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Notes on *Magister* John of Rußbach (†1417)
With an Update of Paul Uiblein's Survey and Some Discoveries

Monica Brinzei*

Paul Uiblein's pioneering study on John of Rußbach (Johannes Stadel de Ruspach), published in 1964,[1] highlighted the role that the Austrian theologian played in the development of the Faculty of Theology of Vienna at its birth. Understandably, virtually nothing else has been written about this author,[2] since little can be added to the magisterial work of Uiblein, who pursued practically every possible line of investigation. Methodologically speaking, Uiblein's survey on Rußbach is a model prosopographical study. He examined a wide range of documentation from different types of archival sources: university statutes, letters, registers, institutional and personal notes, Rußbach's own writings, etc. The result is a detailed chronological reconstruction of the important phases and events of Rußbach's career. Aside from these dates, Uiblein's study concludes that only two writings survive from Rußbach's intellectual production.

The present essay will add three more manuscripts to Uiblein's list as new sources for Rußbach's intellectual profile. Our main source for updating Uiblein is in manuscript Basel, UB, A X 44, in which Henry of Rheinfelden recorded a disputed question by Rußbach. This paper is divided in three parts: first, a short biographical scrutiny will summarize Uiblein's survey findings, adding information on Rußbach's manuscripts; the second part is a first effort to outline doctrinal aspects of Rußbach's intellectual profile discussing some manuscripts that I can connect with his activity; third, an appendix presents the Latin text of the question by Rußbach as reported by Rheinfelden during their theological studies at Vienna at the end of the fourteenth century.

1. *Uiblein's Survey on Johann Rußbach (†1417)*

A short summery of Uiblein's survey is necessary to place John of Rußbach in the landscape of the Faculty of Theology of Vienna.[3] Among the very first generation of theologians from Vienna, Rußbach is interesting as a case study for the new group of scholars who had not been trained in Paris, unlike, for example, Henry of Langenstein, Henry Totting of Oyta, Andreas of Langenstein, Paul of Geldern, Henry of Odendorp or Herman of Treysa.[4]

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* Access to some manuscript used in this paper have been covered by DEBATE ERC n° 771589. I am grateful to Edit Anna Lukacs for sharing with me some articles that I would otherwise not have found during this difficult time of Covid-19. The RISE-team has been a permanent source of intellectual stimulation for me and I would like to express my gratitude for all the hours we shared during our Zoom sessions and for their comments to Daniel Coman, Ioana Curut, Andrei Marinca, Edit Anna Lukacs and Chris Schabel. See Team: https://rise-ubb.com/team/.

[1] P. UIBLEIN, „Johann Stadel von Rußbach. Ein Klosterneuburg Chorherr an der Wiener Universität," *Jahrbuch des Stiftes Klosterneuburger* NF 4 (1964), pp. 7-29 republished in P. UIBLEIN, *Die Universität Wien im Mittelalter. Beiträge und Forschungen*, (Schriftenreihe des Universitätsarchivs, 11), Wien 1999, pp. 207-232. Some short comments are also in P. UIBLEIN, *Mittelalterliches Studium an der Wiener Artistenfakultät. Kommentar zu den Acta Facultatis Artium Universitatis Vindobonensis 1385-1416*, (Schriftenreihe des Universitätsarchivs, 4), Wien 1995, pp. 98-99, 108, n. 78. Before Uiblein see the entry of H. GÖHLER, *Das Wiener Kollegiat-Nachmals Domlapitel zu Sankt Stephan in Wien 1365-1554 (Dissertation von Hermann Göhler (+) Mai 1932),* ed. J. SEIDL, A. ENDE, J. WEISSENSTEINER, Wien - Köln - Weimar 2015, pp. 171.

[2] A notice by Ulrike Denk from 2020 is summerizing Uiblein's information on the website of the University of Vienna: https://geschichte.univie.ac.at/de/personen/johannes-stadel-von-Rußbach-mag-art-dr-theol. (last access 6.04.2021).

[3] Further references to UIBLEIN, „Johann Stadel von Rußbach," are inserted inside the text in parenthesis.

[4] For the departure of this group from Paris to Vienna see *ACUP*, p. 659, n. 5.

A note on the name: the most frequent spelling in medieval documents is Johannes Ruspach (figs. 1-7), which Uiblein identifies with the place-name Rußbach. There is more than one Rußbach, but Uiblein proposes the town in the region of Korneuburg in Lower Austria (p. 210) circa 40km northwest of central Vienna. Rußbach's tombstone in the Augustinian abbey Klosterneuburg bears the following inscription: *Anno domini MCCCCXVII prima die mensis Augusti obiit dominus Iohannes de Ruspach egredius sacre theologie ac arcium magister canonicus huius monasterii.* Although it does not specify the precise day, 1st of August, there is a similar note, in red ink, for a certain Johannes Stadel in the necrology of Klosterneuburg (fig. 7): *Anno domini MºCCCCºXVII obiit egregius vir dominus Iohannes Stadel, sacre theologie magister et canonicus, confrater noster*.[5] Uiblein thus accepted Vinzenz Oskar Ludwig's[6] earlier identification of John of Rußbach as John Stadel of Rußbach.

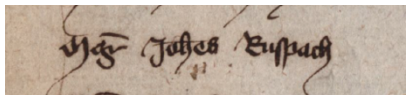
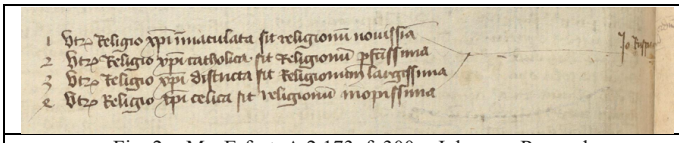


Fig. 1 - Ms. Wien, Universitätsarchiv, AT-UAW/Ph 6, f. 25r



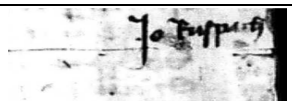


Fig. 2 - Ms. Erfurt, A 2 173, f. 300v: Johannes Ruspach

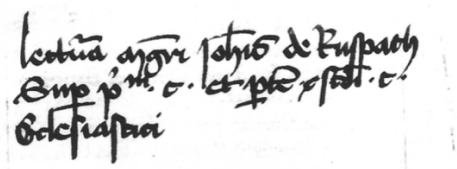


Fig. 3 – Ms. Klosterneuburg, Cod. 171, f. 208va
Lectura magistri Johannis de Ruspach
super primum capitulum et partem secundi capituli Ecclesiastici

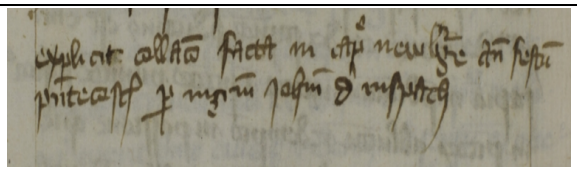


Fig. 4 – Ms. Klosterneuburg, Cod. 820, f. 178v:
Explicit collatio facta in capitulo Newburge ante Festum
Pentecostis per magistrum Johanem de Ruspach

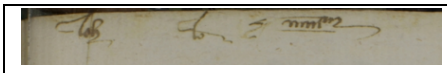


Fig. 5 - Ms. Klosterneuburg, Cod. 820, f. 223v
Johannes de Ruspach

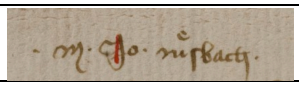


Fig. 6 - Ms. Basel, Universitatsbibliothek A X 44, f. 6v
Johannes Ruᶜspach

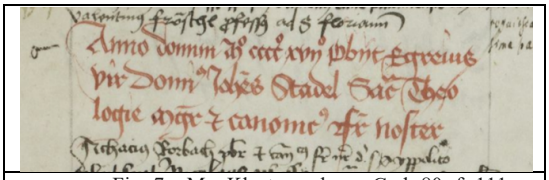


Fig. 7 - Ms. Klosterneuburg, Cod. 80, f. 111ra:
Anno domini MºCCCCºXVII obiit egregius vir dominus Iohannes Stadel, sacre theologie magister et canonicus, confrater noster.

According to Uiblein, John Rußbach's date of birth should be around 1348-1354 (p. 214, n. 34). Rußbach may be the John of Austria who was studying arts in Prague in 1373 (p. 212) and was bachelor there in 1375. Rußbach was definitely in Vienna in 22 April 1385, since

[5] The manuscript Klosterneuburg, Augustiner-Chorherrenstift, Cod. 80, f. 111r is accessible online. (link: https://manuscripta.at/diglit/AT5000-80/0225?sid=3b1c64b84c01ae444e82c1153d5aa4af, last accessed 6.04.2021). *Monumenta Germaniae Historica. Necrologia Germaniae* V, p. 47. *Apud* UIBLEIN, „Johann Stadel von Rußbach," p. 224, n. 81.

[6] VINZENZ OSKAR LUDWIG, *Klosterneuburg. Kulturgeschichte eines österreichischen Stiftes*, Wien 1951, p. 270.

he is listed as participating in a delegation designated by the Faculty of Arts[7] to determine with the Chancellor a method for the licensing exams (pp. 210-211). A few days later, on 26 April, he was listed among other *magistri*[8] of the Faculty of Arts who were admitted as members of the *Collegium Ducale* by Henry of Langenstein, Henry Totting of Oyta and Gerhard of Kalkar (pp. 213-214). In the fall, Rußbach was assigned to conduct the quodlibetal disputation in the Arts Faculty. Rußbach was named *subcancelarius* on 9 May 1387 (p. 214), and in 1388 he was elected procurator of the Austrian Nation (p. 215). In 1389, he was involved in the revision of the faculty statutes and he reached the apex of his career on 13 October 1391 when he was elected Rector of the University of Vienna for a tenure until 11 April 1392.

After his election as rector, Rußbach's name is no longer connected with the Faculty of Arts, but we find him very active in the Faculty of Theology. A document dated 27 April 1392 refers to him to as *magister artium* and *baccalareus formatus sacre pagine*,[9] but there is no record of his inception, (p. 218), and he probably became master of theology in 1395 (p. 219). In 1398 or 1399, he was invited to deliver the university sermon on the Feast of the Nativity of the Virgin, 8 September (p. 219), and he did so again on All Saints' Day in 1415. Rußbach was elected Dean of the Faculty of Theology on 24 April 1407 (pp. 221-222),[10] but Uiblein (p. 222) remarks that only a few students were enrolled (among them Conrad of Rottenburg and John Siwart of Siebenbürgen)[11] during his period as Dean, probably because of an outbreak of plague, since the University of Vienna often suffered from such epidemics.[12]

After his theological education, he became actively involved in ecclesiastical affairs, although he continued his collaboration with the university. Soon after his inception, Rußbach become canon in the Augustinian abbey of Klosterneuburg, and from 1399 he served in Klosterneuburg's parish church of Höflein on the Danube (p. 223). As mentioned above, his date of death, 1 August 1417, is known from his tombstone in red marble in the cloister of Klosterneuburg Abbey (p. 224) in front of the entrance to the chapter house, now the Leopold Chapel.

