intervention might seem small details, but, in fact, they are highly significant for what they can tell us about the procedure that Tempier followed in issuing his syllabus. The significance of the anonymity can be appreciated only in the larger context of how scholars at the University of Paris suspect of disseminating false teaching were censured.

University cases of suspect teaching—that is, cases in which the allegations of false teaching arose in the context of typical university activities, such as lecturing or disputing—were in the first instance reviewed by the chancellor and the (regent) masters of theology.12 The body composed of the chancellor and theologians constituted the lowest level of jurisdiction. The suspects were held accountable on the grounds of their membership in the university, even if they belonged to a religious order. The type of juris-

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8 CUP 3: 120-21: “jurat quod...non dicet, tenebit, aut dogmatizabit aliquid quod sit...in favorem articulorum in Romana curia vel Parisius condemnatorum...sed sanam doctrinar tenebit et dogmatizabit.” The exact wording of the oath does not appear among the edited statutes of the theological faculty of Paris. Jean Gerson, Oeuvres complètes, introduction and notes by Mgr. P. Glorieux, 10 vols. (Paris: Desclée, 1962-73), vol. 5, p. 430, also refers to such an oath: “et jurant baccalaurei priusquam legant Sententias in manu cancellarii Parisiensis quod si quid audierint dici in favorem articulorum Parisius condemnatorum, revelabunt infra octo dies episcopo vel cancellario Parisiensi qui erunt pro tempore.”

9 In the past, references to the “articuli Parisienses” have almost always been considered allusions to Tempier’s condemnation. They may, however, concern any of the articles in the different versions of the Collectio errorum.

10 The only other condemnation in the Collectio errorum that is anonymous was also issued by Tempier, on 10 December 1270: see CUP 1: 486-87 (#432). Much scholarly literature has been devoted to the interpretation of this censure. The judicial proceedings are studied in William J. Courtenay, “Dominicans and Suspect Opinion in the Thirteenth Century: The Cases of Stephen of Venizy, Peter of Tarentaise, and the Articles of 1270 and 1271,” Vivarium 32 (1994): 191-92. Note that the so-called Ockhamist statute of 1340, which appears in the printed tradition of the Collectio errorum (see Appendix 1), is also anonymous; see CUP 1: 505-7 (#1042).

11 Note that the 1277 condemnation is one of the very few censures that concerned the faculty of arts. This aspect could be considered the third distinctive feature of Tempier’s syllabus.

12 What follows is more fully discussed and documented in J. M. M. H. Thijssen, Censure and Heresy at the University of Paris, 1200–1278 (forthcoming), chap. 1.
diction exercised by the consistory of chancellor and masters was disciplinary. Strictly speaking, this disciplinary council did not *adjudicate* cases of false teaching, that is decide a complaint of false teaching with judicial powers. Their procedure is probably best characterized as extrajudicial: it was a pretrial review that hinged on the idea of fraternal, rather than strictly judicial, correction. Only if the disciplinary procedure at the university level failed, either because the suspect bluntly refused to recant, or because he appealed, was the case transferred to the episcopal or papal courts—that is, to courts with criminal jurisdiction.

The disciplinary character of university censures is reflected, for instance, in the recantation (*revocatio*), which is clearly penance, rather than punishment. When a scholar was found guilty of disseminating the charged errors, he was “corrected” in a public ceremony in which he solemnly withdrew one by one the condemned propositions, which were typically summed up in a list of articles (*articuli*). During the recantation, the culprit demonstrated before the academic community that he was not pertinaciously defending his errors and, consequently, was not a heretic. Moreover, the ceremony informed the academic community about which views were condemned, views that they, from then on, were prohibited from disseminating in their own writings and lectures. Interestingly, the lists of errors compiled in the *Collectio* are in the form of recantations. The *Collectio* in one of its fourteenth-century varieties includes the recanted errors of the following scholars at the University of Paris (see Appendix 1): Stephen of Venizy (1241), Nicholas of Autrecourt (1346), John of Mirecourt (1347), John Guyon (1348), Simon (1351), Guido (Giles of Medonta?) (1354), Lewis of Padua (1362), John of Calore (1363), and Denis of Foullechat (1369).\(^\text{13}\)

The disciplinary character of university censures is also reflected in the documentary evidence—or, rather, in the lack thereof. The disciplinary correction of allegedly erring scholars at the university did not leave a paper trail. Of most university condemnations, only the final lists of censured views gathered in the *Collectio errorum*—the verdicts, so to speak—were preserved (see Appendix 1). Documents concerning the proceedings themselves were only generated at the moment when a case was transferred from the disciplinary council of chancellor and masters to the episcopal or papal courts. Only then did it become necessary to recount the events that had led to the transfer of the case to another jurisdiction.

This way of proceeding in cases of suspect teaching at the University of Paris finds confirmation in a little-studied source from the sixteenth cen-

\(^{13}\) See also Courtenay, “Preservation” (n. 4). The only lists that are not recantations are those of 1270 and 1277 issued by Bishop Tempier, and the condemnation of 1277 by Bishop Kilwardby.
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The document is a register of pronouncements and judgments by the faculty of theology, which was kept in the faculty archives. In its meeting of 15 October 1523, the faculty of theology had decided to charge its syndic, the theologian Noël Beda (c. 1470–1536), to compile a survey of (medieval) censures that concerned the University of Paris. Beda’s activities resulted in the production of two Registers: the Liber primus registri [determinationum] facultatis theologie schole Parissiensis in materia fidei et morum incipiens ab anno domini 1284, and the Liber secundus registri determinationum ... ab anno domini 1524.

The first register, which is the only one relevant here, covers the period 1210–1523. If one were to look in this register at the documents concerning suspect teaching from the thirteenth and fourteenth centuries, one would find that it only contains some records concerning the censures of John of Brescain (1247), Denis of Foullechat (1369), and John of Monzón (1389) (see Appendix 2). The register does not reproduce any documents of the censures of Stephen of Venizy (1241), Nicholas of Autrecourt (1346), John of Mirecourt (1347), John Guyon (1348), Simon (1351), Guido (Giles of Medonta?) (1354), Lewis of Padua (1362), or John of Calore (1363). Nor does it contain Bishop Tempier’s condemnations of 10 December 1270 and 7 March 1277.

What may one infer from these omissions? First, when Beda drew up his register, he ignored the Collectio errorum, even though this collection too concerns the suppression of suspect teaching by the faculty of theology. Apparently, he relied on other documents. Study of the documents that have been preserved in Beda’s register shows that they were all original records. Beda probably found them in the faculty’s archives. Most of these original records are still extant today.

Second, there was a juridical reason why the cases of John of Brescain, Denis of Foullechat, and John of Monzón generated original records that

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14 See James K. Farge, Biographical Register of Paris Doctors of Theology, 1500–1536 (Toronto: Pontifical Institute of Mediaeval Studies, 1980), pp. 31–36, for a convenient biography of Noël Beda.

15 The second book covers the period 1524–32. The registers are currently preserved in MSS Paris, BN nouv. acq. lat. 1826, and lat. 3381B. They were consulted by Charles Du Plessis d’Argentré for his Collectio judiciorum de novis erroribus, 3 vols.; vol. 1 (Paris: Coffin, 1724); Vols. 2–3 (Paris: A. Cailleau, 1728–36); who indicates on several occasions that he derived a certain document from “the larger register of censures” (in maiorij registro cen­surarum), or from the “large volume by Noël Beda” (magnum volumen N. Bedae). Jules-Alexandre Clerval, Registre des procès-verbaux de la faculté de théologie de Paris, vol. 1: 1505–1523 (Paris: Lecoffre and Gabalda, 1917), pp. xi–xv, identified Noël Beda’s register as one of the sources used by Du Plessis. I owe this reference to Zénon Kaluza. See also Farge, Biographical Register, pp. 453–55.

