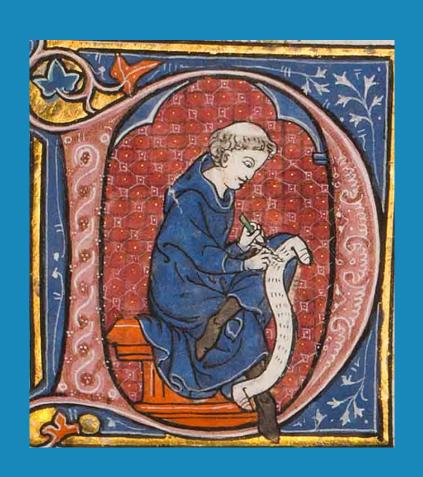


Have Mercy! Spotlight on a Legal Masterpiece

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GREGORY IX, Decretum

edited by Raymond of Peñafort,
with the gloss of
Bernard of Parma
and other texts.
Paris, after c. 1281

illuminated by Maître Honoré and collaborators

on view at
Frieze Masters
4-7 October 2018
Regents Park, London
Stand E 3



When Pope Gregory IX requested the Dominican Raymond of Peñafort to organize a comprehensive compilation of canon law, the Spanish canonist structured the subject matter in five books (1234): on jurisdiction, procedure, clergy, marriage, and criminal procedure. Each book is subdivided into *titulae* and chapters.

This was the first official compilation of canon law to be issued since the *Decretum Gratiani* (c. 1140). The book was sent to the two major universities of medieval Europe in Paris and Bologna. It was to be the authoritative text taught in the law faculties.



(above)

Gregorius servus servorum ... – servant of servants – with his counsellors

(below)

Initial *G* with a scholar at his desk contemplating his work.

Pope Gregorius IX's introductory letter to the editions of his Decretals is addressed to Bologna (*Bononie*), here written in darker ink over an erased word, likely earlier referring to Paris.

This manuscript was written in Paris and illuminated and decorated in the city's best workshop.

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The main text is surrounded by comments, so-called 'glosses', here those of Bernard of Parma.

The complicated layout of legal texts and their comments needed careful planning by professional scribes. These were found and trained in the context of the University of Paris.

This book of almost 300 large format leaves was an expensive commission as it is decorated throughout.

With fine two- or three-line illuminated initials with foliate sprays, dragons, birds, and rabbits; 8 large foliate and 3 historiated initials, five elegant column-wide miniatures in colours and gold.

440 x 270 mm 284 ff

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Such a legal codex presents the daily practice of canonists, those who studied and applied the laws of the church and who often also added comments themselves.

This was a deluxe production, decorated by the best Parisian illuminator of his time: Maître Honoré.





In Paris, the Quartier Latin, near the Sorbonne University, was a neighbourhood where scribes, illuminators, and parchment makers lived and worked together.

Tax documents still offer some information on the houses they owned.

For a number of years, Honoré shared a house in the rue Erembourg-de-Brie with his son-in-law Richard de Verdun, both of whom were highly respected and well-to-do artists.

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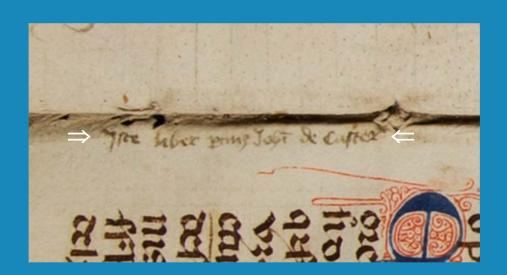
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A small ownership note added in the inner margin was discovered by the English scholar Peter Kidd, who kindly shared his discovery with us.

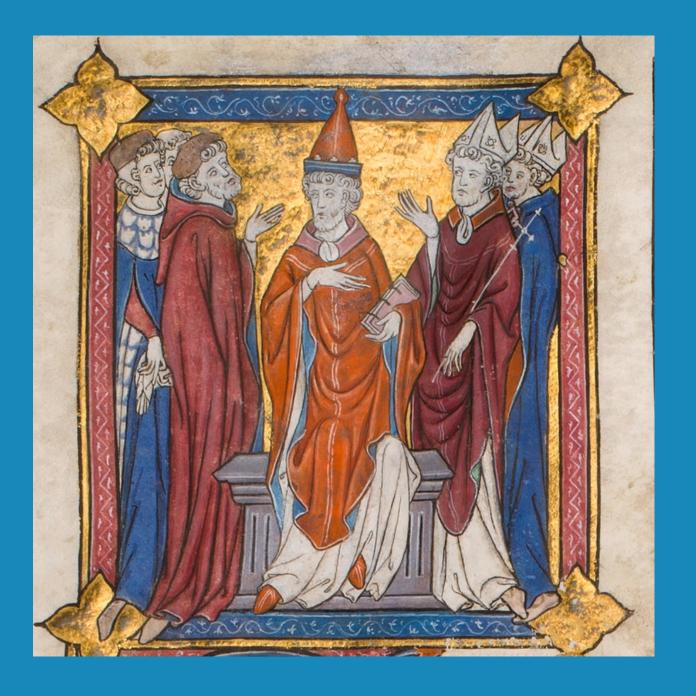




"Iste liber pertinet Johanni de Castex"

"This book belongs to Johannes of Castex", an otherwise unidentified canonist who added many glosses, including those by Johannes Andreae, issued in the first half of the 14th century.

Johannes may not have been the book's first owner. His name suggests an origin in the south of France. Perhaps he was associated with the papal court in Avignon?