Besides this chronology, Uiblein attempted to give a taste of the intellectual profile of this author by examining some books from Vienna that can be connected with his name. He listed the following titles as manuscripts that belonged to Rußbach, and it is worth discussing them here since it is possible to update Uiblein's survey.

2. *List of manuscripts that belonged to Rußbach*

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[7] John Bremis and Stephen (Gross) Enzersdorf were also members of this group. On Bremis, see M. H. SHANK, *Unless You Believe, You shall not Understand. Logic, University and Society in late Medieval Vienna,* Princeton 1988, passim; and for Stephen Enzersdorf see A. Marinca in the present volume and my later remarks.

[8] Among his colleagues we find again the name of Stephen Enzersdorf, and also other *socii* Lambert of Geldern, John of Bremis, Paul of Gelria, Andreas of Langenstein and Michael of Frankfurt. This list is interesting, since it clarifies on the relation between these authors. A part of them can be found also in the manuscript to which this volume is dedicated.

[9] According to the statutes of the Faculty of Theology, *baccalareus formatus* is after reading on two books of Peter Lombard's *Sentences* and before the third *principium*. Cf. R. KINK, *Geschichte der kaiserlichen Universität zu Wien*, Wien 1854, vol. 2, p. 110.

[10] Not much can be said about his activity as dean. In order to complete data about this period of Rußbach's career, Uiblein investigated documents from another Rector, Rugerus von Roermond. UIBLEIN, „Johann Stadel von Rußbach," pp. 222-223.

[11] About John Siwart of Siebenbürgen, known as Johannes de Septemcastris, from Transylvania see K. WALSH, „Magister Johannes de Septemcastris an der Universität Wien," in *Ex ipsis rerum documentis. Beiträge zur Mediävistik. Festschrift für Harald Zimmermann zum 65. Geburtstag*, ed. K. HERBERS, H. H. KORTÜM, C. SERVATIOS, Sigmaringen 1991, pp. 557-569, or UIBLEIN, *Mittelalterliches Studium an der Wiener*, p. 63.

[12] See for example *Aschbach*, pp. 169, 323, 333. More recently on medieval epidemics in Vienna see M. BRINZEI, "A Student's Notes on the Plague," *Chora* 20 (2022), (forthcoming).

Wien, Österreichische Nationalbibliothek, lat. 5378

Wien, Österreichische Nationalbibliothek, lat. 5378, contains the first five books of Buridan's *Ethics*.[13] Rußbach rented the codex for two Pfennigs from Simon Prucka (†1399).[14] Although his dissertation was only published posthumously in 2015, Göhler[15] first discussed the book exchange between Rußbach and a certain magister Simon. Without access to information allowing the identification of *magister Symon* with Simon Prucka, Göhler seems to have misread a note in the manuscript, *a magistro Symone Holgot super librum Sapiencie*, and invented an author named 'Simon Holgot',[16] failing to notice that Holgot was just a variant for (Robert) Holkot.[17] The presence of Buridan's influential commentary in Simon's possession is no surprise, since Simon lectured on the *Ethics* in the Faculty of Arts in 1394.[18] Buridan's *Ethics* commentary was also a must read for Viennese theologians,[19] which explains Rußbach's interest in having the text.[20] It is likely that when Simon died in 1399, probably a victim of

[13] For the tradition and circulation of this text see M. BERND, *Johannes Buridan: Studien zu seinem Leben, seinen Werken und zur Rezeption seiner Theorien im Europa des späten Mittelalters.* Inaugural-Dissertation zur Erlangung des Grades eines Doktors der Philosophie des Fachbereichs Geschichtswissenschaften der Freien Universität Berlin, vol. 2, Berlin 1985.

[14] The variation of name of this author has caused much confusion among historians. The same person is referred to as Simon (Symon) de Prucka or Bruka, or Bruck in the *AFA*. This Simon should probably not be identified with Simon von Ruchersburg (†1422), who translated into German some fragments of Holkot and Gregory the Great. See V. HONEMANN, „Simon von Ruckersburg. Lebensumstände, lateinische Schriften und übersetzungen für Reinprecht II von Walsee," in *Die mittelalterliche Literatur in der Steiermark*, ed. A. EBENBAUER, (Jahrbüch für Internationale Germanistik Reine A, 23), Bern 1988, pp. 143-164; or V. HONEMANN, G. DIEHL, „Vom Bibelkommentar zur Predigt: Robert Holcot und Simon von Ruckersburg über die Verderblichkeit der Lüge," in *Fata Libellorum. Festschrift für Franzjosef Pensel zum 70. Geburtstag*, ed. R. BENTZINGER, U.-D. OPPITZ (Göppinger Arbeiten zur Germanistik, 648), Göppingen 1999, pp. 79-93. About Simon Prucka, see in this volume Coman's contribution.

[15] GÖHLER, *Das Wiener Kollegiat-Nachmals Domkapitel*, pp. 204-205.

[16] An entry on 'Simon [Holgot] (?-1399)' can be read in GÖHLER, *Das Wiener Kollegiat-Nachmals Domkapitel*, pp. 204-205, n° 73.

[17] This kind of misinterpretation can occur among historians. For example, Glorieux invented the author Galeranus Burquardus from a manuscript attribution of a writing of Bradwardine to Galerand of Penfler (*quos habet magister Galeranus, Branquendinum*) in Paris, Bibliothèque nationale de France, lat. 16535, f. 130v. See P. GLORIEUX, "Jean de Falisca: la formation d'un maître en théologie au XIVe siècle," *Archives d'histoire doctrinale et littéraire du Moyen Age* 33 (1966), pp. 22-104, here pp. 31-33, 103. For a more detailed analysis, see M. BRINZEI, L. CIOCA, Homo est microcosmos. *Henry of Langenstein's seminal ideas in public display. With an edition of his principium and his vesperiis from Paris (1370-1375)* (Studia Sententiarum, 6), forthcoming.

[18] *AFA*, p. 106, l. 17.

[19] For the role of Buridan in Vienna see C. FLÜELER, "Teaching Ethics at the University of Vienna: The making of a Commentary at the Faculty of Arts (A case study)," in *Virtue Ethics in the Middle Ages. Commentaries on Aristotle's Nicomachean Ethics, 1200-1500*, Leiden 2008, pp. 275-323.

[20] See the private library of Urbanus of Melk discussed by M. WAGENDORFER, „Ein Büchertestat an das Wiener Schottenstift aus dem Jahre 1436 und der niederösterreichsche Artisten-magister und Doktor der Theologie Urbanus de Mellico," *Mitteilungen aus dem Niederösterreichischen Landesarchiv* 15 (2012), pp. 264-295, on Buridan's manuscript pp. 284-286. On the influence of Buridan on Urbanus of Melk, see S. MÜLLER, „Wiener Ethikkommentare des 15. Jahrhunderts," *Documenti e Studi sulla tradizione filosofica medievale* 17 (2006), pp. 445-467. For the reception of Buridan's *Ethics* in the new universities of Central Europe see M. MARKOWSKI, „Die Rezeption Johannes Buridans Kommentars zur 'Nikomachischen Ethik' des Aristoteles an den mitteleuropäischen Universitäten angesichts der in den Bibliotheken Erfurt, Göttingen, Krakau, Kremsmünster, Leipzig, Melk, München, Salzburg, Wien, Wrocław und im Vatikan erhaltenen Handschriften," *Mediaevalia Philosophica Polonorum* 27 (1984), pp. 89-131, for this manuscript see pp. 93, 94, 124-126 and M. MARKOWSKI, « L'influence de Jean Buridan sur les universités d'Europe Centrale », in *Preuve et raison à l'université de Paris. Logiques, ontologie et theologie au XIVe siècle*, ed. Z. KALUZA, P. VIGNAUX, Paris 1984, pp. 149-163. For a first list of manuscrips of Buridans's Ethics in Vienna see E. FARAL, « Jean Buridanus. Notes sur les manuscrits, les éditions et le contenu de ses ouvrages », *Archives d'histoire doctrinale et littéraire du moyen âge* 21 (1946), pp. 1-53, for Vienna see p. 42.

plague, a violent outbreak of which was recorded that year,[21] Rußbach inherited his books.

In their 1999 article dedicated to some manuscripts of Simon of Ruckersburg, Honemann and Diehl discussed the case of codex Wien, ÖNB, 5378,[22] and they concluded that "was aus Ruspachs Büchern später geworden ist, hat sich bisher nicht ermitteln lassen."[23] Actually, the legacy of the manuscript continues: it must have been in the private collection of Thomas of Ebendorfer, who donated it, according to a note on f. 82r: *Secuntur questiones Byridani super Ve Ethycorum date per magistrum Thomam de Haselpach stipendiatis in collegio BMV prope Predicatores Wyenne 1443 Pangratii martyris.*[24]

There are perhaps echoes of Rußbach's reading of Buridan's commentary on *Ethics* in the former's surviving texts, for example in his *Sermons*, in which Rußbach discusses the important topic of *Christus caput et monarcha totius Ecclesie* (f. 208r). In Klosterneuburg, Cod. 820, ff. 206r-210r, there is a *collatio circa festum Penthecostis* on the theme *Ergo rex es tu?* (Ioh. 18, 37). After an introduction based on the *De ecclesiastica hierarchia* of the pseudo-Dionysius, Rußbach develops a long treatment of the role and the morality of a king, identifying Christ with the image of the most virtuous king. Some of his analysis is reminiscent of Buridan's thoughts on the high level of morality of a king.[25]

Another must read for the theologians of Vienna were the moral texts of Robert Holkot. The wide dissemination of Holkot's *Moralitates* and his commentary on *Wisdom* needs to be investigated, but some findings already confirm an interest for his writings,[26] especially given the nature of his commentary on *Wisdom* as a perfect tool for help in preaching.[27] As Gottlieb notes, Rußbach obtained from the same Simon a copy of Holkot's *Wisdom* commentary: *Item idem dominus doctor habet a magistro Symone, Holgot super librum Sapiencie*.[28] Among the collection of the Klosterneuburg library codex 357 contains a part of this commentary on ff. 1-92, while in Vienna itself there is another copy in Schottenkloster, Cod. 219 (70),[29] but no historical indication of possession either by Rußbach or by Simon can be found.