16 Although the title indicates otherwise, the first entry is from 1210, not from 1284.

17 Some of the documents reproduced in Beda’s register have been critically edited in CUP. The accompanying critical apparatus made me aware that Noël Beda must have relied on the same original charters that the editors of CUP used for their edition.
Beda could retrieve from the archives of the Sorbonne, whereas the other cases did not leave a paper trail in the archives. The common characteristic of these cases is that they were all problematic.\(^1\) John of Brescain was cited to appear before the court of the papal legate Odo of Chateauroux because he had failed to recant and oppose his errors, although he had been ordered to and had promised to do so in a consistory of the chancellor, the masters, and the bishop.\(^1\) Denis of Foullechat appealed on the day that he was expected to pronounce his rehearsed recantation. The chancellor and masters of theology perceived his refusal to recant as an act of contempt and stubbornness, and they called in the help of the episcopal court and the inquisitor of heretical depravity to enforce their decisions.\(^2\) John of Monzon also refused to surrender to the correction of the chancellor and masters of theology.\(^2\) As a consequence, his case too was transferred to the bishop of Paris, “the ordinary judge in this location”; the faculty and university handed the bishop the dossier of the Monzon case and begged him to proceed judicially against the defendant “as was the custom in similar cases.”\(^2\) In short, all three cases involved a transfer from the “private” proceedings at the university level, within the self-regulating community of masters and scholars, to the “outside” jurisdictions of papal legate, bishop, and pope.

Beda’s register does not report any records pertaining to the inquiry that led to the 1277 condemnation, nor have any such records been found elsewhere, for that matter. From this omission I would conclude that a transfer of jurisdiction never occurred in this investigation. A scenario involving a shift from the university level to the bishop’s jurisdiction would have generated records, which would surely have been included in Beda’s register. It would thus appear that the 1277 investigation did not start at the level of the university, but at the episcopal level, and that Bishop Tempier was involved

\(^{18}\) See Thijssen, *Censure* (n. 12), chap. 1, for a fuller discussion of these censures.

\(^{19}\) *CUP* 1: 206–7 (#176). This document also concerns the censure of a Master Raymond, who was condemned to return to prison because he had only feigned recanting his errors: upon his release he had continued to disseminate his false teachings.

\(^{20}\) *CUP* 3: 121–22 (#1299): “Et adhuc in majorem contemptum contra prohibitionem nostram et promissum suum veniens.”

\(^{21}\) *CUP* 3: 503 (#1564): “Qui ita se facturum intra terciam diem promisit; sed ipse promissum suum in hoc, sicut et in omnibus aliis, violavit.”

\(^{22}\) *CUP* 3: #1559, which records the sentence of the episcopal court and reproduces the record of Monzon’s condemnation by the consistory of theologians; see p. 495: “Super quibus proposicionibus sic in forma per Universitatem Parisiensem ad requestam dicte facultatis theologiae reverendo in Christo patri episcopo Parisiensi, ordinario judici in hac parte, judicialiter exhibitis, factoque super his processu.” See further *CUP* 3: 503 (#1564): “7a est, quod postquam Universitas et facultas antedicte quod potuerunt et debuerunt, quantum in ipsis erat, perfecerant, postea nunciauerunt hec omnia reverendo in Christo patri dominico episcopo Parisiensi, judici ordinario in hac parte, et presentata eidem cedula facultatis predicte, sibi prout in similibus casibus fieri solitum est, requiring supplicaverunt, quatenus super his vellet judicialiter procedere.” This passage is taken from the brief that Pierre d’Ailly prepared when presenting the university’s case at the papal court.
in the inquiry right from the start. As will become clear below, this episcopal involvement is an important factor in explaining another distinguishing feature of the 1277 condemnation, namely its anonymity.

Why did Bishop Tempier pronounce an anonymous censure? Why were those condemned of disseminating false teaching not named explicitly, as was the case with the proponents of the other lists of censured errors? This anonymity becomes even more perplexing if one realizes that there existed a medieval tradition, however shallow, that linked the 1277 condemnation to the names of Siger (of Brabant) and Boethius (of Dacia). The reliability of this tradition is partly confirmed in the study of Roland Hissette, who examined the proximate background of the 219 condemned theses. He established that thirty condemned articles did, indeed, seem to be aimed at Siger of Brabant directly, whereas thirteen seemed to have been derived from the works of Boethius of Dacia. In an effort to cast some light on why the name of Siger of Brabant was suppressed from Tempier’s condemnation, I shall now return to the University of Paris in the years 1276 and 1277 and propose a new way of understanding some old facts.

THE EVENTS LEADING UP TO 7 MARCH 1277

The traditional picture of the events leading to Tempier’s condemnation looks something like this. On 18 January 1277, Pope John XXI (1276–77) informed Stephen Tempier, Bishop of Paris, that he had heard rumors of heresy, and he charged Tempier with the task of examining (facias inspici vel inquiri) where and by whom these errors had been disseminated. On 7 March 1277, Tempier published his list of 219 articles and of some books that were condemned. Anyone teaching or listening to the listed errors would be excommunicated, unless they turned themselves in to the bishop.

23 Only two medieval manuscripts bear a rubric identifying the holders of the condemned errors. MS Paris, BN lat. 4391, fol. 68, presents the syllabus of 219 errors under the rubric “Contra Segerum et Boetium hereticos.” MS Paris, BN lat. 16533, fol. 60, mentions “Principalis assertor istorum articulorum fuit quidam clericus boetius appellatus.” See Pierre Mandonnet, Siger de Brabant et l’Averroïsme Latin au XIIIe siècle, 2 vols. (Louvain: Institut Supérieur de Philosophie, 1908–11), 1: 220.

24 This traditional picture goes back to Mandonnet, Siger, 1: 214–86 and has been codified in Fernand van Steenberghen, Maître Siger de Brabant (Louvain: Publications Universitaires, 1977), pp. 139–49 and 159–65, though with one important correction—namely, the date of the inquisitor’s citation of Siger of Brabant (see n. 35 below). All the subsequent literature has basically accepted Mandonnet’s and van Steenberghen’s portrayal of the events. See, for instance, Bianchi, Vescovo (n. 4), pp. 17–18; John F. Wippel, “Thomas Aquinas and the Condemnation of 1277,” Modern Schoolman 72 (1995): 237; and François-Xavier Putalaz, Insolente Liberté: Controverses et condamnations au XIIIe siècle (Paris: Éditions du CERF, 1995), pp. 51–55, to mention a few of the more recent studies.

25 CUP 1: 541.
or the chancellor within seven days, in which case the bishop would inflict proportionate penalties.\textsuperscript{26}

Since this papal letter precedes Tempier's condemnation, it has been generally assumed that Tempier acted on papal initiative. Two claims have been built on this alleged sequence of events, which recur in almost all the literature that has been written about Tempier's condemnation. First, since the pope merely ordered Tempier to investigate rumors of erroneous teaching and then report back to him, Tempier's pronouncement of the 1277 syllabus was the action of an overzealous bishop. Tempier went far beyond his mandate when he issued his decree, which, moreover, he did not previously submit to the Holy See. For this reason, some scholars have characterized the condemnation of 1277 as a proof of the competition between pope and bishop.\textsuperscript{27} Second, since only about six weeks elapsed between the papal instructions and Tempier's condemnation, the latter's inquiry was hasty. Further proof of Tempier's haste is found in the repetitions, contradictions, and general disorderliness of the list of 219 censured propositions.

The two claims are considered established conclusions, but they are corollaries from a rather unsophisticated and unfounded \textit{post quem propter quem} argument. The instructions in Pope John's letter are rather vague. Moreover, nowhere does the bishop mention that he was acting on papal orders; nor did he need a papal mandate to investigate allegations of false teaching at the University of Paris. In his introductory letter to the list of condemned articles Tempier merely indicates that he has received information from important people (\textit{magnarum et gravium personarum crebra zeloque fidei accensa insinuavit relatio}). Who these "important people" may have been is a question that shall be addressed below.\textsuperscript{28}

The evidence suggests that Tempier acted independently from the pope and that when he received the papal letter of 18 January 1277 he was already in the process of preparing his condemnation. If Tempier received this papal letter at all before 7 March 1277, it must only have encouraged him to continue what he had already been doing, namely preparing his con-

\textsuperscript{26} \textit{CUP} 1: 543–55.


