

356. Oxford, Bodleian Library, Bodley 311 (2122)

Latin Penitentials
[Ker 307, Gneuss 565]

HISTORY: A collection of penitential texts stemming from Irish, A-S, and Frankish traditions, assembled and ordered as a single anthology (Frantzen 1983: 37). The script in the manuscript is a form of caroline minuscule that may be English or continental. The manuscript's origins may have been in north or northwest Francia from the second half of the 10c; however, T.A.M. Bishop found the same hand in four other manuscripts, some with early English provenances and perhaps origins; Bishop finds the main scribe of Bodley 311 in the primary texts of Worcester Cathedral Library Q.8 ff. 165–72 + Add. MS 7 ff. 1–6, El Escorial, E.II.1 [129a], Rouen Bibliothèque Municipale U. 107 (1385) ff. 20–26 [444], and in the Latin and OE glosses on CCC 285 [46] (Bishop 1971: xxv, 18). Dumville (1993: 53–56) accepts this identification of scribe across these manuscripts, though he does not find the evidence for the glossing in CCC 285 convincing, thus making the case for an English scribe less secure. The scribe of Bodley 311—who names himself 'John' in the colophon ('IOHANNES ME SCRIPSIT' on f. 85r)—may have worked in a Frankish scriptorium whose books were imported into England in the late 10c or early 11c. Frantzen (1983: 37) suggests that Bodley 311 could have been designed for export to England. The book may have come to Worcester, where its fellow, Worcester Cathedral Library Q.8, was located in the 12c (Gameson 1996: 242), though Conner suggests that Bodley 311 was in Exeter in the 10c (1993: 20, but cf. Gameson 1996: 152). A partly erased OE inscription on f. 1r in a late 10c or early 11c Anglo-Saxon square minuscule links the manuscript to a house dedicated to St Mary. A single OE gloss was added in the early 11c (f. 1r, 'eorðe' for 'terra').

Though there is no evidence that the book was in Exeter earlier and it cannot be found in Leofric's donations or inventory, Bodley 311 was in Exeter before the second quarter of the 14c, as the Exeter library inventories of 1327 and 1506 have entries identifiable with Bodley 311 (Oliver 1861:

304 and 368; Ker, *Cat.*; Conner 1993: 8). The manuscript was refurbished in 1411–12 and chain anchorages, likely from the medieval Exeter library, are now covered by the early 17c recovering (Clarkson 1996: 169–74). The book was part of the foundation gift of 81 manuscripts given to the Bodleian Library by the Dean and Chapter of Exeter in 1602; Thomas Bodley's brother Lawrence was a canon of Exeter and may have induced this gift (Philip 1983: 18). An early modern clip staple in the upper board indicates the book was chained in the Bodleian in the 17c. The book was rebacked in 1956 (Clarkson 1996: 169–74).

CODICOLOGICAL DESCRIPTION: iv + 85 + iii. First and last binding leaves crinkly and worm-eaten. Main text block parchment is suede-like and yellowed, with some staining in the first half of the book. Leaves 354 × 178 mm., making for a book that has a pronounced oblong, rectangular shape. The quires are generally eights; skins are finely prepared, often making hair and flesh sides hard to distinguish, but generally arranged HFHF, except quires III (HHFF) and V (HFFF). Original medieval quire signatures at bottom center verso of last leaf in quires 'a–k'.

The binding leaves at the beginning and end of the book may be pre-Conquest. The first binding leaves are foliated 'i-iv (ult.)' in pencil, then in the upper right recto corner of each leaf, an older ink foliation runs '1–86' with subsequent leaves foliated '86–88 (ult.)' in pencil. There is currently no pastedown, with bare wood exposed except where the cover wraps around. Sticker in top left corner of inside cover with 'S.C. 2122' and pencil 'Bodl. 311' center top. A former pastedown remains as the first flyleaf, very brittle, stained and worm-eaten parchment with green rust holes where the two clasps (now lost from the front) were nailed. The bottom center has been patched with later parchment, over a rusty corrosion from a chain anchor. The second flyleaf is in better condition, still patchy with stains and with a large rust-eaten hole at bottom center and a large ink 'B' at center page. The next two flyleaves are from the same gathering, stiff, but not as damaged. Traces of paste and wood on f. i recto, and an A-S unfinished sketch of legs and a torso on f. i verso. To f. iv verso is taped a UV photo of the top of f. 1r, making slightly clearer the erased OE inscription on f. 1r (see below). At the back, ff. 86–88 were original flyleaves and pastedown, with ink sketches of bearded heads and pentrial 'abc's of the 11c or 12c on f. 88r. As with f. i recto, f. 88v has traces of glue and wood from its original position, pasted on the back board.