Berlin, Staatsbibliothek, 1147 (?)

According to Gottlieb, the same manuscript Wien, ÖNB, 5378, indicates that Rußbach also borrowed *sermones Clementis pape. Symon prius … Gregorium*[30] from Simon's personal

[21] For the episode from 1399 see *Aschbach*, pp. 169-170.
[22] HONEMANN, DIEHL, „Vom Bibelkommentar zur Predigt," pp. 83-84.
[23] HONEMANN, DIEHL, „Vom Bibelkommentar zur Predigt," p. 84.
[24] *Apud* P. UIBLEIN, „Epilegomena zur Neuausgabe der Cronica Austriae Thomas Ebendorfers," in *Die Universität Wien im Mittelalter. Beiträge und Forschungen*, (Schriftenreihe des Universitätsarchivs, 11), Wien 1999, pp. 461-488, here 472. Uiblein updates the initial list gathered by Lhotsky from which this codex is missing. See: A. LHOTSKY, *Thomas Ebendorfer. Ein österreichischer Geschichtsschreiber, Theologe und Diplomat des 15. Jahrhunderts*, (Monumenta Germaniae Historica Schriften, 15), Stuttgart 1957, pp. 59-65.
[25] See this topic discussed by B. SÈRE, « Liberté et lien social chez Buridan dans son commentaire sur l'Ethique (VIII-IX)», *Recherches de théologie ancienne et médiévale* 74 (2007), pp. 119-168, especially pp. 128-134.
[26] M. BRINZEI, I. CURUT, "From Author to Authority: The Legacy of James of Eltville in Vienna," in *The Cistercian James of Eltville († 1393). Author in Paris and Authority in Vienna*, ed. M. BRINZEI, C. SCHABEL (*Studia Sententiarum*, 3), Turnhout 2018, pp. 419-478, here pp. 426-427.
[27] For a discussion of this text, see J. T. SLOTERMAKER, J. C. WITT, *Robert Holkot*, (Great Medieval Thinkers), Oxford 2016, pp. 125-188 (chapters 6-8). John Slotermaker also has a Wordpress website, where he presented some case studies of manuscripts of Holkot. See: https://slotemaker.wordpress.com/category/holcots-commentary-on-wisdom/ (last accessed 9.03.2021).
[28] T. GOTTLIEB, *Mittelalterliche Bibliothekskataloge*, vol. I, p. 272. Discussed by UIBLEIN, "Johann Stadel von Rußbach," p. 226.
[29] HONEMANN, DIEHL, „Vom Bibelkommentar zur Predigt," p. 82.
[30] GOTTLIEB, *Mittelalterliche Bibliothekskataloge*, vol. I, p. 273.

library. Honemann and Diehl actually found that Berlin, Staatsbibliothek, 1147[31] contains the *Moralia in Iob* of Gregory the Great and that this manuscript belonged to Simon Prucka,[32] so perhaps this is the manuscript that Rußbach consulted. Viennese theologians had great interest in Gregory the Great's texts: Basel, UB, A X 44 is an example of how often Gregory's texts were referred to during disputations or inserted as marginalia next to some discussions.[33]

Klosterneuburg, Augustiner-Chorherrenstift, Cod. 360

This manuscript is one of 169 copies of the popular *Summa confessorum* of the Dominican John of Freiburg. The connection with John of Rußbach appears on f. 309v: *Presens liber fuit illustris magistri Iohannis de Ruspach pie memorie*.[34] The *Summa* of John of Freiburg is rooted in the *Summa de poenitentia* of Raymond of Peñafort and represents a "comprehensive encyclopaedia of pastoral care."[35] Organized in alphabetical order and containing simple ideas, this *Summa* was considered as an important instrument helping in teaching and the preaching. The presence of this book in Rußbach's library is in perfect harmony with his preoccupation with preaching, as reflected in his surviving sermons. In the same vein can be considered the following codex, but its attribution to Rußbach is still in doubt.

London, British Museum, Additional MS 29882 (?)

The catalogue of *Additional* manuscripts of the British Library labels this codex *Theological Treatises* and has a confused presentation of the contents of the manuscript.[36] Egger's survey is much more helpful, listing a sermon of Innocent III, his *De missarum mysteriis* (ff. 1r-40v), the *Summa de confessione 'Compilatio praesens'* of Peter of Poitiers of Saint-Victor (ff. 41ra-52va), and a fragment of the *Summa magistri Johannis Belet de ecclesiasticis officiis*.[37] Egger's description of this manuscript leads to the same conclusion as that of Uiblein (p. 222), namely that it is unlikely that this codex belonged to our Rußbach. The note on f. 2, *Ioh. Rusbach me tenet*, cannot yet be interpreted as proof of possession without any other evidence, since no codicological aspects would justify claiming that this English manuscript was in Vienna during Rußbach's time. A phonetical misperception between *Joh. Belet* and *Joh. Rusbach* might be the source of confusion, or the codex belonged to a homonymous author to our Viennese master.

Besides these manuscripts that sparked Rußbach's intellectual interest, Uiblein investigated two more manuscripts that contain some of Rußbach's own texts. No traces of his

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[31] For a description of the manuscript, see *Kurzes Verzeichnis der germanischen Handschriften der Preußischen Staatsbibliothek I. Die Handschriften in Folioformat*, (Mitteilungen aus der Preußischen Staatsbibliothek, 7), Leipzig 1925 (Nachdruck Graz 1970), pp. 158-159.

[32] HONEMANN, DIEHL, „Vom Bibelkommentar zur Predigt," p. 81.

[33] For references to Gregory in Basel, UB, A X 44, see ff. 87v, 97v, 118v, 122v, 139v (*passim*). The forthcoming transcription of the team will prove more clearly this provisory constant.

[34] *Apud* UIBLEIN, „Johann Stadel von Rußbach," p. 226. A description of the codex can be found here: http://18.235.151.129/detail.php?msid=5191 (last accessed 12.04.2021).

[35] J. A. LORENC, *John of Freiburg and the Usury Prohibition in the Late Middle Ages: A Study in the Popularization of Medieval Canon Low*, PhD, University of Toronto 2013, p. 2.

[36] See a description of the manuscript entitled *Theological treatises* see *Catalogue of Additions to the Manuscripts in the British Museum in the Years MDCCCLIV-MDCCCLXXV*, vol. 2, London 1877, p. 736.

[37] C. Egger proposes the edition of *A sermon of Innocent III* based on three manuscripts, and one of them is this London, BM, Add. 29882. C. EGGER, "The Growling of the Lion and the Humming of the Fly: Gregory the Great and Innocent III," in *Pope, Church and City. Essays in Honour of Breda M. Bolton*, ed. F. ANDREWS, C. EGGER, C. M. ROUSSEAU, (The Medieval Mediterranean. People, Economies and Cultures, 400-1500), Leiden 2004, pp. 13-46. For the discussion on the manuscript, see pp. 39-40 and for the edition pp. 41-46. I am grateful to C. Egger for sharing with me a copy of his paper during the pandemic.

Sentences commentary or writings stemming from his teaching in the Faculty of Arts have been identified, but we have two codices that reflect his exegetical and preaching activities. The two manuscripts containing his writings are from two different stages of his career, the first as a *cursor biblicus* and his second from his mature period, after 1409, while he was preaching.

Klosterneuburg, Augustiner-Chorherrenstift, Cod. 171

John Rußbach's commentary on Ecclesiasticus (Sirach) (1.1 to 2.11) is preserved in Klosterneuburg, Cod. 171, ff. 140ra-208va,[38] in between two *postilles* (*super Reges* and *super Iob*) of Nicholas of Lyra.[39] Copied by probably more than two hands, the structure of the text presents some interesting details. For example, at a first sight the commentary looks like a traditional textual lecture, since each biblical verses from Sir. 1, 1 until 2, 11 is discussed quite uniformly. The biblical passages are highlighted with larger characters and bold letters.[40] The beginning of the text focuses on the doctrine of *timor Dei*, proposed as the source of human wisdom, and the end of the text analyzes how to avoid temptation. Various marginal notes here and there are in the same hand that adds comments in Klosterneuburg, Cod. 820 (see below), combining two ways of writing the letter *a*.[41] It might be the autograph hand of Rußbach. This hand corrects, adds, and completes some passages. For instance, on f. 191vb an insertion of the sign © is accompanied by the following message: "Turn three pages and in the fourth you will find the text at this sign" (*Verte tria folia et in 4° invenies ad talem signum* ©). Codicologically speaking, this might show that the author assisted in the process of editing his text. A few sizeable fragments of the text are crossed out on ff. 153vb, 171ra-172vb, and 173ra, more proof of the interaction between the author and the scribe, since in some situations another passage is proposed to replace the one crossed out. The text is not always coherent and some topics are reconsidered. Such is the case with f. 171va, which returns to the discussion on *de oratione*, in the middle of a discussion on the grace. He explains that he had to stop before the holidays and therefore he reconsidered the subject (*nunc secuntur dubia derelicta ante dies vacationem de oratione*).