\textsuperscript{28} But see Bianchi, \textit{Vescovo} (n. 4), p. 206, who draws attention to similar formulas in other university documents, and suggests that it may be a standard phrase, or a topos.
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demnation. Historians have simply been misled by the near contempo-
raneity of Pope John’s letter and Tempier’s prohibition.

The absence of any coordination between bishop and pope becomes
more apparent in a second letter—Flumen aquae vivae—from John XXI to
Bishop Tempier. This letter is dated 28 April 1277—that is, more than
forty days after Tempier had promulgated his list of condemned articles.
Curiously enough, this letter gives no indication whatsoever that the pope
knew about Tempier’s action. On the contrary, the pope grants a mandate
to Tempier to notify him, the pope, of new errors, and to inform him about
the names of the propagators of these errors, about their followers, and
about their writings. John’s second letter has generally been understood as a
new mandate, now aimed not only at persons of the arts faculty, but also at
theologians: the second letter is supposed to have been induced by new
(heterodox) doctrinal developments that were not covered by Tempier’s
condemnation of 7 March 1277.

It seems more plausible, however, to consider John’s second letter as a
further specification of his first. In both letters Tempier is requested to
give information about errors that have been newly disseminated. In the
first letter this is phrased as “certain errors to the disadvantage of faith are
said to have come forth anew” (quidam errores in prejudicium ejusdem
fidei de novo pullulasse dicuntur). In the second letter the errors are de-
scribed as “errors that have been newly invented or taken up again or re-
newed” (errores qui de novo inventi vel resumpti seu renovati sunt). In the
first letter Tempier receives a mandate to inquire “by which persons and in
which locations” in Paris these errors have been disseminated (a quibus
personis et in quibus locis). In the second letter, the pope himself already
indicates the perpetrators of the errors, namely “some scholars of arts and
in the faculty of theology at Paris” (nonnulli tam in artibus quam in the-
ologica facultate studentes Parisius). The second letter, finally, is more
specific in stating the purpose of the bishop’s investigation. The pope will
use the dossier that he has requested from the bishop to establish—with the
help of an advisory committee—the nature of the errors, and to decide
whether they will have to be recanted, or condemned, and whether the Uni-
versity of Paris will need to be reformed.

20 the papal court to Paris took about a month to arrive.
31 This suggestion is also made by Miethke, “Papst” (n. 27), p. 85.
32 Callebaut, “Jean Pecham,” p. 460: “ut receptis eisdem ad discussionem, determinacionem seu reprobationem errorum ipsorum vel etiam ad ordinacionem ... , nec non et statu eiusdem studii reformando in premissis viderimus faciendam, de fratrum nostrorum consilio procedamus.”
In short, the second papal letter combines the theme of the first letter with rumors of false teaching at the faculty of theology. These rumors may have originated from the inquiry against the theologian Giles of Rome, an investigation that took place shortly after the condemnation of 7 March 1277. This papal letter *Flumen aquae vivae* must have crossed the letter in which Tempier announced the condemnation.

The problems raised by the traditional picture, which was based on the *post quem propter quem* argument, become less serious if one links Tempier's action, not to the papal letter of 18 January 1277 but to events that occurred on 23 November 1276. On that date Simon du Val, the Inquisitor of France, cited Siger of Brabant together with Bernier of Nivelles and Goswin of Chapelle to appear before his court. The citation, which was published in 1947 by Antoine Dondaine, was preserved in a manual for inquisitors. The purpose of the manual was to provide examples for drawing up official documents; the example of how to compose a citation to appear before the court of an inquisitor happened to pertain to Siger of Brabant and his two fellow masters. It is surprising that this document has not been linked before to the events of 7 March 1277.

In the wake of the studies of Pierre Mandonnet and Fernand van Steenberghen, it is generally thought that Siger of Brabant and Goswin of Chapelle had already fled from Paris to Italy when this citation was issued. The purpose of their flight was to appeal to the papal court. The latter conclusion is based on a few lines from a thirteenth-century poem that place

33 Wielockx, *Aegidii Romani* (n. 29), p. 102, also suggests that *Flumen aquae vivae* may contain echoes of the inquiry against Giles of Rome. At the same time, one should keep in mind that such vague letters expressing concern over the orthodoxy of teaching at the university had a topical character. Compare, for instance, the opening of *Flumen aquae vivae* with the well-known letter of Pope Clemens VI of 20 May 1346, addressed to the masters and scholars in Paris and edited in *CUP* 2: 587–90 (#1125), which also refers to the theme of *Flumen aquae vivae*.


35 Antoine Dondaine, "Le manuel de l'Inquisiteur," *Archivum Fratrum Praedicatorum* 17 (1947): 186–92. Dondaine was the first to reestablish the correct date of the summons, namely 23 November 1276, not 24 November 1277 as Mandonnet, *Siger* (n. 23), 1: 255, n. 1, thought. The significance of the correct date is that it places the summons before, not after, the condemnation of 7 March 1277. Dondaine's corrected edition of the inquisitor's citation has been accepted by all scholars, unanimously, who, otherwise, have remained faithful to Mandonnet's portrayal of the events leading to the censure of 7 March 1277. See also n. 24.

36 Dondaine, "Manuel," p. 187, merely observed that, according to customary inquisitorial proceedings, it was the inquisitor's citation that opened the process. Unfortunately, he did not apply this insight to a reinterpretation of Tempier's censure.
Siger in Orvieto, saying that he was stabbed at the papal court there. The Brabant continuator of Martin of Troppau’s chronicle (*Chronicon pontificum et imperatorum*) adds that Siger was stabbed by his own cleric, who had gone mad; supposedly, this cleric was Goswin of Chapelle. Siger’s death at the papal court must be situated after 22 February 1281, for it was on that date that Pope Martin IV moved the papal court to Orvieto. Siger must have died before 10 November 1284, for on that date the theologian John Pecham wrote a letter containing a passage that has generally been understood as a reference to the already-dead Siger of Brabant: Pecham reports the rumor (*dicuntur*) that the two main defenders of the theory of the unicity of form ended their lives in a wretched manner in countries beyond the Alps, although they were not born there.

The evidence on which this picture is built is extremely tenuous, however. There are, for instance, no records that show that Siger fled to Orvieto, nor that he lodged an appeal there. Yet René Gauthier was the first and perhaps the only scholar to challenge seriously the traditional picture of Siger of Brabant’s whereabouts after 1275. Before suggesting an alternative scenario of the events leading up to the 1277 condemnation, let me review what is wrong with the traditional picture.

Apart from the fact that there is no documentary evidence that Siger fled to the papal court—which, incidentally, was not yet in Orvieto in 1277, but in Viterbo—the suggestion that he ever lodged an appeal there is highly implausible. First, the concept of appellate jurisdiction implies the review of a sentence rendered in a lower court, or, more generally, at a lower level

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37 “Mastro Sighier non andò guari lieto. / A ghiado il fe’ morire a gran dolore, / Nella corte di Roma, ad Orbivieto.” These lines are from the poem *Il Fiore*, and are reproduced in Mandonnet, *Siger*, 1: 264; an extensive discussion is provided on pp. 264–77.

38 The passage is quoted in Mandonnet, *Siger*, 1: 277 n. 4: “Sygerus, natione Brabantinus, eo quod quasdam opiniones contra fidem tenuerat, Parisius subsistere non valens, Romanam curiam adit ibique post parvum tempus a clerico suo quasi dementi perfossus perit.” See also ibid., pp. 259–61, for a discussion.