Book I, on Jurisdiction.

The Pope and his counsellors: at his left, bishops; at his right, a lawyer and a scholar.



Book II, on Procedure.

A Dominican monk hears a case and explains the procedure. A lady to his left holds a sealed charter in her hand.

In the initial *D* below, a scribe takes notes. His elegant posture is one of the recurring hallmarks of Maître Honoré's work.

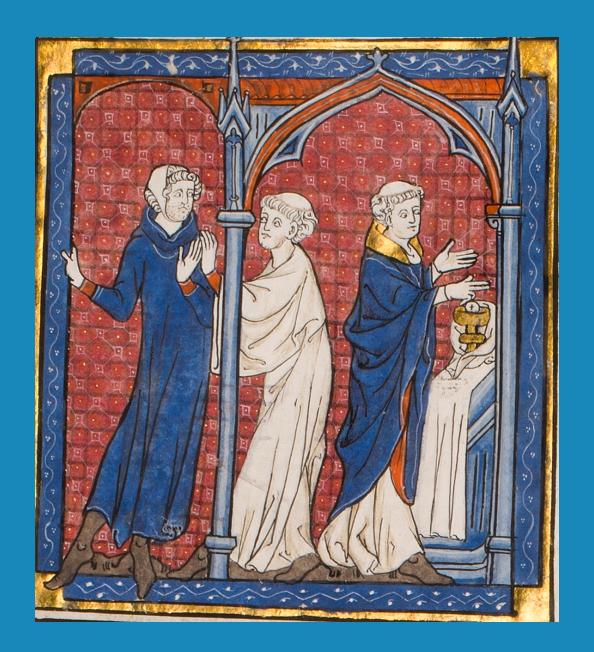


Book III, on Clergy.

During services, the liturgical space is reserved for clergy only.

A priest dressed in a blue chasuble with a golden collar stands at a church altar and blesses the host in a golden chalice. A young acolyte pushes a layman away; the church scene is set before a tessellated ground.

Miniature: 70×60 mm. Below: a decorated initial U and an observant bird – a blackbird or crow.



The expulsion of a layman from the liturgical space meets incomprehension, as expressed in the body language of the layman, who is upset and holds himself against the wall in resistance.

The beginning of his beard shows he is not well groomed, thus not pure enough for close participation in the sanctity of the Lord's liturgy. Only a great artist would endeavour to add such minute detail.



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Book IV, on Marriage.

A marriage ceremony by dextrarum iunctio: a man and woman join their right hands, as conducted by a clergyman. The ceremony is represented under the gothic vaults of a church.

Miniature: 55 x 65 mm. Decorated initial D: 40 x 40 mm.



A festive celebration of a marriage: the union of the right hands is the essential motif when depicting the conclusion of a marriage. It represents the marriage covenant, the loyalty and unity of both spouses. The gesture also illustrates that the marriage is concluded by mutual consent. Likely, one of the parents of the bride and groom function as witnesses.



Both bride and groom wear festive, thin headbands in green and red. Merging their right hands symbolizes their transformation into spouses.

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Text dealing with the marriage of serfs. The initial letter D is adorned with a chained monkey – an animal that symbolizes lust and fornication, likely intended to mock here.



Book V, on Criminal Procedure.

A pope or bishop judges the case of an abbot. The elegant judge keeps the peace in blessing. He upholds the law, symbolized by the book in his hand.

Before him kneels an abbot whose function is indicated by his staff, or crozier.

He pleads his case while he is accused by the monks behind him.

Miniature: 63 x 63 mm.

Below: decorated initial *S*, 43 x 40 mm. With decorated capitals and another illuminated initial *S*.



One can almost sense the motion of the abbot's body, which is thrusted forward, when he pleads before his judge with raised hands. His accusers gesture, point, and discuss, making this animated composition almost an anecdotal narrative.



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A hybrid creature, his head crowned in the initial Q. The codex contains nine texts all together, mostly Decretals, or constitutions, issued by subsequent popes.



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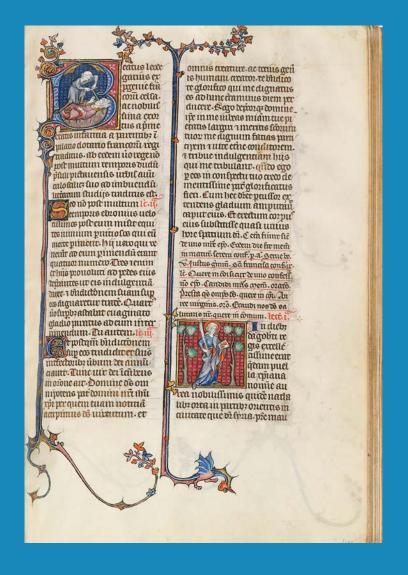


Cardinal Simon *legatus*

The *Constitutiones* of the Council of Bourges (13 September 1276) by Simon de Brion, the future Pope Martin IV, legate for Urban IV in France, take up ff. 272r-276v.

The text does not refer to the author's election as pope in 1281 (as Martin IV) but speaks of a *sede vacante* (vacancy of the papacy). This suggests that the codex was written c. 1281 at the latest. Being a recent text at the time it was copied, there are no official glosses.





Maître Honoré is known for his superb work, as is shown here in a later manuscript that he decorated (c. 1295), a Breviary that was earlier on offer at Dr. Jörn Günther Rare Books and is now in a private collection.





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