

Gisela Drossbach, Die Collectio Cheltenhamensis: eine englische Decretalensammlung. Analyse beruhend auf den Vorarbeiten von Walther Holtzmann, Vatikanstadt (Biblioteca Apostolica Vaticana) 2014, 304 S. (Monumenta Iuris Canonici, Serie B: Corpus Collectionum, 10), ISBN 978-88-210-0925-9, EUR 60,00.

rezensiert von | compte rendu rédigé par

Atria A. Larson, St. Louis, MO

Gisela Drossbach's analysis of the »Collectio Cheltenhamensis« (in London, British Library, Egerton 2819) constitutes in many ways a welcome addition to the study of decretal collections in the second half of the twelfth century, when canon law was becoming a scientific discipline and papal decretals were becoming the core of the *ius novum* in the wake of Gratian's »Decretum«. While the scholarship is impressive, certain aspects of the publication make it difficult to use in practice. Moreover, the publication represents a contribution to an ongoing body of research that is, in the present age, more suitable for web publication and incorporation into a research database, which, in fact, Drossbach is working toward.

Drossbach's scholarship is sound and appropriately based upon the pioneering work in the study of these decretal collections by Walther Holtzmann and Charles Duggan and additional research on them by Peter Landau. She provides a helpful and informative, and not overly technical, introduction to the collection. Drossbach notes that the manuscript itself is of high interest since all of its parts are roughly contemporary and since it preserves the original, and only, copy of the »Cheltenhamensis«. The collection preserves about 400 papal decretals in their entirety and an additional 40 texts. Decretal collections of this kind have been categorized by scholars as either primitive or systematic. In recent years, scholars have recognized the inadequacy of the taxonomy and have identified some collections as having a simple systematization. Primitive collections are organized roughly chronologically or according to papacy and reproduce even multitopic decretals in their entirety. Fully systematized collections are organized the way the »Quinque compilationes antiquae« (1190–1226) and the »Liber Extra« (1234) were, i. e. into topical titles with the text of decretals divided up so that the relevant portion of a decretal treating multiple topics would appear separately in the pertinent title.

Even though the »Cheltenhamensis« dates to the 1190s and after many of the great systematic collections had appeared, it was organized in a primitive systematic way. It has titles, but it copies most decretals in full and then repeats them in other locations with an indication in the manuscript about which section of the decretal is the relevant one for the topic of the title at hand. Among groups of collections, it belongs roughly to the Wigornien-sis-Gruppe and probably should be associated with the diocese of Worcester in its production. The manuscript had three scribes, two rubricators, and three layers of glosses. Drossbach provides a close analysis of the various sections of the text and then a plausible explanation for how and when the manuscript in its various parts was put together. While not every scholar may agree with every point in Drossbach's paleographical analysis, this section is one of the most valuable in the whole volume because it provides an example of how other scholars could do similar analyses with other collections. Drossbach



Herausgegeben vom Deutschen
Historischen Institut Paris | publiée
par l'Institut historique allemand



Publiziert unter | publiée sous
[CC BY 4.0](https://creativecommons.org/licenses/by/4.0/)

believes that the »Cheltenhamensis« begins on fol. 18ra, prior to which appears a *Summa de testibus*, a set of legal maxims or *lores legum*, a copy of the decrees of the Third Lateran Council, and a later addition of eight decretals, including four by Innocent III. The collection itself, Drossbach argues, was a living text begun after 1185 and completed after 1193 with an original nucleus dealing mostly with procedural law. Contrary to former opinion, she maintains that the »Cheltenhamensis« was not directly derived from the »Wigorniensis«.

The main part of the volume consists of Drossbach's analysis, in the mode developed by Holtzmann and Stephan Kuttner. This is not an edition of the collection and contains no full text. For each text, Drossbach provides a number (organized according to the titles, originally unnumbered), the *incipit* and *explicit*, the folio where it is found, its numbering in other registers (e. g., JL or WH [Walther Holtzmann] number) or conciliar decree (e. g. Cheltenhamensis <3.2> = Council of Westminster 1175, c. 7), any edition of the text available, the location of the text in other collections (some pre-Gratian, such as Burchard's »Decretum«), occasionally a discursive note, and finally any literature dealing with the text. The analysis is followed by an index of *incipits* and concordances of texts (Chelt. and JL number; Chelt. and WH number; and other canonical texts, notably Burchard, Gratian, and twelfth-century conciliar decrees).

The analysis with index and concordance provides a wealth of information, but only experts in the field of canon law will find it beneficial, and the material is presented in such a way to limit its uses. If someone wants to research a particular diocese or bishop, the volume provides no help locating papal letters written to that diocese; an index of recipients would have been helpful. If someone finds a letter potentially of use to their research and discovers from the analysis that there is a printed edition of the letter, he then will find little help in discerning what that printed edition in fact is. For instance, Chelt. <11.4>, is a letter written to the bishop of Durham. The analysis says the text is edited in »App., Claustr.«. This means the text will appear in the editions of the »Collectio Appendix Concilii Lateranensis« and the »Collectio Claus-troneoburgensis«. Nowhere does the volume inform the reader where these collections are edited. Specialists in the field might recall that the former was edited by Mansi, but the »Claustroneoburgensis« is more challenging. A Google search will reveal that the work was edited by Ferdinand Schönsteiner in the »Jahrbuch des Stiftes Klosterneuburg« in 1909. The same difficulties arise for texts also found in the »Cass.« (»Collectio Casselana«), for which, again, no edition is explicitly listed. A Google search may take you to a Google Books result from Emil Friedberg's 1897 study of decretal collections from this period, where his discussion of the »Casselana« informs the reader that the collection is edited in Appendix II of Böhmer's edition of the »Corpus iuris canonici« but that the text is faulty.

The difficulties just outlined leads this reviewer to wonder why, in the age of the Internet, a press continues to publish such an analysis. To be sure, the specialist will find much of use here, but as Drossbach points out, scholars of the twentieth century decided this type of analysis was necessary in the progression toward a full register of twelfth-century decretals, the »Regesta decretalium«. The project is immensely important; a printed mode for these analyses on the way to such a register is not. Imagine instead a digital version where one could search by *incipit* or recipient and pull up all the collections where such a text is found. Any edited collection can be linked to a bibliographical citation of the edition and, when possible, an online PDF of it. Collections present in already digitized manuscripts can have a link to that library's website. In short, this type of volume perpetuates the notion of medieval canon law as an esoteric field of interest only to extreme specialists, but the

Mittelalter – Moyen Âge (500–1500)

DOI:
10.11588/frrec.2017.3.41481

Seite | page 2



Herausgegeben vom Deutschen
Historischen Institut Paris | publiée
par l'Institut historique allemand



Publiziert unter | publiée sous
[CC BY 4.0](https://creativecommons.org/licenses/by/4.0/)

research involved is leading toward something of immense value to all historians working on the twelfth century. They should look forward to the results of Drossbach's work to produce the type of online database just described. The »Regesta decretalium« will be part of the »Regesta Pontificum Romanorum Online« (<http://www.papsturkunden.gwdg.de>), and it is hoped that continued funding will be in place to ensure the project is brought to completion.

Mittelalter – Moyen Âge (500–1500)

DOI:

10.11588/frrec.2017.3.41481

Seite | page 3



Herausgegeben vom Deutschen
Historischen Institut Paris | publiée
par l'Institut historique allemand



Publiziert unter | publiée sous
[CC BY 4.0](https://creativecommons.org/licenses/by/4.0/)