39 But see note 53.


42 The itineraries of the papal court in the years between 1276 and 1284 are summed up in Mandonnet, *Siger*, 1: 276, and van Steenberghen, *Maître Siger*, p. 163. If we assume that Siger joined the papal court in 1277, we must also assume that he followed its itineraries to Viterbo, Rome, and Orvieto.
of jurisdiction, such as an episcopal court, or a disciplinary tribunal of chancellor and masters. But against which sentence would Siger have appealed? Since he is supposed to have fled, the citation could not even have been served, and Siger and his fellow masters would have failed to appear in court. Consequently, his supposed flight would have resulted in an arrest warrant, or in a condemnation for contempt of court (contumacia), rather than for disseminating false teaching. Furthermore, it is highly unlikely that, pending Siger’s appeal, the bishop would have moved against him. An appeal to the papal court would have put a stop to the judicial actions at the inquisitorial and episcopal levels. Following papal appeal, Siger of Brabant (and the two other masters) would have obtained relief from the bishop’s jurisdiction. Yet, it is generally accepted that Tempier’s condemnation of 7 March 1277 includes thirty propositions that were held by Siger of Brabant. In conclusion, the known facts about the events in 1277 contradict the suggestion that Siger of Brabant ever fled to the papal court to lodge an appeal. This does not mean, however, that Siger of Brabant and the other two masters, Goswin of Chapelle and Bernier Nivelles, were still in Paris when the summons to appear before the inquisitor was issued. On the contrary, the document contains many indications that the three masters had already left Paris. At the beginning of the summons, for instance, the inquisitor

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43 This is demonstrated, for instance, in the cases against the theologians Denis of Foule-chat and John of Monzón, who both appealed against a sentence. See Thijssen, Censure (n. 12), ch. 1.

44 Theoretically, Siger could have turned to the pope and asked him, as judge over all major causes, to decide his case. In that scenario, the papal court would not have been an appellate court, but a court of first instance. There is no documentary evidence, however, that Siger took this course, nor is there any trace of a papal judgment in an inquiry against him.

45 In essence, contumacy was considered to be disobedience to an ecclesiastical court. See F. D. Logan, Excommunication and the Secular Arm in Medieval England (Toronto: Pontifical Institute of Mediaeval Studies, 1968), pp. 44-49, for a discussion of contumacy in canon law.

46 Dondaine, “Manuel” (n. 35), pp. 191-92. The text is presented under the medieval rubric “Forma citandi eos qui regnum exierunt et in regno commiserunt.” Since the text of the citation is not easily accessible, and since it is so crucial for the interpretation suggested here, I shall quote it in its entirety: “Frater S[ymon] de Valle ordinis fratrum predicatorem, inquisitor heretice pravitatis auctoritate apostolica in regno Francie deputatus, religiosis viris [priori] predicatorem fratrum et Gardiano fratrum minorum et eorum vices gerentibus salutem in auctore et consummatore fidei iesi Christo. Cum in autentico apostolico nobis inquisitoribus misso continetur expresse, quod nos citationes, examinationes testium, denunciationes sen­tenciarum fratibus ordinis Predicatorum et Minorum possimus committere, non obstante quocumque privilegio a Sede apostolica sibi dato. Neonon et quod nos contra eos, qui in crimen heresia in regno Francie predicaverunt et se ad partes alias transtulerunt, libere procedamus. Qua fungimus [!] auctoritate distriete vobis et cuilibet vestrum specto, qui in crimine heresia in regno Francie commendamur et se ad partes alias transtulerunt, libere procedamus. Cum autentico apostolico nobis inquisitoribus continetur expresse, quod nos citationes, examinationes testium, denunciationes sentenciarum fratibus ordinis Predicatorum et Minorum possimus committere, non obstante quocumque privilegio a Sede apostolica sibi dato. Neonon et quod nos contra eos, qui in crimen heresia in regno Francie predicaverunt et se ad partes alias transtulerunt, libere procedamus. Qua fungimus [!] auctoritate distriete vobis et cuilibet vestrum specto, qui in crimine heresia in regno Francie commendamur et se ad partes alias transtulerunt, libere procedamus.
recalls that he also has jurisdiction to pursue suspects of heresy outside the realm of France, if they have propagated their heresy in France.\textsuperscript{47} But where did the three masters go, if not to the papal court in Italy?

Gauthier has suggested that the three masters were simply staying in Liège when the citation was served.\textsuperscript{48} The citation itself contains two clues in support of this suggestion. First, the inquisitor, Simon de Val, indicates that the three suspects had to appear before his tribunal in Saint Quentin (\textit{apud sanctum quintinum}), a town that lies halfway between Liège and Paris; yet it is certain that he was still in Paris when he issued his order (\textit{datum parisius}). Second, he spells out in detail the ecclesiastical titles of the three suspects, who were all canons in Liège: Siger of Brabant at Saint Paul's, and Goswin of Chapelle and Bernier of Nivelles at Saint Martin's. As a corollary, Gauthier concludes that the Prior of the Dominicans and a Guardian of the Franciscans to whom the citation is addressed (\textit{religiosis viris [priori] predicatorum fratrum et gardiano fratrum minorum et eorum vices ferentibus}), and to whom the responsibility was delegated for seeing that the three masters would really appear before the inquisitor on 18 January 1277, were the Prior and the Guardian in Liège. Since the citation stems from a formulary, the names of the destinaries have been suppressed in the document itself.\textsuperscript{49}

In sum, then, it appears that the inquisitor in Paris knew that the three masters were in Liège. According to Gauthier, they had probably returned there at the end of the academic year of 1275 (or, in any case, no later than 1276) to resume their ecclesiastical offices.\textsuperscript{50} Siger's departure from Paris may well have been due to the aftermath of an administrative conflict in which he had been involved, which had divided the arts faculty since 1272. The cause of the dissension had been that a minority party, led by Siger,
had rejected the legitimacy of the election of Alberic of Reims as new rector of the arts faculty. On 7 May 1275 Simon of Brion, the papal legate, settled the dispute to the disadvantage of Siger’s party.\textsuperscript{51} This administrative conflict, together with the doctrinal controversies that had been raging since the beginning of the 1270s, may have induced Siger to return to his country of origin in 1275–76, never to set foot in Paris again. This suggestion is based on conjecture, but it is consistent with what we know of Siger’s academic career. The Quaestiones super librum de causis, Siger’s last known work, was written in 1275–76.\textsuperscript{52}

But if Siger and the other suspects received the summons in Liège, what was their response? Did they obey the citation and really go to Saint Quentin? Gauthier thinks that they appeared before the inquisitor’s tribunal on the stipulated day, but that they were acquitted. He bases this conclusion mainly on the fact that there is no documentary evidence about any conviction for heresy. After the reference in the inquisitor’s document, Goswin of Chapelle completely disappears from the picture.\textsuperscript{53} He probably remained in Liège. The names of Bernier of Nivelles and Siger of Brabant only surfaced again in the 1280s. Bernier of Nivelles reappears in the documents as a theologian and member of the Sorbonne College, to which he left a legacy of twenty-five books. In 1286 he copied Thomas Aquinas’s commentary on the Sentences, and he bore the ecclesiastical title of curator of the Church of Saint Martin in Liège.\textsuperscript{54} He was the only one of the three masters who resumed his studies in Paris, and proceeded to the faculty of theology. Siger of Brabant probably remained in Liège, like Goswin of Chapelle, until the time the Italian poem places him at the papal court in Orvieto.\textsuperscript{55}

This alternative picture of the events resulting from the inquisitor’s decree raises two new questions, not discussed by Gauthier. First, for what reason had the three masters been summoned in the first place? Second, what is the relation between the inquisitor’s decree and Bishop Tempier’s condemnation of 7 March 1277?

\textsuperscript{51} \textit{CUP} 1: 521–30 (#460). See Gauthier, “Notes,” pp. 22 and 24: he has convincingly argued that this was a purely administrative conflict, not a doctrinal one.