Concerning doctrine, the most intriguing aspect is the insertion of different series of *dubia*, which are noteworthy because they provide some information about the nature of this biblical commentary. It is interesting to find demonstrations based on the authority of Aristotle (f. 182ra: *secundum Philosophum in quarto Ethicorum est habitus*…; f. 183va: *sed contra dicit Philosophus in V Ethicorum*) in a biblical commentary,[42] but in Rußbach's case they can be explained by identifying his main source. At first sight, the titles of these *dubia* sound like those of disputed questions or even questions from Peter Lombard's *Sentences*. In fact, one can better understand the method of composition when one realizes that all the *dubia* in Rußbach's biblical commentary on Ecclesiasticus are rooted in the works of Thomas Aquinas. The following *tabula* contains the sources of Rußbach's reflections. I list here the titles of his *dubia*, indicating at the end of each title the source from different works of Aquinas that are reproduced verbatim in the *dubium*. I compared all the texts against the source text and the accuracy of Rußbach's

[38] Cf. UIBLEIN, „Johann Stadel von Rußbach," p. 226.
[39] The description of the manuscript can be accessed here: https://manuscripta.at/hs_detail.php?ID=345 (last accessed 19.04.2021).
[40] As E. Lukacs makes me remark this type of hilighting is to be found also in commentaries from Faculty of arts. Flüeler notes that "The title of the relevalnt question was written by both bachelors in an easily legible gothic bookhand in big letters," FLÜELER, "Teaching Ethics at the University," p. 295.
[41] This could be a sign that the author of these notes is not very young, and the graphical switch in reproducing the letter *a* is proof. I am grateful to my colleague Adinel Dinca, who assisted me in analyzing some *marginalia.*
[42] See for a similar situation Z. CHEN, C. SCHABEL, "Aristotle's *Ethics* in Guiral Ot's Commentary on I Corinthians," *Archives doctrinale d'histoire et literature du Moyen Age* 88 (2021), forthcoming.

was impressive, to such a degree that Rußbach's text can be considered a new witness to some of Aquinas's writings.[43]

timor Dei

f. 150ra: Utrum Deus debeat timeri. [*ST*, IIa IIae, q. 19, a. 1, pp. 138-139]
f. 150vb: Alium dubium videtur quod timor non sit in initium sapientie. [*ST*, IIa IIae, q. 19, a. 7, p. 144]

de hypocrisie

f. 164vb: Primo queritur utrum omnis simulatio sit peccatum [*ST*, IIa IIae, q. 111, a. 1, pp. 429-430]
f. 165rb: An ypocrisis sit idem quod simulatio. [*ST*, IIa IIae, q. 111, a. 2, pp. 430-431]
f. 165vb: Utrum ypocrisis opponatur veritati. [*ST*, IIa IIae, q. 111, a. 3, pp. 431-432]
f. 166ra: Utrum ypocrisis sit peccatum mortale. [*ST*, IIa IIae, q. 111, a. 4, pp. 432-433]

de oratione

f. 166va: Utrum conveniens sit orare. [*ST*, IIa IIae, q. 83, a. 2, pp. 193-194]
Utrum oratio sit actus religionis. [*ST*, IIa IIae, q. 83, a. 3, pp. 194-195]
Utrum solus Deus sit orandus. [*ST*, IIa IIae, q. 83, a. 4, pp. 195-196]
Utrum in oratione sit aliquid. [*ST*, IIa IIae, q. 83, a. 5, 197]
f. 167rb: Utrum in oratio sit aliquid determinate petendum. [*ST*, IIa IIae, q. 83, a. 6, pp. 197-198]
f. 168ra: Utrum pro aliis orare debeamus. [*ST*, IIa IIae, q. 83, a. 7, pp. 198-199]
f. 168vb: Utrum debeamus pro inimicis orare. [*ST*, IIa IIae, q. 83, a. 8, pp. 199-201]
f. 169ra: Utrum oratio sit actus appetitive virtutis vel cognitive. [*ST*, IIa IIae, q. 83, a. 1, pp. 192-193]
f. 169va: Utrum oratio debeat esse semper vocalis. [*ST*, IIa IIae, q. 83, a. 12, pp. 204-205]
f. 170vb: Nunc sequitur illud dubium an septem petitiones orationis dominice convenienter assignentur. [*ST*, IIa IIae, q. 83, a. 9, pp. 201-202]
f. 173vb: Utrum homo adiutus gratia possit mereri vitam eternam ex condigno. [*ST*, Ia IIae, q. 114, a. 3, pp. 347-348]
f. 173vb: Utrum orare sit proprium rationalis creature. [*ST*, IIa IIae, q. 83, a. 10, pp. 202-203]
f. 174ra: Utrum numerus predestinatorum sit certus. [*ST*, Ia, q. 23, a. 7, pp. 282-283]
f. 176va: Utrum homo possit se ad gratiam preparare sine gratia. [*ST*, Ia IIae, q. 109, a. 6, pp. 299-300]
f. 177rb: An homo gratiam consecutus possit absque alio divino auxilio bonum facere et vitare peccatum. [*ST*, Ia IIae, q. 109, a. 9, pp. 307-308]
f. 179rb: Utrum homo possit sibi mereri primam gratiam. [*ST*, Ia IIae, q. 114, a. 5, pp. 349-350]
f. 179va: Utrum homo possit alteri mereri primam gratiam. [*ST*, Ia IIae, q. 114, a. 6, pp. 350-351]
f. 180ra: Utrum aliquis possit mereri sibi ipsi reprobationem post lapsum. [*ST*, IIa IIae, q. 114, a. 7, p. 351]

de iustitia

f. 182ra: Circa ista dicta movenda sunt aliqua dubia de iustitia. Primum dubium est de hoc: quid sit iustitia. [*ST*, IIa IIae, q. 58, a. 1, p. 9]
f. 182va: An iustitia sit ad alterum.
f. 183ra: Utrum iustitia sit in voluntate sicut in subiecto. [*ST*, IIa IIae, q. 58, a. 4, pp. 12-13]
f. 184ra: Utrum facere bonum et declinare a malo sint partes iustitie. [*ST*, IIa IIae, q. 79, a. 1, pp. 168-169]

[43] All the references to Aquinas's works are from *Sancti Thomae Aquinatis doctoris angelici* (Opera Omnia, 4, 5, 7, 8, 9), Rome 1888, 1889, 1892, 1895, 1897.

de temptatione

f. 192ra: Utrum homines a demonibus impugneretur. [*ST*, Ia IIae, q. 114, a. 1, pp. 533-534]
f. 192ra: Utrum temptare sit proprium dyabolo. [*ST*, Ia, q. 114, a. 2, p. 534]
f. 192ra: Utrum omnia peccata hominum ex impugnatione seu temptatione demonum proveniant. [*ST*, Ia q. 114, a. 3, p. 535]
f. 192ra: Utrum possit vera miracula facere ad seducendum. [*ST*, Ia, q. 114, a. 4, pp. 536-537]
f. 192ra: Utrum demones qui ab hominibus superantur ab impugnatione homini arceantur. [*ST*, Ia, q. 114, a. 5, p. 537]

Rußbach's biblical lecture on Ecclesiasticus (*Lectura super primum capitulum et partem secundi capituli Ecclesiastici*) is thus heavily rooted in Aquinas's *Summa theologie*, new evidence for his reception among and influence on Viennese theologians. By harmonizing biblical passages with *articuli* from various parts of the *Summa theologiae*, Rußbach contributed to the promotion of Dominican doctrine, which seems to be common among Viennese theologians.[44]

Klosterneuburg, Augustiner-Chorherrenstift, Cod. 820

Along with a series of five texts by Henry of Langenstein,[45] Klosterneuburg Cod. 820[46] contains a text by Matthew of Cracow, one by Nicholas of Laak, possibly one by Urban of Adriach,[47] and an interesting collection of 19 sermons that Uiblein attributed to Rußbach (ff. 128r-261r). They mirror Rußbach's involvement in pastoral preaching and reveal his views on the proper behaviour of priests and on their obligation to preach and disseminate theological knowledge. Scholars were of course obliged to sermonize in the university and the Faculty of Theology assigned sermons for feast days.[48] Beside the university, however, the ecclesiastical world provided a parallel context to exhibit one's oratorical skills, a framework in which echoes of academic doctrine can be heard. From this point of view, extramural sermons can help us decipher theological preoccupations in Rußbach's time.

Uiblein notes that only one sermon (ff. 172r-178v) is attributed explicitly in the manuscript to Rußbach (see above, Fig. 4), but he proposes to list all the other titles under his name.[49] Certainly, one of the sermons is not by Rußbach, but by Henry Totting of Oyta,[50] and suspicions arise regarding the material from ff. 235r-238v, which might just be notes used by Rußbach to compose his work. It is possible that we have in this part of the manuscript some notes by Henry of Langenstein or even by Oyta. Another detail that should be highlighted is that the sermon on ff. 212r-221v (*Attolite portas, principes vestras*, Ps. 23, 7) seems to be written in Paul of Geldern's hand.[51]

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[44] See also the case of Lambert of Geldern equaly quite familiar with Aquinas's writings. R. KADAN, *Lambert von Gelderns Auslegung der Johannesbriefe. Eine textktritische Edition,* Wien 1995. I am grateful to Edit Lukacs for indicating me this title.
[45] Among Langenstein's texts we note the *Tractatus de dici de omni* (ff. 108r-115r) a new copy of which can be found in the manuscript that inspired this volume: Basel, UB, A X 44, ff. 153v-185r.
[46] A list of incipits of all the preaching texts from this codex can be found in UIBLEIN, „Johann Stadel von Rußbach," pp. 228-230.
[47] For the content of the manuscript, see: https://manuscripta.at/hs_detail.php?ID=1054 (last accessed 4.04.2021).
[48] KINK, *Geschichte der kaiserlichen Universität zu Wien*, pp. 77-78, 97.
[49] UIBLEIN, „Johann Stadel von Rußbach," p. 228.
[50] See the discussion, *infra*.
[51] One word should be said about the varieties of hands that copied this collection of manuscripts. Codicologically speaking, each sermon is on an individual quire, which often leaves some blank folia at the end of the text. Probably

This collection of sermons is extremely rich in information about Rußbach's style of preaching and reflects the theological blueprints in preaching in his day. As a general note, the style is quite uniform and references are restricted only to canonical figures of the Church: Jerome, Bernard, Augustine, Bede, Chrysostom, Ambrose, and the pseudo-Dionysius. Within this circle of authorities, Augustine and Bernard are the constant spiritual guides in the sermons. A few scholastic figures are occasionally discussed, like Peter Lombard, Alexander of Hales, or Thomas Aquinas. With these ingredients the preaching style is quite conventional. In contrast to this conformity, one also notices a kind of moralistic reflection with an emphasis on practical issues, for example how predication should be performed, what are the obligations of priests, and what kind of virtues should be promoted to reinforce the faith.