The leaves of the main text block are lightly ruled in dry-point for a text grid of 254 × 111 mm., with 25 (quires I–VIII) or 26 (quires IX–XII)

long lines per page. Nine-millimeter-wide double bound columns on each side of the text grid. Prickings visible in the fore-edges of each leaf and on the top and bottom edges for the double bounds. Upper margins of about 44 mm., outside margins of about 30 mm., and a bottom margin of about 64 mm., with each line of text about 10 mm.

The script is a caroline minuscule described as “continental” by Ker (*Cat.*) and others (Conner 1993: 8 and 17; Körntgen 1993: 91; Meens 1994: 236–37; Kottje 1994: xxxviii), but seen as English by Bishop, Dumville, Bischoff and others (Bishop 1971: 18; Dumville 1993: 54–55; Bischoff p.c. in Bloch et al. 1992: 793; Gameson 1996: 240). Drage and Cubitt strike a balance, suggesting an English scribe on the continent (Drage 1978: 399; Cubitt 2006: 59). The ink is a dark and sharp black. Headings in red rustic capitals, with initial capitals in black with red infill, or just in red. Section numbers also in red. Later correcting hand also in caroline minuscule, smaller, sometimes interlinear and sometimes marginal, with insular insertion marks at ff. 31r, 32v, 73v for larger corrections. The OE inscription is added on f. 1r at top center in a small 10c A-S square minuscule and the OE gloss is in an early 11c vernacular minuscule.

Bound with original oak boards and sewing with whittawed sheepskin covers blind tooled in crosshatch with a very worn floral motif at center of each diamond; covers from c. 1600 rebinding. Rebacked in light leather, now yellowed. Sewn in three original stations, with endbands sewn in a late medieval style, suggesting they were done in the early 15c refurbishment (Clarkson 1996: 172).

COLLATION: iv+85+iii: i⁴ f. i appears to be a former pastedown now lifted (ff. i-iv); I-III⁸ (ff. 1–24, signatures ‘a’-‘c’); IV⁸ 3 and 6 half-sheets (ff. 25–32, signature ‘d’); V⁸ (ff. 33–40, signature ‘e’); VI⁸ 3 and 6 half-sheets (ff. 41–48, signature ‘f’); VII⁸ 2 and 7 half-sheets (ff. 49–56, signature ‘g’); VIII-X⁸ (ff. 57–80, signatures ‘h-k’); XI⁵ 4 half-sheet (81–85, no visible quire signature); ii²⁺¹ f. 88 is a half-sheet, former pastedown, mounted with the final bifolium (ff. 86–88 (ult.)).

CONTENTS:

[Note: ff. i recto-iv recto not shown on film. The first image is of the UV photo of the top part of f. 1r, pasted to f. iv verso.]

f. i recto, modern pencil, center ‘MS Bodl. 311’

f. i verso, old shelfmark top center of the leaf ‘IE | G. 8. 7’ ink; lower on the folio center pencil ‘MS Bodl. 311’; just above and left of the higher older shelfmark is the inked name ‘Wulf’; just below the higher older

shelfmark is a faint sketch (11c?) of a torso and legs. Lower left margin, alphabetic penitential ‘abcdeff’

f. ii recto, in the center of the leaf is an ink capital ‘B’

ff. ii verso–iv verso, blank, except for a penitential top center of f. iv (ult.) recto and perhaps an erasure mid-top of iv verso, and the pasted in UV photo of f. 1r

Collection of penitentials (described by Körntgen 1993: 91–98)