\textsuperscript{52} Van Steenberghen, \textit{Maître Siger}, pp. 133, 218, and 221.

\textsuperscript{53} Louis-Jacques Bataillon, “Bulletin d’histoire des doctrines médiévales: La treizième siècle (fin),” \textit{Revue des sciences philosophiques et théologiques} 65 (1981): 107, has convincingly argued that it is very unlikely that the mad \textit{clericus} who reportedly stabbed Siger of Brabant is identical to Goswin of Chapelle: his ecclesiastical rank was too high to be Siger’s servant.


\textsuperscript{55} Bataillon, “Bulletin,” p. 107, suggested that Siger of Brabant went to Orvieto for matters that concerned his chapter. This suggestion was followed by Gauthier, “Notes,” p. 27.
We do not know in any detail the charges against the three masters. Yet, it seems natural to assume that they were accused of disseminating false teaching at the University of Paris. The inquisitor’s document clearly states that the three masters were “in probability and gravely suspect of the crime of heresy” (de crimine heresis probabiliter et vehementer suspectos). Apparently, the complaints of disseminating false teaching were lodged with the inquisitor, who, ex officio, decided to start an inquiry. Since there is some evidence that the suspects resumed their academic and ecclesiastical careers, and since there is no evidence that they were condemned or had recanted their errors, it is likely that they were acquitted. This scenario finds far more support in the documentary evidence than the older scenario in which Siger of Brabant fled to the papal court to appeal.

WHO WERE CONDEMNED ON 7 MARCH 1277?

The second question, the relation between the inquisitor’s summons and Tempier’s condemnation, brings me to the disputed issue of the targets of the episcopal action of 7 March 1277. The introductory letter to Tempier’s condemnation contains some interesting clues. It is uncontested that the targets of the condemnation are unspecified members of the arts faculty in Paris: nonnulli Parisius studentes in artibus. The rather vague “nonnulli studentes in artibus,” some people engaged in the arts, instead of the more precise “magistri in artibus,” even suggests that not all the propagators of false views were full-fledged masters. But of what precisely were these members of the arts faculty accused? Tempier rebukes them for disseminating (tractare et disputare) manifest and damned errors (manifesti et execrables errores). The errors are specified in the rotulus or leaves connected to the introductory letter (in rotulo seu cedulis, praesentibus hiis annexo seu annexis). They are the 219 censured propositions. Tempier does not state, however, that the members of the arts faculty are the authors of these errors. I think that this point has not been duly recognized in the scholarly

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57 There are no documents to suggest why the suspects might have been acquitted. Possibly the evidence was inconclusive, or perhaps the Bishop of Liège came to the rescue of his canons and coerced the inquisitor to acquit them.

58 Here follows the beginning of Tempier’s introductory letter (CUP 1: 542): “Universis praesentibus litteras inspecturis Stephanus, permissione divina Parisiensis ecclesiae minister indignus, salutem in filio virginis gloriosae. Magnarum et gravium personarum crebra zeloque fidei accensa insinuavit relatio, quod nonnulli Parisius studentes in artibus proprie facultatis limites excedentes quosdam manifestos et execrables errores, immo potius vanitates et insanias falsas in rotulo seu cedulis, presentibus hiis annexo seu annexis contentos quasi dubitabiles in scolis tractare et disputare presumunt.”
literature. In his introductory letter Tempier separates the 219 censured errors from their propagators. Only the propagators have to be sought in the arts faculty in Paris: on pain of excommunication, they are prohibited to disseminate in any way (dogmatizare, aut defendere seu sustinere quocummodo) the propositions collected by Tempier. The origin of these propositions, however, is not stated in the introductory letter.

The suggestion that those artistae who were castigated for disseminating false teaching were not necessarily disseminating their own views finds support in the admirable study by Roland Hissette. From Hissette’s summary of the results of his careful examination it appears that surprisingly few of the censured propositions could be identified with any degree of certainty in the known works of thirteenth-century artistae. Of the 219 propositions, only 79 are identified, with various degrees of probability, in the works of Siger of Brabant, Boethius of Dacia, or the three anonymous writings from the arts faculty that are accessible in a modern edition. Of 72 propositions the attribution is uncertain, whereas 68 propositions could not be identified at all. Moreover, many censured propositions that seem to have been derived from the examined works that were generated at the arts faculty in the thirteenth century do not really represent the author’s own view, but rather appear to be quotations or paraphrases from Aristotle, from Arabic philosophers, or from “the philosophers,” as Hissette indicates.

In light of this evidence one can only conclude that research into the proximate background of the censured propositions has to be broadened. The directions that such research should take are indicated, either implicitly or explicitly, in Hissette’s study and in subsequent studies, such as those by John Wippel and Calvin Normore. It is generally agreed today that a considerable number of the 219 censured propositions have a bearing on the reintroduction of pagan philosophy into the arts faculty, and on the ensuing crisis over the relations of faith and reason. Consequently, Greek or Arabic sources may prove to be at the origin of a number of censured propositions. Other propositions may well have been derived from the teaching of

60 See ibid., pp. 314–17. Note that in the actual discussion of these articles, Hissette is more careful about claiming whether it is “beyond doubt” that an article is derived from the works of Siger of Brabant or Boethius of Dacia. Moreover, there are hardly any literal quotations or accurate paraphrases among the identified propositions. In some cases, the almost literal similarity goes back to a text of Aristotle or Averroes; see, for example, articles 13, 117, 123, and 129 in Hissette’s numbering.
61 Ibid., p. 317.
62 See especially John F. Wippel, Mediaeval Reactions to the Encounter between Faith and Reason (Milwaukee, Wis.: Marquette University Press, 1995), and the literature cited there.
theologians, such as Thomas Aquinas.\footnote{Wippel, “Thomas Aquinas” (n. 24), argues that Aquinas’s views were targeted in Tempier’s condemnation. Roland Hissette, \textit{Saint Thomas et l’intervention épiscopale du 7 mars 1277}, in \textit{Studi}, ed. D. Lorenz, O.P., and S. Serafini, O.P. (Rome: Istituto San Tommaso, 1995), pp. 204–58, is more cautious: he believes that Tempier’s syllabus was only indirectly aimed against Aquinas, and that the adherents of the censured views have to be sought primarily in the arts faculty, as Tempier’s introductory letter indicates. Note that their disagreement can be resolved if one follows my suggestion and acknowledges that Tempier’s introductory letter clearly distinguishes between the propagators of the censured views, who are members of the arts faculty, and the censured views themselves, whose origin is not stated.} In this respect, the often-quoted statement from Tempier’s introductory letter that members of the arts faculty were transgressing the limits of their own faculty (\textit{propriae facultatis limites excedentes}) acquires new meaning. Some members of the arts faculty were rebuked not only for teaching suspect philosophical views, but also for teaching suspect theological views.

Only a limited number of the 219 censured propositions represent erroneous teaching that was authored by \textit{artistae}. Among the authors were Siger of Brabant and Boethius of Dacia—but they were clearly not the only members of the arts faculty who were criticized for propagating false views, or whose own views were condemned on 7 March 1277. Siger and Boethius, however, appear to have been the most prominent targets, or, in any case, among the most easily identifiable for modern historians. They may have been the “heresiarchs,” so to speak, of the crisis over the encounter between faith and reason that became manifest in Tempier’s condemnation. Yet, their names appear nowhere in the syllabus.