Two themes suggest continuity between ideas in the sermons and Rußbach's commentary on Ecclesiasticus. In the latter text, the passage on *timor Dei* is commented on extensively and raised to the level of a conceptual formula expressing the nature of governance in the relation between humans and God, between two types of laws (human and divine law), or between two models of life (*timor mundanus* and *timor humanus*), or as *Dominum timorem est inicium omnis bonitati* (Klosterneuburg, Cod. 171, f. 134r). Long reflections on *timor Dei*, which is identified as source of wisdom (*radix sapientie*), are present in the Ecclesiasticus commentary in Klosterneuburg, Cod. 171 (ff. 150ra-154vb) and in the sermons in Klosterneuburg, Cod. 820 (ff. 163r-165v). The interest in *timor Dei* is quite remarkable and deserves more attention, since it appears to have generated a lot of interest among Viennese theologians. It is possible that the point of departure is Henry of Langenstein, who already discussed this topic in his *principium* on *Sentences*.[52]

Another topic to which Rußbach is drawn and which is discussed in the both manuscripts transmitting his works is the problem of ignorance. Considered as the ignorance of the law and in connection with potential dangers for the *regimen pastorale*, the issue is rather pertinent to Viennese theological interests.[53] The origin of this trend was probably Henry Totting of Oyta, with whom Rußbach may have been in Prague. The concept of ignorance was instrumental for opening long discussions on relations with the Jewish community, since theologians had to deal with the scenario of Jews crucifying Jesus due to ignorance (ms. K. 820, f. 234r). Actually, the *thema* of the sermon is *Quare fremuerunt gentes et populi meditatis sunt inania* from Psalms 2, 1 (ms. K. 820, ff. 230r-234v), leading to a long meditation on the importance of *invincible* or *vincible* ignorance in excusing or justifying the Jews for their crucifying Christ.[54] At the end of the sermon, three conclusions are posited: (1) ignorance of natural law is not an excuse for anyone having the use of reason (ms. K. 820, f. 234r: *ignorantia iuris naturalis neminem excusat habentem usum rationis*); (2) ignorance of divine law is an excuse for some but not for others (ms. K. 820, f. 234r: *ignorantia iuris divinis in quibusdam excusat in quibusdam non*); and (3) ignorance of canon law or of civil law can excuse many people, but not in all matters (ms. K. 820, f. 234r: *ignorantia iuris canonici et civilis multos*

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they circulated separately. A different hand numbers all the quires in the codex and the collection of sermons starts with *quartusdecimus* on f. 128r and runs until *trigesimus secundus* on f. 254r.

[52] The title of Henry of Langenstein's survival *principium* on the *Sentences* is *Utrum in timorem et legem Dei potuerit vigor naturalis rei.* The second *principium*, which has not been identified, has the title *Utrum vigore creaturarum potuerit suscitari talis timor Dei qualis est legis Christi, iuxta errores quorumdam*. On his *principium* see M. BRINZEI, C. SCHABEL, "A *Principium* of Henry of Langenstein, His Fellow Parisian Bachelors of the *Sentences*, and the Academic Year 1371-1372," *Vivarium* 58/1-2 (2020), pp. 334-346.

[53] A proof can be given by some references in Basel, UB, A X 44, ff. 122r (*ignorantia crassa vel ignorantia excusabili*), f. 53r, 66a-cedula (*ignorantia invincibilis*).

[54] For an introduction to this topic and the source in Robert Holkot's discussions, see C. GRELLARD, « Que m'est-il permis d'ignorer? La foi, l'ignorance et les limites acceptables de l'orthodoxie », in *Genèse antiques et médiévales de la foi*, ed. C. GRELLARD, PH. HOFFMANN, L. LAVAUD, (Etudes Augustiniennes, 206), Paris 2020, pp. 429-449.

excusat sed non omnes). The entire discussion recalls what Lang labels a 'disputatio catholica contra Judaeos,'[55] which seems to be a *dubium* from Oyta's commentary on the Psalms.[56]

Uiblein offers (pp. 228-230) a list of the titles of all the sermons that can be attributed to Rußbach in this codex. He comments on the opening of these texts and even notes which ones and how many begin with the formula *reverendi patres, magistri et domini* or with *reverendi patres et domini*, in order to identify the nature of the public to which these sermons were addressed. It is therefore telling that the sermon on ff. 188r-191r in Klosterneuburg 820 starts in a different manner. The typical formulas that characterize Rußbach's style are absent and the sermon opens directly with a biblical quote. Uiblein was unaware that this sermon, having as its *thema* a passage from Zacharias 2: *Letare, filia Syon, quia ecce ego venio et habitabo in medio tui*, had been edited by Sommerfeldt in 1904.[57] This text is also found in other manuscripts,[58] where it is labelled *Sermo in adventu Domini de gradibus obediencie magistri Henrici de Oyta*, a homily that Oyta delivered in Marbach on the obligation of priests to obey. Oyta proposes the seven degrees of obedience (*libenter, simpliciter, hilariter, velociter, viriliter, humiliter, indesineter*) inspired by Bernard of Clairvaux[59] as an alternative to the three degrees presented by Thomas Aquinas. Therefore, the copy of the sermon in Klosterneuburg 820 belongs to Oyta, not to Rußbach.

The sermon collection demands further investigation, but it seems to support a doctrinal filiation between Rußbach and his *magistri*, Henry of Langenstein and Henry Totting of Oyta.

3. New Materials on Johannes Rußbach

Erfurt, Universitätsbibliothek, Dep. Erf., CA 2° 173

On 13 October 1391, John of Rußbach was elected dean of the Faculty of Arts, succeeding Stephan of Enzersdorf,[60] who had begun his term on 14 April 1391. Both of them were assigned by the Faculty of Theology to begin reading the *Sentences* in the winter term of 1391-1392. Stephan of Enzersdorf was a *socius* with whom Peter of Geldern debated in his *Principia*, together with the Dominican Sigillinus of Oppenheim. The *Principia* of Paul of

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[55] On this topic see the recent survey of M. NIESNER, *Wer mit Juden Well Disputieren: Deutschprachige Adversus-judaeos-literatur des 14. Jahrhunderts*, Berlin 2005, *passim.* For a discussion on Oyta's *Disputatio catholica contra Judaeos* see pp. 436-441.

[56] LANG, *Heinrich Totting von Oyta*, p. 108. Lang indicates two manuscripts, Münich, Clm, 18531b, ff. 7r-12r and Clm, 8826, ff. 323ra-325vb, which unfortunately I could not verify for this study in order to better establish the filiation with the sermon (ms. K. 820, ff. 230r-234v) from Rußbach's collection. Niesner gives the title of the question and comments on these manuscripts, see NIESNER, *Wer mit Juden Well Disputieren*, p. 436.

[57] G. SOMMERFELDT, „Zu Heinrich Totting von Oyta (Gest. 20. Mai 1397 in Wien)," *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 25 (1904), pp. 576-604, for the edition pp. 598-603. A new investigation on Oyta's sermon see J. ODSTRCILIK, F. BATTISTA, R. BURGAZZI, "The preaching of Henry Totting of Oyta," *Historia Universittatis Carolinae Pragensis* 1/55 (2015), pp. 71-91, see p. 79 the sermon on the theme: *Sic in Sion fermata sum*.

[58] For a discussion on these manuscripts: Wien, ÖNB, 4017, ff. 38v-41r and Marburg, D 23, ff. 119v-201r, and also in Erfurt, Universitäts- und Forschungsbibliothek, Dep. Erf., CA 4° 125, ff. 231-234, Città del Vaticano, Vat. Lat. 475, ff. 1a-5v; see SOMMERFELDT, „Zu Heinrich Totting von Oyta," p. 597. See P. J. LANG, *Die Christologie bei Heinrich von Langenstein. Eine Dogmenhistorische Untersuchung*, Freiburg-Basel-Wien 1966, p. 120.

[59] For the source see: BERNARD OF CLAIRVAUX, *On the Seven Degrees of Obedience and the Term to which they Lead. St. Bernard's Sermons for Season and principal Festivals of the Year*, Westminster, Maryland 1950.

[60] *Aschbach*, p. 137.

Gelria[61] are transmitted by Erfurt, Universitätsbibliothek, Dep. Erf., CA 2° 173, ff. 266r-300r,[62] and some fragments, as Lukacs has noted, are also in Basel, UB, A X 44.[63] John of Rußbach thus joins this circle of *socii*. Figure 2 is an image from f. 300v of Erfurt, UB, Dep. Erf., CA 2° 173 of a list of four titles that are connected with Rußbach's name:

Utrum religio Christi immaculate sit religionum novissima.
Utrum religio Christi catholica sit religionum perfectissima. } Johannes Ruspach
Utrum religio Christi districta sit religionum largissima.
Utrum religio Christi celica sit religionum inopissima.

The titles of the four questions of Rußbach are presented all together with three similar sets of questions attributed to Paul of Geldern, Andreas of Ulixbona, and Lambertus of Geldern.[64]

How should we interpret these titles? The first clue is that we are dealing with rhyming titles recalling what I call *philosophical stanza* inside principial sermons, a common characteristic of sermons opening principial debates.[65] I therefore hypothesize that these titles are probably stem from John Rußbach's *principia,* but they could as well be the titles of inceptions acts like *vesperis* or aule.[66] In support of a connection with principial debates could be the fact that the second part of the Erfurt manuscript contains a coherent collection of fragments from biblical and Sentential *principia*. The manuscript was copied in Geldern's hand and it would make sense for him to gather texts of a similar nature and even fragments from his *socii* from the time he was enrolled as bachelor in theology.[67]

Budapest, Elte Egyetemi Könyvtár, cod. 47

More evidence in favour of this hypothesis is the presence of the second title: *Utrum religio Christi catholica sit religionum perfectissima*, as an anonymous 'question' in a manuscript from the collection of ELTE University Library and Archives (Elte Egyetemi Könyvtár és Levéltár) in Budapest. The codex Budapest, Elte Egyetemi Könyvtár, cod. 47, not surprisingly, stems from the University of Vienna.[68] It contains fragments from biblical