1. *Iudicia Theodori G* (“*Canones Gregorii*”) and Gregory and Augustine of Canterbury’s “*Libellus Responsum*”:

a. ff. 1r–5r/19 capitula of the “*Iudicia Theodori*”: **INCIP(IT) PENITENTIALE S(AN)C(T)I GREGORII | PAPE URBIS ROME IN P(RI)MIS CAPIT(ULA) | ‘i De ordinatione ep(iscop)i’; ends: ‘ccxiii’ i’ De eo q(ui) manducat & postea co(m)mu(n)icat’;**

OE Content: f. 1r (top) mostly erased added inscription in OE before and after ‘s(an)c(t)a marian for’; left in next line is: ‘hys gemæccan.’ (see Ker, *Cat.*, 360 for details, a UV photo of the top of f. 1r is attached to the facing flyleaf); f. 1r/25, ‘terra’ followed by gl. ‘eorðe.’

b. f. 5r/20–5v/18 capitula for Gregory the Great and Augustine of Canterbury’s “*Libellus Responsum*”: **INCIP(IT) INT(ER)ROGATIO S(AN)C(T)I AUGUSTINI EP(ISCOP)I | ‘i De ep(iscop)is qualiter debent in eccl(esi)a agere. . . xviii Resp(onsionum) g(re)g(orii) de ipsa inlusiones omni’;**

c. ff. 5v/19–20r/4 “*Iudicia Theodori G*” (“*Canones Gregorii*”): **INCIP(IT) EXK(ERPTU)M [sic] S(AN)C(T)I GREGORII PAPE URBE | ROME DE DIUERSIBUS CRIMINIBUS | ‘i In ordinatione(m) ep(iscop)i ipse deb& | missam cantare’; ends: ‘Qui manducat & postea co(m)mu(n)icat \ dies pen(i)t(eat)’ (as Finsterwalder 1928: 253–70; cf. Schmitz 1958: 523–42);**

d. ff. 20r/5–33r/5 attributed to Gregory the Great and Augustine of Canterbury, “*Libellus Responsum*”: **INTERROGATIO BEATI EP(ISCOP)I CANTORIORU(M) [sic] | AUGUSTINI ECCLESIE. | ‘i De epi(scop)is qualiter cum suis clericis | conuersent(ur)’; ends: ‘liber ex iustitia. qua(m) diligit captiuus ex delectatione qua(m) portat inuitus’ (cf. Colgrave and Mynors 1969: 78–102; see Meyvaert 1971 on the versions and pre-Bedan textual history of the “*Libellus*”).**

2. A collection of penitential texts and excerpts arranged as a single collection of 223 canons, including the “*Poenitentiale Cummeani*”, excerpts from the “*Poenitentiale Remense*”, an excerpt from the “*Iudicia Theodori U*”, and the “*Poenitentiale Oxoniense I*”:

- a. ff. 33r/6–37v/4 capitula for the collection: **INCIP(IT) S(AN)C(T)I BASILII PENITENTIALE AD COMIA|NI LONGII DE REMEDI-
IS.** | ‘i Animarum uulneru(m)’; ends: ‘ccxxiii De carne morticina (ve)| sanguine(m)’ [sic];
- b. ff. 37v/5–38v/14 [“Prologue to the ‘Poenitentiale Cummeani”]: **INCIP(IT) S(AN)C(T)I BASILII PENITENTIALE | AD CUMIANI LONGII** | ‘i De remediis uulneru(m) s(e)c(un)d(u)m prior(um) patru(m) | diffini’s ‘[i]ones dicturi sacri tibi eloq(ui)’; ends: ‘co(m)misit alicitis lic& cohercere se debuit’ (coll. Bieler 1963: 108–10, Cod. E);
- c. ff. 38v/15–50v/12 [main text of the “Poenitentiale Cummeani” = items ‘ii-cxli’]: ‘ii Incipit de gula Inebriati igit(ur) uino | siue ceruisa contra interdictu(m) | saluatoris ap(osto)liq(ue)’; ends: ‘ut illor(um) | meritu(m) tua sit mercis. & illor(um) | salus tua sit gl(ori)a’ (coll. Bieler 1963: 110–34, Cod. E);
- d. ff. 50v/12–55r/14 excerpts from the “Poenitentiale Remense”: ‘cxlii | Ite(m) de modis penitentię. Sciendu(m) uo(s) | e(st) quantu(m) q(ui)s te(m)pore morat(ur) in pec(catis)’; ends: ‘q(ui) aut(em) | consenserit .v. an(nos) pen(itea)t’ (coll. Asbach 1979: 10–46, Cod. O);
- e. ff. 55r/15–56r/8 excerpts from “Iudicia Theodori” (U II.5.1–4, 6–10): ‘clxxi | Ite(m) de alio penitentie q(ui) p(er)uiriu(m) | fecerit . . . cui n(on) lic& | (ve)l n(on) uult co(m)munione(m) accip(er)e’ (as Finsterwalder 1929: 318–19).
- f. ff. 56r/8– 62r/8 “Poenitentiale Oxoniense I”: ‘clxxx | Ite(m) de diuersis criminib(us) diuersaru(m) | culparu(m) diuersitate(m) fac(it) peniten|tiaru(m)’; ends: ‘ita p(re)ceper(unt) ap(osto)li ut abstinerent se | a fornicatione(m). & a suffocationem | a sanguine & ad omne(m) ido(lo)latria. am(en) d(e)o gra(tia)s’ (ed. Kottje et al. 1994: 89–93).
- [Note: On f. 57v, in the right margin of lines 5–7, there is added text that has faded or worn away, and it appears that subsequently a reagent was applied to bring out the lost writing. It remains nearly impossible to read, though insular letter forms may be present (in what might be ‘for’ at the end of the second line of the addition) and thus may have been in OE. Neither UV nor bright light reveals anything more.]
3. ff. 62r/9–64v/13 Pseudo-Jerome, epistola supp. 12: “De septem ordinibus ecclesiae” (CPL 633): **INCIPIT OPUSCULA S(AN)C(T)I HERONIMI | PR(ES)B(ITER)I AD DAMASCU(M) PAPA | ‘SEXtus senior(um) ordo (est)’;** ends: ‘ut in cul|mine te(m)pli nobiscu(m) p(er)manere|ant(ur)’ (ed. Kalff 1935: 45. 1–57.16; as PL 30.155–57).
4. “Poenitentiale Oxoniense II”:
- a. ff. 64v/13–70r/10 Prologue: **INCIP(IT) CONCILIO PENITENTIAE | HAEC EST QUI IUDICAUER(UNT) .CCC.XVIII. | S(AN)C(T)I**

PATRES EP(ISCOP)I IN CONCILIO NICENO. | PER AUCTORI-
TATE D(OMI)NI N(OST)RI IE(S)U | CHR(IST)I QUI POST BAP-
TISMO | PECCAUERUNT. ORATIO | 'Exaudi d(omi)ne supplicu(m)
p(re)ces . . . miseraciones absolut. p(er).' CONFESSIO 'Culpau
cora(m) d(e)o'; ends: 'q(ui) in duritia(m) cordis | p(er)seuerauer(unt)
& n(on) accedunt ad | p(eni)tentia(m)' | EXPLICIT PROLOGUS (ed.
Kottje et al. 1994: 179–88);

b. ff. 70r/10–71v/14 INCIPIT CA\PI\TULA | 'i De eo q(ui) habent uxores
& fornicauerint . . . lxxv Qui odit fratre(m) suu(m) in corde suo' | EX-
PLICIT CA\PI\TULA (ed. Kottje et al. 1994: 189–90);

c. ff. 71v/14–85r/17 (main text) INCIP(IT) LEGIS | 'i De eis q(ui) habent
uxores & fornicau(er)int | c(on)fitentib(us)'; ends: '& quando | odio
nutriuit in corde suo tam|diu & peniteat.' IOHANNES ME SCRIPSIT.
(ed. Kottje et al. 1994: 190–205).

[Note: Space for a few words cut out from f. 73/3, perhaps at time of making book.
Remainder of f. 85r and all of ff. 85v–87v blank. F. 88 (ult.) recto blank but for
sketches of two bearded heads and alphabetic penitentials.]

PHOTO NOTES:

Ff. i recto–iv recto, 88 (ult.) verso not photographed. The first image is of a
UV photo detail pasted to f. iv verso. Opening ff. 48v–49r shown twice with
a gap between the images; two shots of ff. 64v–65r, 72v–73r.

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