In Siger of Brabant’s case the surviving evidence suggests a specific juridical reason why his name was omitted, and why his teaching was included in a rather general anonymous censure. If he had already been acquitted by the inquisitor toward the end of 1276, his views could not be censured \textit{nominatim} by the bishop. According to the juridical principle that one cannot be tried twice for the same crime (\textit{ne bis in idem crimen judicetur}), the bishop could not start a new inquiry against Siger for disseminating false teaching at the University of Paris.\footnote{This juridical principle can be found in Gratian’s \textit{Decretum}, C.2 q.1 c.14 par. 1. John the Teuton offers the following comment in his \textit{Glossa ordinaria} C.2 q.1 c.14 par. 1, “Non potest”: “Sive enim quis sit condemnatus, sive absolutus, tamen super eodem crimen saepius agi non potest, ut extra De acusa. De his.” He was the first to phrase this general principle, which applied in both accusatorial and inquisitorial proceedings. See Peter Landau, “Ursprünge und Entwicklung des Verbotes doppelter Strafverfolgung wegen desselben Verbrechens in der Geschichte des kanonischen Rechts,” \textit{Zeitschrift der Savigny-Stiftung für Rechtsgeschichte}, Kan. Abt. 87 (1970): 124–56, esp. 138–52.} Yet, it seems very likely that Tempier based his own examination of Siger’s views on the inquisitor’s inquiry. The inquisitor of France was also located in Paris, and the summons for Siger of Brabant and the two other masters was actually issued from there. The bishop of Paris, who had jurisdiction over the University of Paris, would surely have been informed about the outcome of an
inquiry against some of its members. He and the theologians who were charged with examining Siger's views may have disagreed with the outcome of the inquisitor's process, and, consequently, had no other option than to censure those views anonymously. They simply included them in the longer list of false propositions that had already been prepared.

THE DISCIPLINARY PROCEDURES

The way of proceeding outlined above finds some support in Tempier's introductory letter. There he indicates that he has received information from important people (magnarum et gravium personarum crebra zeloque fidei accensa insinuavit relatio). This means that Tempier did not take the initiative, as has been generally assumed in the scholarly literature, but that he reacted to allegations of suspect teaching, allegations that may have been derived from the inquisitor's dossier. The general nature of these allegations is also made more explicit in the episcopal letter than in the inquisitor's citation. The important persons on whose information Tempier acted had informed him precisely that "some scholars of arts at Paris" (nonnulli Parisius studentes in artibus) had been transgressing the limits of their own faculty (proprae facultatis limites excedentes). Such a complaint must surely have come from theological circles, though probably not directly from members of the faculty of theology: in Tempier's prefatory letter the theologians are clearly distinguished, as a group, from the "important persons" who denounced the suspects of false teaching.

In his introductory letter Tempier reports that he sought the advice "not only of the doctors of Sacred Scripture, but also of other wise men" (tam doctorum sacrae Scripturae, quam aliorum prudentium virorum communicato consilio). From other cases of suspect teaching we know that the task of the theologians was to examine certain works and draw up a list of errors. In cases where a list of alleged errors already existed, the theologians were charged to assess the degree of error of the listed propositions. The theologian John of Pouilly reports that sixteen masters of theology were Tempier's assessors for the condemnation.

66 Tempier distinguishes the important persons who reported the allegations of false teaching (magnarum et gravium personarum crebra zeloque fidei accensa insinuavit relatio) from the theologians and other wise men who gave him advice in this matter (tam doctorum sacrae Scripturae, quam aliorum prudentium virorum communicato consilio). See CUP 1: 542.

67 "Idem magistri fuerunt assessores episcopi Stephani in condendo articulos et in concedendo praedictam propositionem. Et ideo cum praedicta magistralis proposition interimatum articulum praedicto modo intellectum, si praedicto modo debetur articulus intelligi, illi magistri sibi ipsi contradixissent, omnes etiam XVI magistri qui illam propositionem concesserunt excommunicationis sententiam incurrerent, quae omnia non sunt dicenda." The text is quoted in Wielockx, Aegidii Romani (n. 29), p. 98 n. 6.
The identity of these other wise men is unknown. Since, however, they are so clearly distinguished from the theologians, they have to be sought among the prelates. Of these, only the involvement of the chancellor, John of Alleux is directly substantiated by textual evidence: the introductory letter to Tempier’s condemnation stipulated that offenders had to report themselves either to the bishop himself, or to the chancellor. Other likely candidates are Simon of Brion, the papal legate, and Ranulphe of Houblonnière, Tempier’s future successor as bishop of Paris.

In the present state of documentary evidence it is not possible to establish which method Tempier and his advisors had used to draw up their syllabus of 219 errors. This can only be established when we have identified with more precision the suspect works that Tempier perused. As I mentioned above, it would be too narrow to confine research to works produced at the faculty of arts in the thirteenth century. Tempier and his advisors relied on more sources, written or oral, than those used by Hissette. Possibly, their list even incorporates older lists of suspect views.

In light of the above, the generally accepted conclusion that Tempier’s syllabus of condemned propositions is not very well organized and is “broad in scope to the point of confusion” appears somewhat gratuitous. The lack of doctrinal cohesion is also present in other lists of the Collectio

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errorum, simply because the order in which the errors appeared on the rotulus was determined by other factors—such as, for instance, the order in which they appeared in the examined work. Shortly after 1277 the extremely long list of 219 prohibited views was reorganized, possibly to facilitate its use in the academic community.71 Similarly, the theologian Hugolin of Orvieto reorganized the list of errors recanted by John of Mirecourt.72 At the beginning of this century, Pierre Mandonnet once again put Tempier’s articles into a new order.73

**CONCLUSION**

The title of the present contribution seems to make the claim that the portrayal of Tempier’s condemnation suggested here truly represents what really happened in the years 1276–77. This is not the case, however. Without entering into the discussion of whether or not it is at all possible to give an historical account of “how it really was,” I believe that many aspects of Tempier’s 1277 condemnation cannot be reconstructed, because the evidence that has survived is simply too scanty.

Rather, I have suggested a revisionist approach to Tempier’s syllabus by emphasizing some previously unperceived connections. This new interpretation resulted from exploring the historical context in which Tempier’s syllabus originated—that is, the context of teaching authority and censure at the University of Paris. In interpreting the document that Bishop Tempier issued on 7 March 1277 I have tried to be especially attentive to this context.

What new perspective has been gained by placing Tempier’s syllabus in its proper medieval context? There is no documentary evidence that the 1277 censure followed a pattern similar to that of other university condemnations in Paris: the investigation did not start at the faculty of theology only to be moved to the episcopal court at a later stage, after the procedure

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72 *CUP* 2: 610–13 (#1147).

of fraternal correction had failed. Nor did Tempier himself initiate the investigation of Siger of Brabant, or the inquiry that resulted in his syllabus of censured propositions: the condemnation was the result of an episcopal reaction to denunciations that came from outside the University of Paris. However, the first papal letter, written on 18 January 1277, did not play a role in that reaction. The picture of Tempier as an overzealous bishop is simply untrue.

More likely, Tempier was disturbed by the charges that were raised against Siger of Brabant's teaching toward the end of 1276. Probably, the bishop used the dossier collected against Siger and the other two masters in drawing up the censure of 1277. Since, however, the inquisitor's proceedings against these men had been dropped, Tempier could not single them out by name when he issued his condemnation. One can only speculate whether it was the inquisitor's dossier that triggered the entire inquiry against the arts faculty. Interestingly, Henry of Ghent's testimony does not contradict the possibility that the deliberations of the theologians go back as early as 1276.

Admittedly, this alternative account of the events that led to Tempier's censure is hypothetical, and only partly explains why this condemnation is anomalous when compared to other censures of suspect teaching at the University of Paris. There were other members of the arts faculty whose teaching was condemned in 1277, and they too are unnamed. But in Siger's case, there is enough documentary evidence to suggest a reason why he was unnamed in Tempier's condemnation, and, moreover, to destroy the story that he ever lodged an appeal at the papal court against this condemnation. Despite the absence of conclusive evidence, the interpretation here offered may provide an account that comes closer to what really happened in 1277, in that it is more attentive to the historical context of Tempier's condemnation and, in this way, has gained in plausibility.
APPENDIX 1:

THE TRANSMISSION OF THE PARISIAN ARTICLES

As William Courtenay has pointed out, the collection of Parisian Articles was only one of the documentary vehicles by which lists of errors were preserved and circulated in the academic community in Paris.\(^7^4\) Another procedure for disseminating lists of censured views was to attach them to commentaries on the *Sentences*. The lists of condemned errors of Durand of St. Pourçain and John of Mirecourt, for example, were attached to copies of their commentaries on the *Sentences*.\(^7^5\) Finally, some lists have survived as original records in the archives of the faculty of theology; a fine example of this is the list of errors attributed to Denis of Foullechat. As will be demonstrated in Appendix 2, only records of this type found their way into Noël Beda’s register.