[61] E. LUKACS, „Disputieren and der Theologische Fakultät," 124 (2016), p. 422, n. 19. M. SOKOLSKAYA, „Paul von Geldern – Ein Wiener Universitätstheologe aus dem Ende des 14. Jahrhunderts. Zur Handschrift 2° 173 der Collectio Amploniana zu Erfurt," *Jahrbuch für mitteldeutsche Kirchen- und Ordensgeschichte* 8 (2012), pp. 193-236.
[62] See Debate's Database and the forthcoming paper of Edit Ana Lukacs.
[63] These fragments are discussed in this volume by A. Baneu.
[64] They are transcribed and discussed by SOKOLSKAYA, „Paul von Geldern," pp. 235-236.
[65] PETRUS DE ALLIACO, *Questiones super primum, tertium et quartum librum Sententiarum. Principia et questio circa prologum,* ed. M. BRINZEI, (Corpus Christianorum Continuatio Mediaevalis, 258), t. 1, Turnhout 2013, p. 13, ll. 276-280. Or for some more examples on the website of Debate project: https://debate-erc.com/rhyming-philosophical-stanzas/ (last accessed 21.04.2021).
[66] Following the statutes of Vienna, E. Lukacs notes that the candidate to inception lecture had to give to his magister two titles for the vesperis and two titles for the aulares. LUKACS, „Disputieren and der Theologische Fakultät," p. 422, n. 19.
[67] For a new attribution of some fragments, see my analyze in BRINZEI, CIOCA, *Homo est microcosmos,* (forthcoming).
[68] *Catalogus Codicum Latinorum Medii Aevi. Bibliothecae Universitatis Budapestinensis*, rev. Et auc. P. TOTH, Budapest 2008, pp. 23-24. See ms. Budapest, Elte Egyetemi, Cod. Lat. 47, ff. 222r-228v: *Utrum religio Christi Catholica sit omnium religionum perfectissima*. Inc.: *Ista questio duo subponit et unum querit. Subponit quod sunt et fuerunt plures religiones* … Expl.: … *quarto sequitur quod questio est vera in forma qua proponitur*. The manuscript is accessible on line on the repository website of the university: https://edit.elte.hu/xmlui/static/uv/uv.html?key=10831/20907&fname=pager_001.jpg.jpg. (last accessed 24.04.2021).

commentaries, the bulk of the codex taken up by the *Glossa in Psalterium* of Conrad of Soltau (ff. 1-165v). After some fragments of Alarus of Geldern, who was active in the Faculty of Arts of Vienna in 1395, at the end of the manuscript (ff. 222ra-228vb), one finds the question that shares the same title as one attributed to Rußbach.

In the *divisio questionis*, the author describes what he is doing as an act, *in presenti actu*, a term that does not apply to a normal lecture, but a required performance, as for example participation in a principial debate.[69] Much of the question as it comes down to us is devoted to the first section of the division, the *declaratio terminorum* (ff. 222ra-227vb), which discusses each term in the title of the question. This portion of text contrasts with the end of the question (ff. 227vb-228vb), which seems simply to list titles of conclusions, without really defending them in any depth. This suggests that the question might not be a complete record of the oral performance.

Besides the title, possible evidence for Rußbach's authorship lies in the fact that some of the subjects discussed here are also in other texts by Rußbach, for example, his attitude towards Jews. The first term that is considered is *religio*. The text lists three *secte idolatrorum* (*mahometani, iudeorum, philosophorum*) and then introduces a division between *vera* et *falsa religio*. Although the author mentions that it is accepted that the Judaic religion should be perceived as a true religion, he cannot accept their blasphemy against Christ and adds that *minus per ignorantiam excusari possunt Iudei*.[70] This analysis echoes the attitude that Rußbach exhibits in his sermons about the crucifixion of Christ and his entire treatment of whether ignorance is a justification.[71] Two folia after this argumentation, on f. 225ra there is a reference to *timor Dei* that is reminiscent of Rußbach special interest of in this formula in his commentary on Ecclesiasticus. Virtually same theory is here presented: *quantum ad locum purgatorii aliqui religionis et cultus Dei in timore secundum fidem, spem.*

Until further evidence confirms or contradicts this hypothesis, I propose that this question stems from a principial performance by Rußbach in the Faculty the Theology, probably at the same time as Paul of Geldern. Rußbach's relation with Paul of Geldern leads to another clue supporting the theory that the four titles in the Erfurt manuscript are the titles of Rußbach's *principia*. Once we read these titles in parallel with those of Pierre d'Ailly's *principia*, their rhetorical similarity cannot be denied:

PETRUS DE ALLIACO, *Principia*, ed. Brinzei, p. 13, ll. 276-280.	JOHANNES RUSPBACH, *Principium?*
P1: Utrum lex Christi sit in preceptis rectissima.	Utrum religio Christi immaculate sit religionum novissima.
P2: Utrum lex Christi sit in credendis certissima.	Utrum religio Christi catholica sit religionum perfectissima.
P3: Utrum lex Christi sit in meritis gratissima.	Utrum religio Christi districta sit religionum largissima.
P4: Utrum lex Christi sit in premiis iustissima.	Utrum religio Christi celica sit religionum inopissima.

[69] Budapest, Elte Egyetemi, cod. 47, f. 222rb: "Procedam ergo sic in presenti actu ut primo iuxta materias declarationis terminorum ponam aliquas preambulas propositiones. Secundo respondendo breviter ad tres predictas inquisitiones propter tres vel plurales conclusiones ex premissis deducendo cum suis corelaris. Primus terminus tituli est religio." Paul of Geldern also starts his *principium* I on Book II with a similar structure and with a *definitio terminorum*: f. 267v.

[70] Budapest, Elte Egyetemi, cod. 47, f. 223ra: "Item quam blasphemant ipsum, scilicet Christum, quem pro Deo omni devotione colere deberunt. Item minus per ignorantiam excusari possunt Iudei qui inter Christianos conversantur quam pagani ab earum religionibus concludentur. Quod inter professores false religonis Iudei difficiulius reduci possunt ad receptionem legis salutaris."

[71] See *supra*.

Pierre d'Ailly elucidates the mystery of these four titles, introducing them as the four titles of the four *principia*, each one corresponding to one of the four books of Peter Lombard's *Sentences*.[72] These four *principia* of Pierre d'Ailly can be read as a short treatise on *lex divina* or *lex Christi*. Same situation could apply in the case of Rußbach, the doctrinal enquiry being formulated around the notion of *vera religio* as *religio Christi*. At least this is the impression inspired by the surviving question matching the second title on Rußbach's list.

One question is pertinent here: how could Pierre d'Ailly's text have any influence on Rußbach? The answer might be provided by returning to Paul of Geldern's *principia*. Geldern may have known Pierre d'Ailly personally from his time in Paris.[73] He could even have attended d'Ailly's public defence of his *principia*, since in 1377-1378 Geldern was active in Paris. In addition, Geldern himself seems to have been quite familiar with d'Ailly's *principia*, since verbatim passages from d'Ailly can be read in Geldern's own *principia*:

PETRUS DE ALLIACO, *Principia*, ed. BRINZEI, p. 13, ll. 294-303.	PAUL DE GELDERN, *Principium IV on book I*, f. 269r
In prima videbitur qualiter voluntas divina in genere legis obligantis est prima lex seu regula. In secunda videbitur qualiter hec prima lex creature rationalis est obligatoria. Prima conclusion erit: sicut divina voluntas in genere cause efficientis est prima efficiens causa, sic ipsa in genere legis obligantis est prima lex seu regula. Secunda conclusio erit: sicut divina voluntas est efficiens causa, quia vult aliquid esse vel fieri, sic ipsa est lex obligatoria, quia vult aliquid ad aliqualiter esse vel non esse teneri.	Sicut voluntas divina in genere cause efficientis est prima causa efficiens, sic ipsa in genera obligantis est prima lex seu regula. (…) Sicut divina voluntas est efficiens causa, quia vult aliquid esse vel fieri, sic ipsa est lex obligatoria, quia vult aliquid ad aliquod vel aliqualiter, omne vel non omne teneri.

This parallel reveals that Geldern was well acquainted with d'Ailly's *principia* and he may even have introduced the doctrine of the future Cardinal of Cambrai to Vienna, either by bringing notes taken during his stay in Paris or by being in possession of a copy of d'Ailly's text that he could share with his colleagues in Vienna. Paul of Geldern should thus be considered one of the channels of dissemination of d'Ailly's doctrine in Vienna. But besides Geldern, another path should be investigated on the side of Gerhard of Heissen, one of Pierre d'Ailly's *socii* in Paris, with whom d'Ailly debated in his *principia* I, II and IV. Gerhard of Heissen was present in Vienna during Geldern's time and was one of those closest to Henry of Langenstein.[74] Therefore, it is not completely inappropriate to suspect that Rußbach also composed parts of his question under the specific Parisian influence of Pierre d'Ailly.

Basel, Universitätsbibliothek, A X 44

Beside this snippet of Rußbach's possible *principia*, another text should be considered

[72] PETRUS DE ALLIACO, *Questiones super primum, tertium et quartum librum Sententiarum*, p. 12, l. 272-275. Same situation is also in the case of Langenstein's principia. He lists the four titles from which just one survived. See BRINZEI, CIOCA, *Homo est microcosmos*, (forthcoming).

[73] On the doctrinal relation between Pierre d'Ailly and Paul of Geldern see E. BOS, S. READ, *Concepts. The Treatises of Thomas of Cleves and Paul of Gelria. An Edition of the Texts with a Systematic Introduction* (Philosophes Médiévaux, 42), Louvain - Paris 2001, pp. 47-49, 53.

[74] He is listed as a witness in Langenstein's last will. See G. KREUZER, *Heinrich von Langenstein. Studien zur Biographie und zu den Schismatraktaten unter besonderer Berücksichtigung der* Epistola pacis *und der Epistola consilii pacis*, (Quellen und Forschungen Aus dem Gebiet der Geschichte, 6), Paderbon - München - Wien - Zürich 1987, p. 249.

as an echo of his activity as a bachelor of theology at the University of Vienna. We are fortunate, thanks to Henry of Rheinfelden, to have a question by Rußbach from the period of his theological studies. In Basel, UB, A X 44, on ff. 6v-7v, the following question is introduced under the name of Rußbach (see *supra* fig. 6): *Utrum Deus tante possit se communicare ad extra quante se communicat ad intra*, the text of which is printed in the appendix to this paper. The structure of the question perfectly mirrors the rules for disputed questions in Vienna:[75] Rußbach's question is divided into notabilia and three conclusions, to each of which corresponds a set of three corollaries. Rußbach's six *notabilia* are hypothetical results from the thesis that God equally communicates Himself *ad intra* and *ad extra* [§ 6-11]:[76]

1. If God would equally communicate Himself (communicaret se) *ad intra* and *ad extra*, then He would communicate *ad extra* His whole divine plenitude and divine being.
2. If so, He would produce an infinite effect for the magnitude, multitude, virtue.
3. If so, then He would produce an eternal creature *ab eterno.*
4. If so, there would be possible *ad extra* a supreme creature, supreme to all creatures, and then it will be impossible to create something more perfect then the Son and the Holly Spirit.
5. If so, then God can produce the Trinity *ad extra.*
6. Is so, then everything can be imagined *ad extra* and *ad infra* from the perfection of the act.

Among these *notabilia*, Rußbach will discuss two [§ 6, 8] as his first two conclusions [§ 18, 26].

The first conclusion [§ 18] states that it is impossible for God to communicate the total of His divine plenitude and of His essential perfection is communicated in an equal manner *ad intra* and *ad extra.* The three corollaries explain why this cannot be possible: (1) If He communicates His perfection to the Son, it is because Christ is not just a creature, but also divine. (2) No creature can be compatible with God's plenitude. (3) Only a partial divine essence is communicated via the hypostatic union.

The second conclusion [§ 26] is that even if God could produce the world in a creative way *ab eterno*, it would be impossible to have a real thing that is created from eternity. God cannot be contradictory in his actions, like giving being to a thing created from *non esse* and at the same time having this thing being eternal.

The third conclusion [§ 34] discusses how God communicates Himself in relation with the persons of the Trinity, more precisely He is communicating Himself *ad extra* to a creature, when this creature is also divine, as is the case of the Son. The answer is positive as long as this act through which He communicates is appropriate to a divine person.

Three elements of this question still need to be examined here.

(a) On the bottom of the folio 6v there is a marginal note introduced and ended by the famous formula 'H.H.,'[77] which in the Basel's manuscript is a monogram of Henry of Langenstein (*Henricus de Hassia*). The interesting marginal note introduces four doctrinal positions [§ 13-17] (*nota quod quidam dicunt*) on the topic of the question and can be read either as an addition to the six *notabilia* [§ 6-11] already listed by Rußbach or as an intervention of the *magister* under whom the question was disputed.

[75] On the tripartite division see LUKACS, „Disputieren and der Theologische Fakultät," p. 422, n. 19.
[76] To help the navigation inside the text and the references, I have numbered all the paragraphs of the Latin text in the edition in the Appendix.
[77] About this, see L. Cioca's post https://teachingthecodex.com/2020/08/10/introducing-project-rise-and-henry-of-rinfeldias-personal-notebook/ (last accessed 17.04.2021).

(b) In between two sections of the question, i.e., the list of the *notabilia* and the development of the conclusions, one reads the following personal testimony from Rußbach:

> In each of these ways there are the greatest difficulties and contrary opinions among the doctors, therefore I will decide the question under for some of these ways, but I shall leave some ways to my masters who are going to respond after me. [§ 12]

How should this note be interpreted? The reference to *magistri mei* is probably a simple mention of his fellows, since it is just a formula of academic politesse to refer to a *socius*, especially during principial debates. In the case of students of theology who are already masters in the Faculty of Arts, it can merely be a formula honouring their status. For example, Paul of Geldern introduces his *socius* Stephen of Enzersdorf as *contra intentionem reverendi domini et magistri mei, magistri Stephani* (f. 294v). Therefore, if the *magistri* is a reference to Rußbach's *socii*, should we deduce that he discussed the problem of God's communication *ad extra* and *ad intra* with his *socii* during the principial debates? And then, is this question an echo of these confrontations? A possible answer to such an inquiry may lie in Geldern's own *principia*, first in the title of his third *principium* (on Book I): *Utrum lux divine sapientie communicate ad intra naturaliter et ad extra singulis entibus generaliter possit esse rationalibus mentibus sapientia formaliter.* Geldern also discusses communication *ad intra* and *ad extra* when he turns to attack his *socii*. It has the feel of a round-table discussion on this topic, developed around the possibility of communicating divine wisdom *ad extra*.[78] Again, when Geldern confronts the Dominican Sigillinus, Geldern relates that his *socius* was treating God's possibility to communicate (*ad extra*) His creative power to a creature[79] (f. 297v). We can conclude that, for the bachelors assigned to read *Sentences* in the Faculty of Theology from 1391 to 1392 or 1393, the issue of the nature of God's communication *ad extra* and *ad intra* was one of their points of confrontation. If the question from Basel, UB, A X 44 of John of Rußbach is not a fragment of one of his *principia*, it is an echo of something that he could have debated with his *socii*. If the question is a disputed question presented during the holidays, as was the practice of *aulares*,[80] it could be something that Rußbach performed as part of his preparation for the next *principium*.

(c) Third, at the end of the question, there are some marginalia deleted by the word *vacat.* The argument concerns the possibility of God's producing *ad extra* a trinity (*tria supposita*) sharing the same essence. Rußbach adds that this corollary *sequitur ex secunda parte prime conclusionis et secundo corollario eiusdem.* The second part of the first conclusion deals with the possibility of God sharing His essence *ad extra* [§ 20-25] and the second corollary concerns vaguely God's essence [§ 24]. How should we then understand this note? It is just a mistake, is it a detail indicating that the text had a different variant, or is Rußbach recycling some material from another discussion? In the absence of any other evidence, it is premature to attempt an answer.

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[78] Erfurt, Dep. Erf., CA 2° 173, f. 294r: "Tertia conclusio: sapientia divina ad intra communicata omnipotente ad extra communicabils est cognitive per modum artis et libere contingenter. (…) Antecedens probatur, quia Pater communicat Filio sapientiam immensam immense et independenter ab alio, et Filius taliter et tam eam recipit, sed hoc **ipsum arguit** utrumque esse omnipotentem, cum in divinis idem sit sapientia et potentia."

[79] Erfurt, Dep. Erf., CA 2° 173, f. 297v: "est reverendus pater meus, frater Sigillinus, baccalarius formatus de domo predicatorum, qui posuit in uno correllario articuli collativi istam: Deus non potest communicare creature potentiam creandi in virtute cause prime."

[80] For *aulares* in Vienna, see the introduction of this volume and also D. Coman's contribution in this present volume.

Final conclusion

The present survey completes the magisterial papers dedicated to John Rußbach in 1964 and 1999 by Uiblein, adding material from manuscripts that have been made more accessible than a few decades ago. This is especially the case with the Basel manuscript, UB, A X 44, which provides access to a new question attributed to Rußbach. This new material is reflecting contemporary discussions of the possibility of God's communicating His perfection *ad extra* and *ad intra*. Stemming from his activities as a bachelor in the Faculty of Theology, where he was assigned to read the *Sentences* in 1391-1393, this question indicates a doctrinal link with, probably, his *socii*: Stephen Enzersdorf, Paul of Geldern, and Sibillinus of Oppenheim.[81] Performing their *principia* in Vienna, the opened a round-table discussion on the topic of how God can communicate *ad extra* and *ad intra*, since all of them shared a particular interest in this topic. Forth wider context, some material for the University of Paris has survived for the academic year 1392-1393 via the notes that Richard de Bozoches recorded.[82] Between Henry of Rheinfelden's and Richard de Bozoches's notes, therefore, it is possible to better compare how the theological teaching was performed in Paris and Vienna in the same academic year 1392-1393, when continuing Parisian influence in Vienna is reflected in the principial discussions that reveal the tacit influence of Pierre d'Ailly.

After completing his theological education, Rußbach preached in Vienna and the collection of his sermons reveals Henry Totting of Oyta's and Henry of Langenstein's preaching legacy. Following the model of his *magistri*, Rußbach showed interest in moralist reflections and a continuous concern with obedience in the life of members of the Church. His predication is nourished from the books that he had in his private collection. Traces of his library reveal the pivotal role that Buridan's *Ethics* and Robert Holkot's *Wisdom* commentary played in a Viennese homily on practical theology. Tacit borrowed passages from Thomas Aquinas also revel Rußbach' familiarity with the Aquitaine's writings.

Appendix:

This appendix contains a transcription of Rußbach's question in Basel, BU, A X 44, ff. 6v-7v that I transcribed following the manuscript graph.

[81] On Sigillinus see I. W. FRANK, OP., *Hausstudium und Universitätsstudium der Wiener Dominikaner bis 1500*, (Archiv für österreichische Geschichte, 127), Wien 1968, pp. 193-194.

[82] P. GLORIEUX, « Un avant-projet de Commentaire sur les Sentences », *Recherches de théologie ancienne et médiévale* 23 (1956), pp. 260-276. Glorieux identified such notes in Paris, BnF, lat. 15652 and 15702 but also on Paris, Mazarine 732. The three manuscripts are currently under investigation by ERC Debate project.

MAGISTRI JOHANNIS RUESBACH

<Utrum Deus tante possit se communicare
ad extra quante se communicat ad intra>

ff. 6v-7v

[f. 6v] [§ 1] Utrum Deus tante possit se communicare ad extra quante se communicat ad intra. Et arguitur sic: omnes actus quibus se Deus communicat ad extra conveniunt cuilibet persone divine; sed non omnes actus quibus se Deus communicat ad intra conveniunt singulis personis divinis, ymo nec essentie divine, igitur Deus tante et amplius communicat se ad extra quam ad intra, et per consequens questio vera. Consequentia tenet ex quid nominis huius complexi tante se communicare. Antecedens autem est manifestum, cum Pater et Filius et Spiritus Sanctus sint unum principium omnium ad extra producibilium.

[§ 2] Ad partem negativam[83] arguitur sic: Deus communicavit et communicat se ad intra secundum totam plenitudinem deitatis, et secundum quamlibet perfectionem intrinsicam immense, et tante non potest se communicare ad extra; igitur pars negativa questionis vera.

[§ 3] Consequentia est nota, et prima pars antecedentis patet per beatum Augustinum 15 *De Trinitate*, c. 26 ubi dicit:"essentiam prestat Filio sine initio generatio,"[i] et Richardum 6 *De Trinitate*, c. 23[84] dicit "quod Pater quidquid habet, a semetipso habet," et "Filius a Patre accepit quidquid ab eterno habuit." Ex quo sequitur "quod plenitudinem sapientie, bonitatis, et cuiuslibet perfectionis accepit a Patre."[ii]

[§ 4] Secunda pars antecedentis patet, quia si tante se communicaret ad extra sequeretur quod creatura esset Deus, et secundum quamlibet perfectionem divinam immensa, quod est impossibile.

[§ 5] Notandum quod multipliciter est ymaginabile Deum tante se posse ad extra quante ad intra communicare.

[§ 6] Uno modo Deus tante communicaret se ad extra sicut[85] ad intra, si alicui rei ad extra intrinsece et formaliter communicaret totam plenitudinem deitatis et esse divinum, et[86] ut sic omnimode tante sive tantissime communicaret se ad extra quante ad intra.