The *Collectio errorum in anglia et parisis condempnatorum* has survived in many manuscript copies. In addition, it was often included in early modern editions of the *Sentences*. Below, I will give two samples of lists of Parisian Articles, one as preserved in a manuscript from the late-fourteenth century, the other representing the early printed tradition. The tradition of transmission of the *Collectio errorum* is quite complicated and will not be explored here; instead, let the following few observations suffice. Not all compilations of Parisian Articles contain the same lists of errors, nor, consequently, the same division into chapters.\(^7^6\) Not all manuscripts include the prefatory letter to Tempier’s condemnation of 1277. Sometimes Tempier’s letter is at the head of the entire *Collectio*, and sometimes it precedes the 1277 condemnation. Furthermore, there are significant differences in the numbering and wording of the articles between the printed tradition, on the one hand, and the manuscript tradition, on the other hand, and also between the different manuscript copies. When, in the sample lists of Parisian Articles that follow, discrepancies between the date in the text and in the heading occur, it is the heading that contains the correct date.

The short *Collectio errorum in anglia et parisis condempnatorum*—that is, the collection that does not go beyond Tempier’s articles of 1277—

\(^7^4\) Courtenay, “Preservation” (n. 4).
\(^7^6\) See Anzulcwiecz, “Eine weitere Überlieferung” (n. 71), pp. 377–80, for the division in chapters.
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has been transmitted in more than thirty medieval manuscripts. The oldest of these seems to be Paris, BN lat. 15661. The number of copies of the longer Collectio errorum—that is, the compilation of condemned articles that also includes those of the fourteenth and fifteenth centuries—is far smaller. The following manuscripts are known: Auxerre, Bibliothèque municipale 243; Erfurt, Bibl. Amploniana F 179 and Q 151; Munich, Bayerische Staatsbibliothek, Clm. 3798 and Clm. 28126; Paris, BN lat. 16533; Rouen, Bibliothèque municipale 587 (A. 263).

Charles Du Plessis d’Argentré and the editors of the Chartularium not only relied on manuscripts, but also used the early printed tradition of the Collectio errorum, of which, according to Du Plessis, there were as many editions as there were of Peter Lombard’s Sentences. An important procedure for disseminating the lists of errors, indeed, was attaching them to the Sentences. According to Du Plessis the following printed editions of Lombard’s Sentences also contained the Collectio errorum in anglia et parius condemnatorum: Venice: Vendelinum de Spira, 1477; Venice, 1480; Venice, 1507 (cum Nic. de Orbellis interpretatione). Likewise, the following editions of the Sentences together with the commentary by Henry of Gorichem (Gorkum): Nuremberg, 1478, 1499, 1528; Basel, 1492 [Hain 10197], 1498 [Hain 10198], 1502, 1507, and 1513; Rouen, 1653; Venice: Simon de Luere, 1506, 1570; Paris: Jean Roigny, 1536, 1550; and Paris: Jean Petit, 1536. To these latter editions can be added Basel, 1487 [Hain 10192], 1488 [Hain 10195], and 1489 [Hain 10196]. Moreover, the following separate editions of articles can be mentioned: Articuli Parisius condemnati: Padua: Mathaeus Cerdonis, c.1485 [nr. 2709]; Articuli in Anglia et Parisius condemnati: Padua: Mathaeus Cerdonis, c.1485 [nr. 2709]; Articuli in Anglia et

77 See CUP 1: 556–57, and Bianchi, Vescovo (n. 4), pp. 207–8 n. 7, for a survey of manuscripts not listed in CUP, to which can be added the Berlin manuscript that Anzuilewicz (“Eine weitere Überlieferung”) used for his new edition of the short version of the Collectio errorum.

78 Most of these manuscripts are also mentioned in Courtenay, “Preservation” (n. 4). MS Paris, BN lat. 16533 contains the condemnations of 1241 and 1277, but also those of Autrecourt and Mirecourt, the Evangélium aeternum, and the “Errors of the Philosophers” by Giles of Rome. See Aegidii Romani Opera Omnia: Catalogo dei Manoscritti 1/3** (n. 4), pp. 258–60, for an extensive description of this manuscript. In the Rouen manuscript, the initial brief Collectio errorum has been extended with articles from the fifteenth century (Jean le Marchand and Jean Laillier), but those of the fourteenth century have been omitted. In MS Munich, Bayerische Staatsbibliothek, Clm. 3798, articles of the Amalricians, John of Calore, John of Mirecourt, John of Guyon, Lewis of Padua, and Giles of Rome’s De erroribus have been added to the short Collectio errorum. MS Munich, Bayerische Staatsbibliothek, Clm. 28126 contains the short Collectio errorum, together with the fifteenth-century commentary on Tempier’s condemnation of 1277, the articles recanted by John of Monzón, and a copy of Giles of Rome’s De erroribus philosophorum. The other fourteenth-century articles, however, have been omitted. See Aegidii Romani Opera Omnia: Catalogo dei Manoscritti 1/5*, a cura di B. Faes de Mottoni (Florence: Olschki, 1990), pp. 37–39; 222–24.

79 Du Plessis, Collectio (above, n. 15), 1,1: 212.
Parisius condemnati: Paris: Antoine Caillant, c. 1483 [nr. 2710]; Cologne: Heinrich Quentell, c. 1488, and c. 1490 [nrs. 2711 and 2712].

The List of Parisian Articles in MS Auxerre, Bibl. municipale 243


80 The numbers refer to the Gesamtkatalog der Wiegendrucke (Leipzig, 1925– ).
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[9] (fol. 86ra) Repetition of the first three articles condemned by Bishop William of Alvernia on 13 January 1241 (Edition: CUP 1: #128). Isti sunt articuli dampnati parisius ab episcopo parisiensis et magistris regentibus parisius in facultate theologie anno domino 1340 in octavo epiphanie. Primus est quod sua divina in se nec ab homine nec ab angelo videbitur....

[10] (fols. 86ra–87rb) Recantation of Denis of Foullechat OFM, 1364 and 1369 (Edition: CUP 3: #1298, pp. 117–19 and #1352, p. 185). Revocatio quorundam articulorum per fratrem dionisum foulechat ordinis fratrum minorum etc. Reverendi magistri mei et domini, quia aliqua dixi in principio meo sententiarum, que in auribus nonnullorum male sonarunt et ex causa, ego veritate coactus et ex ordinatione reverendi patri domini cancellarii ac facultatis theologii tamquam ecclesie et dicte facultatis filius humilis ipsa dicta in prefato principio meo male posita corrigo sub hanc formam....

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Textus Sententiarum Cum conclusionibus magistri Henrici Gorichem et concordantiss Biblie ac Canonum necnon in principio singularum distinctionum utilimis summaris diligentissime iam primum appositis. Item errores quidam Parisius revocati et articuli in quibus Magister communiter non tenetur. Item registrum totius libri. Basel, 1498. [Hain 10198]

[1] Prefatory letter of Tempier’s condemnation in 1277 (CUP 1: #473). Sequuntur varii articuli erronei omnium pene facultatum in anglia et parisiis studiose et auctoritate condemnati cum revocationibus eorumdem. Prefatio. Universis presentes litteras inspectoris Stephanus permissione divina Pariensis ecclesie minister indignus Salutem in filio virginis glorioso.... Collectio errorum in anglia et parisiis condemnatorum que sic per capitula distinguuntur. Et primo de erroribus condemnatis in anglia.... [there follows an index of 35 chapters]


[6] Prohibition of six “Ockhamist errors” by the faculty of arts on 29 December 1340 (CUP 2: #1042). Capitulum xxiii. Sequuntur articulti condemnati parisius. Isto articulti que sequuntur fuerunt condemnati parisius in facultate artium Mccxliliii in festo nativitatis domini. Quod nullus magister, baccalarius vel scolaris in artium facultate legens parisius audat propositionem famosam illius autorum cuius librum legit dicere simpliciter esse falsam de virtute sermonis....