[§ 7] Secundo modo: Deus tante communicaret se ad extra quante ad intra, si Deus ad extra produceret aliquem effectum infinitum magnitudine vel multitudine vel virtute.

[§ 8] Tertio modo est hoc ymaginabile : quantum ad mensuram temporis vel eternitatis, sicut si Deus ab eterno produxisset aliquam creaturam, tunc quantum ad eternitatem productionis tante communicasset se ad extra quante ad intra.

[§ 9] Quarto modo est hoc ymaginabile: si Deus crearet aliquam creaturam supremam vel aliquam speciem supremam omnium creabilium qua non posset ad extra producere superiorem et perfectiorem, sicut non potest producere ad intra rem perfectiorem Filio vel Spiritu Sancto.

[§ 10] Quinto modo si ad extra produceret tria supposita eiusdem essentie.

[§ 11] Sexto modo est hoc ymaginabile ex perfectione actuum quibus se communicat ad extra et ad intra.

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[83] negativam] arguitur sic *add. et del.*
[84] 23] 33 *ms.*
[85] sicut] quante *a. c.*
[86] et] ut *a. c.*

[§ 12] In quolibet illorum modorum sunt maxime difficultates et oppiniones contrarie inter doctores. Questionem igitur sub aliquibus illorum modorum decidam, aliquos vero modos magistris meis post me responsuris dimittam.

[§ 13] Henricus de Hassia. Nota quod quidam dicunt quod Deus potest omnem denominationem perfectionis simpliciter ad extra communicare, sed non omnem modum habendi ipsam, sicut 'independenter a nullo habere immense,'[87] que sunt[88] modi habendi perfectionem et non perfectiones.

[§ 14] Alii dicunt quod non, quia dicunt quod aliqua sit proprietas specifica que consequitur Deum, que nullo alteri sit communicabilis, sicut risibilitas hominem.

[§ 15] Item quidam dicunt quod[89] omnem perfectionem simpliciter potest Deus communicare in sensu diviso[90] quia illam potest et illam potest et sic de aliis, sed impossibile est quod omnes simul, et illa est loycalis.

[§ 16] Item, si Deus communicaret se ad extra sicut ad intra, vel hoc esset libere vel naturaliter. Non libere, quia tunc posset etiam tale ens destruere. Si naturaliter, tunc illud ens produceret etiam unum aliud naturaliter, et illud iterum aliud et sic essent infinita, quod esset inconveniens dicere.

[§ 17] Item, si posset se ad extra etc. sequeretur quod potentia Dei esset exhausta, quod non est dicendum. Henricus de Hassia.[91]

[§ 18] **Conclusio prima**.[92] Hiis igitur premissis sit prima conclusio ista: quamquam Deus communicaverit se[93] ad intra secundum totam plenitudinem deitatis et cuiuslibet perfectionis essentialis, ipsum tamen alicui rei ad extra tante essentiam suam intrinsece communicare vel etiam alicuius sue proprie perfectionis denominationem est simpliciter impossibile.

[§ 19] Prima pars illius conclusionis patet per rationem post oppositum ubi ad hoc allegate sunt auctoritates sanctorum.

[§ 20] Secunda pars simpliciter patet per rationem post oppositum, quia si tante posset Deus essentiam suam communicare ad extra, sequeretur quod creatura posset esse Deus. Consequentia tenet ex hoc quia essentia divina est tante communicata ad intra Filio et Spiritu Sancto quod uterque ipsorum est Deus, et habet esse divinum, ille a Patre et Patris generatione, ille a Patre et Filio, et Patris et Filii[94] spiratione, et ex illo patet tertia pars conclusionis. [f. 7r]

[§ 21] Primum corollarium: licet Pater gignendo Filium communicet sibi esse divinum, essentia tamen divina nec gignit nec gignitur in aliqua persona.

[§ 22] Prima pars corollarii sequitur ex prima parte conclusionis.

[§ 23] Secunda pars patet per determinationem Ecclesie contra Joachim, et pro magistro que pronitur *Extra*, *De summa Trinitate*, capitulo "Dampnamus."[iii]

[§ 24] Secundum: nulla creatura est capax tocius plenitudinis deitatis et cuiuslibet perfectionis essentialis Dei immensitatis.

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[87] immense] etc. *add. et del.*
[88] sunt] de *add et del*.
[89] quod] Deus potest *add. sed del*.
[90] diviso] sed *add. sed del.*
[91] Henricus de Hassia. Nota - Dicendum. Henricus de Hassia] *add. in marg.*
[92] conclusio prima] *in marg. sin.*
[93] se] *sup. l.*
[94] Filii] spiratione *add. et del.*

[§ 25] Tertium corollarium: quamquam[95] divina essentia sit alicui creature per unionem ypostaticam communicata, ista tamen creatura per eam non est infinita[96] perfectione sublimata. Prima pars corollarii patet, quia natura divina est communicata[97] unione ypostatica humanitati Christi que est creatura. Secunda pars patet, quia nec essentialiter est infinite perfecta, nec etiam accidentaliter, cum eius caritas qua diligit Deum sit finita.

[§ 26] **Secunda conclusio**: quamvis Deus potuerit mundum vel aliam rem ab eterno creative producere, impossibile tamen est ipsum mundum vel aliam rem creatam facere ab eterno fuisse.

[§ 27] Prima pars conclusionis probatur, quia si Deus non potuit aliquam creaturam ab eterno producere, igitur talis inpotentia fuit ex parte divine potentie productive, vel ex parte creature. Non primum, cum potentia divina equaliter fuerit potens ad creandum[98] ab eterno sicut nunc. Nec potest dici secundum; probatur, quia, si fuisse ab eterno repungnaret creature, vel secundum se, vel in ordine ad agens. Nullum istorum est dicendum, igitur etc.

[§ 28] Secunda pars conclusionis patet, quia impossibile est quod Deus rem que habet esse post non esse faciat ab eterno fuisse cum ipsam non ab eterno fuisse iam transiverit in preteritum.

[§ 29] Corollarium primum: licet Deus potuerit se tante communicare ad extra sicut se communicavit ad intra quantum ad mensuram temporis vel eternitatis, impossibile tamen est nunc secundo modo tante se communicare ad extra sicut ad intra. Prima pars corellarii sequitur ex prima <parte> conclusionis, et secunda ex secunda.

[§ 30] Secundum: quamvis mundum vel aliam rem creatam fuisse ab eterno sit pro nunc impossibile, tamen aliquam rem esse creatam et ipsam fuisse ab eterno non includit apparenter nobis repugnantiam.

[§ 31] Prima patet, quia eius oppositum est pro nunc necessarium eo quod transiverit in preteritum, et sequitur ex secunda parte conclusionis.

[§ 32] Secunda pars patet ex prima parte conclusionis et eius probatione.

[§ 33] Tertium: non est de ratione factionis si aliquid fit vel factum est ipsum incipere vel incepisse esse, illud sequitur ex precedentibus.

[§ 34] **Tertia conclusio**: licet actu convenienti cuilibet persone divine Deus communicet se ad extra creature, non tamen quolibet actu quo ad intra producit potest se ad extra[99] taliter et distincte communicare.

[§ 35] Prima pars illius conclusionis est manifesta, quia ad cuiuslibet creature productionem vel conservationem vel quemlibet eius actum concurrit effective Deus essentialiter et tota Trinitas personaliter, igitur prima pars vera.

[§ 36] Secunda pars probatur, quia alias Deus posset se habere ad extra respectu alicuius creature spirative, sic quod non aliter productive; quod non videtur possibile, quia alias terminus productus esset ea ratione qua in divinis Spiritus Sanctus. Similiter est de actu generationis Dei ad intra quem non potest exercere ad extra ita quod illo actu constituatur ad extra aliquis naturalis et verus Filius Dei.

[§ 37] Primum corollarium: quod Deus in quolibet effectu tante et amplius communicat ad extra quam ad intra, quantum ad res effective ad productionem effectuum ad extra

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[95] quamquam] divina *add sed del.*
[96] infinita] perfectionis *add. sed del.*
[97] communicata] cum *add. sed del.*
[98] creandum] ab *add sed del.*
[99] ad extra] *add sup. l.*

concurrentes. Illud patet[100] ex prima parte conclusionis, quia quilibet actus quo Deus communicat se[101] ad extra convenit cuilibet persone et cum hoc essentie divine. Sed nullus actus quo communicat se ad intra convenit formaliter essentie divine etiam aliquis actus est quo communicat se ad intra qui non convenit cuilibet persone divine formaliter nec active nec passive, sicut generare vel generari non convenit Spiritui Sancto quia neque generat neque generatur et sic patet corollarium.[102] [f. 7v]

[§ 38] Secundum: quamvis potentia producendi ad intra sit perfectio simpliciter, non tamen ille qui sic potest producere isto qui non potest producere est perfectior vel omnipotentior aliqualiter.

[§ 39] Prima pars illius corollarii probatur, quia potentia producendi est essentia divina saltem ydemptice que est perfectio simpliciter.

[§ 40] Secunda pars patet, quia Pater vel Filius non est perfectior Spiritu Sancto.

[§ 41] Tertium: opinio Arii ponens Deum habere ad extra verum et naturalem Filium est impossibilis.

[§ 42] Ex hiis patet quid sit dicendum ad questionem.

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[i] Augustinum – generatio] AUGUSTINUS HIPPONENSIS, *De trinitate libri XV*, 15, c. 26, 47, ed. W. J. MOUNTAIN, F. GLORIE (*CCSL*, 50, 50A), Turnhout, 1968, p. 528, l. 103.

[ii] Richardum – a Patre] RICHARD DE SAINT-VICTOR, *De Trinitate, texte critique avec introduction, notes et tables*, 6, c. 23, ed. J. RIBAILLIER, (Textes Philosophiques du Moyen Age, 6), Paris 1958, pp. 261-262, ll. 28-31

[iii] *Extra* – Dampnamus] *Corpus Juris Canonici,* Decretales Gregorii IX, lib. 1, tit. 1, cap. 2, ed. E. FRIEDBERG 1959, vol. 2, col. 6.

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[100] patet] patet *iter. sed del.*

[101] se] Deus *add. sed del.*; communicat se *trs. p. c.*

[102] Vacat: Esto quod Deus posset producere tria supposita eiusdem essentie ad extra, impossibile tamen est Deum tante se intrinsice illis quante se ad intra communicat, communicare. Illud corollarium sequitur ex secunda parte prime conclusionis et secundo corollario eiusdem] *add. in marg.*