[8] Recantation of John of Mirecourt in 1347 (CUP 2: #1147). Capitulum xxv. Errores iohannis de mercuria ordinis cisterciensis. Articulti condemnati per magistros parisienisis anno domini Mccxlvii et prohibiti omnibus baccalarius legentibus qui legunt vel legerunt sententias sub pena privationis ab omni honore facultatis quorum articulorum aliqui reputantur erronei aliqui suspecti aut male sonantes in fide. Item quod satis erat possibile quod per voluntatem aut volitionem creatam christus aliquid voluit quod nunquam debuit evenire....

[9] Condemned articles of Nicholas of Autrecourt, 1346 (CUP 2: #1124). Capitulum xxvi. Articulti contra magistrum Nicolaum de ultricuria anno domini mcccxl in octavo Epiphanie domini. Item quod divina essentia in se nec ab homine nec ab angelo videbitur....

[10] Repetition of the articles condemned by Bishop William of Alvernia on 13 January 1241 (CUP 1: #128). Capitulum xxvii. Isto articulis quae sequuntur sunt condemnati ab episcopo Parisiensi et magistri theologie regentibus Parisius Anno domini mcccxl in octavo Epiphanie domini. Item quod divina essentia in se nec ab homine nec ab angelo videbitur....

[11] Recantation by Denis of Foullechat OFM, 1364 and 1369 (CUP 3: #1298; #1352) Capitulum xxviii. Copia cedule revocationis quorundam articulorum fratris Dionisii foulechat ordinis fratrum minorum facte per eundem Parisius et in curia romana. Reverendi magistri mei et domini dixi aliqua in principio meo sententiarum que in nonnullorum auribus male sonuerunt et ex causa.... Item cum debui exponere dicta mea in curia romana coram reverendissimis patribus dominis cardinalibus nemansensi et vabrensi addidi propositiones que sequuntur....

cuiusdam Almarici nomine studentes parisius qui dixerunt mortuo eo quod illud quod alias est peccatum mortale, ut stuprum factum in charitate, non est peccatum impunitatem peccatorum promittentes, deum bonum et non iustum dicentes. Qui propter huiusmodi condemnati a rege francie extra portas sunt combusti. Heresiarcha vero eorum Almaricus a generali concilio rome condemnatus est et excommunicatus et ex civitate exhumatus, et cinis et ossa per sterquilinum sunt dispersa et merito....


[14] Recantation of Guido, OSA, on 16 May 1354 (CUP 3: #1218). Capitulum xxxxi. Forma et modus revocationis facta Parisius per fratrem Guidonem ordinis heremitarum sancti Augustini actu legentis Parisius sententias in scholis dicti ordinis Anno domini Mcccciii xvi die mensis Maj. Et hoc anno legendo ambulavi in manis et mirabilibus super me, verbum veritatis non recte tractando, sed verbis contendingo prophanis et vaniloquis....


[16] Theses from Peter Lombard's Sentences that are not to be upheld by the Parisian masters (Du Plessis, Collectio 1,1: 118; and another, shorter list of theses in CUP 1: #194). Capitulum xxxiii. Istit sunt articuli in quibus magister sententiarum non tenetur communiter ab omnibus, et primo primi libri. Primo quod charitas qua diligimus deum et proximum est spiritus sanctus....

[17] Decree of the faculty of theology issued in 1398, against superstition and sorcery (Du Plessis, Collectio 1,2: 154-57; and CUP 4: #1749) [Capitulum xxxviii] Determinatio Parisius facta per alam facultatem theologica Anno domini Mccccviii super quibusdam superstitionibus noviter exortis. Prefatio. [U]niversis orthodoxe fidei relatoribus Cancellarius ecclesie Parisiensis et facultas theologie in alma universitate Parisienssi matre nostra cum integro divini cultus honore spem habere in domino ac in vanitates et insanias falsas non respicere....

APPENDIX 2:

AN INVENTORY OF NOËL BEDA’S REGISTER

On 15 October 1523, the faculty of theology approved Beda’s suggestion to compile a survey of its pronouncements and judgments. The first resultant volume was the Liber primus registri [determinationum] facultatis theologiae schole Parisiensis in materia fidei et morum incipiens ab anno domini 1284, which has been preserved in MS Paris, BN nouv. acq. lat. 1826. Below follows an inventory of those documents reproduced in Beda’s register which concern the thirteenth and fourteenth centuries. As I have already mentioned, the first item is not from 1284, as the register’s title indicates, but from 1210.

fols. 1r–3r: Headings: Instrumentum continens modum eligendi per facultatem theologice aliquem vicarium seu vicesgerentem decani eiusdem facultatis qui habeat portare onera officii decani. Inceptum: In nomine domini amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno eiusdem domini millesimo octoagesimo quarto, inditione octava, mensis septembris die septima pontificatus sanctissimi in Christo patris et domini nostri domini Clementis. Edition: CUP 3: #1494, based on an original record that is preserved in the university archives.

fols. 3r–4r: Heading: Sequuntur errores Albigensium qui fuerunt tempore Innocentii tertii circa annum domini millesimum CCm decimum. Inceptum: Primus error est quod ipsi constituebant duos creatores: invisibilium scilicet quem vocabant benignum deum et visibilium quem nuncupabant malignum deum nuncupabant.


fols 5v–11v: Heading: Errores magistrorum Marsilii de Padua et Johannis de Janduno. Inceptum: In nomine domini amen. Universis et singulis presens publicum instrumentum inspecturis pateat evidenter quod anno a Nativitate eiusdem millesimo CCCm LXV, indictione tertia decima more Romana curie. Edition: Du Plessis, Collectio 1,1: 397–400; CUP 3: #1406, based on an original record that is preserved in the university archives.


fols. 23v–63v contain copies of the recantations of those scholars who had sided with John of Monzon (fautores) in the debate over the Immaculate Conception. They have all been edited in *CUP* from the original records, still extant in the archives of the University of Paris. They have been reproduced in Noel Beda’s register in the following order:

fols. 23v–25v: Recantation of William of Volan; *CUP* 3: #1571.

fols. 25v–30v: Recantation of John Thomae OP; *CUP* 3: #1572.

fols. 30v–33r: Recantation of Adam of Suessione OP; *CUP* 3: #1574.

fols. 33r–38r: *Heading*: Sequitur condemnatio quorundam errorum fratris Richardi Marie presbiteri ordinis fratrum predicatorem concernentium conceptionem gloriosissime virginis Marie. *Incipit*: Universis presentes litteras inspecturis Matheus Anquetil decretorum doctor, rector ecclesie parrochialis de Sassetot la maucondvyt Rothomagensis diocesis iudex seu commissarius in hac parte auctoritate apostolica specialiter deputatus, salutem in domino. *Edition*: Du Plessis, *Collectio* 1,2: 135–38, on the basis of Noel Beda’s register. *CUP* did not include this recantation, probably because the original record was no longer extant.

fols. 38r–43r: Recantation of Godfrey of Sancto Martino OP; *CUP* 3: #1576.

fols. 43r–52r: Recantation of John Adae OP; *CUP* 3: #1577.

fols. 52r–56r: Recantation of Peter of Chanceyo OP; *CUP* 3: #1578.

fols. 56r–63r: Recantation of John Nicolai OP; *CUP* 3: #1579.