

The University of Naples and the Organisation of Official Culture

La Universidad de Nápoles y la organización de la cultura oficial

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Abstract: The emperor Frederick II of Hohenstaufen created the University of Naples in 1224, but we do not have the foundation charter; we have only a circular letter in which he invites students to come to Naples. We do not know, in fact, if there was a formal institutional act or if certain statutes or decrees were issued. In any case, the circular letter of invitation is particularly important for two reasons. The first is that Frederick declares in an absolutely new way that culture generates riches and nobility. The second is that the circular letter is transmitted from the collection of epistles attributed to Petrus de Vinea, the protonotary, head of the imperial chancery. The epistles attributed to Petrus de Vinea were a formidable instrument of propaganda not only because of their vigorously effective ideological content, but also because of their extraordinary style. This style was an impressive “symbol of power” demonstrating to the world Frederick’s renewed imperial authority. At the same time, the University of Naples was

Resumen: El emperador Frederick II de Hohenstaufen creó la Universidad de Nápoles en 1224, pero no tenemos el documento fundacional; sólo conservamos una misiva en la que se invita a los estudiantes a ir a Nápoles. No sabemos, de hecho, si hubo un acto institucional o si determinados estatutos o decretos fueron establecidos. En cualquier caso, la carta de invitación es particularmente importante por dos razones. La primera es que Frederick declaró, de forma novedosa, que la cultura generaba riqueza y nobleza. La segunda es que la circular se transmitió desde la colección de epístolas atribuidas a Petrus de Vinea, el protonotario, cabeza de la cancillería imperial. Estas epístolas fueron formidables instrumentos de propaganda no sólo por su vigoroso contenido ideológico, sino también por su extraordinario estilo. Este estilo fue un impresionante “símbolo de poder” que mostró al mundo la renovada autoridad imperial de Frederick. Al mismo tiempo, la Universidad de Nápoles pudo proveer a la monarquía con

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able to provide monarchs with a wide choice of people of excellent education, essential for the administration of the state, which was being organized more and more centrally.

Keywords: University of Naples, Frederick II of Hohenstaufen, Petrus de Vineia, medieval epistolography, *ars dictaminis*.

un amplio abanico de personas de excelente educación, esencial para la administración del estado, que fue administrándose cada vez de manera más centralizada.

Palabras clave: Universidad de Montpellier, medicina, profesiones medicas, herejía, traducciones árabes, Edad Media.

We have detailed information on the foundation of the University – or rather the *Studium* – of Naples but at the same time uncertain dates. It was created in 1224 by emperor Frederick II of Hohenstaufen, but we do not have the foundation deed. All we have is a circular letter in which the emperor, in peremptory terms, invites students to come to Naples before 29th September (date of the Feast of St Michael)¹.

The truth is that we do not know whether there was a formal institutional act or if definite statutes or decrees were issued, as was usual with the public institutions of the time, though it is possible that these documents have been lost. Furthermore, the traditional textual style of the circular letter of 1224 is complex. Together with another three letters on the subject of universities, it has come to us mainly from the widely-circulated collection of letters attributed to Petrus de Vineia, the protonotary, head of the imperial chancery². This means that the epistle, which is extremely elegant from a stylistic point of view, was made a model of rhetoric for the teaching of *ars dictaminis*. This, probably, is why it has not been lost and has come down to

¹ The documents of the Swabian period relative to the University of Naples were collected and edited in Fulvio Delle Donne, *Per scientiarum haustum et seminarium doctrinarum. Storia dello Studium di Napoli in età sveva* (Bari: Adda, 2010); the book reprints the article “Per scientiarum haustum et seminarium doctrinarum: edizione e studio dei documenti relativi allo Studium di Napoli in età sveva,” *Bullettino dell’Istituto storico italiano per il medioevo* 111 (2009): 101-225. The present paper has been translated by Roy Boardman.

² On the collection of letters attributed to Petrus de Vineia and his problems, Hans Martin Schaller, “Zur Entstehung der sogenannten Briefsammlung des Petrus de Vineia,” *Deutsches Archiv für Erforschung des Mittelalters* 12 (1956): 114-159, reprinted in Hans Martin Schaller, *Stauferzeit. Ausgewählte Aufsätze* (Hannover: Hahnsche Buchhandlung, 1993), 225-270; Hans Martin Schaller, “L’epistolario di Pier della Vigna,” in *Politica e cultura nell’Italia di Federico II*, ed. Sergio Gensini (Pisa: Pacini, 1986), 95-111, reprinted in German in Schaller, *Stauferzeit*, 463-478; Hans Martin Schaller, *Handschriftenverzeichnis zur Briefsammlung des Petrus de Vineia* (Hannover: Hahnsche Buchhandlung, 2002); and Fulvio Delle Donne, “Autori, redazioni, trasmissioni, ricezione. I problemi editoriali delle raccolte di dictamina di epoca sveva e dell’epistolario di Pier della Vigna,” *ArNoS. Archivio normanno-svevo. Testi e studi sul mondo euromediterraneo dei secoli XI-XIII* 2 (2009): 7-33. See also the edition edited by Edoardo D’Angelo, Fulvio Delle Donne and others (Ariano Irpino - Soveria Mannelli: Rubbettino, 2014).

us; but it is for the same reason, since it was altered in its form as a public act, that certain information contained in the protocol and in the eschatocol, such as names and dates, has been removed.

In the case of this letter, unusually and differently from the other documents of the Swabian chancery which became rhetorical and literary models, it has also come down to us in a chronicle, that of Richard of San Germano³. It is possible that Richard too – one of Frederick's notaries – knew of it because of the perfection of its style; however, when he copied it in one of the two versions in his chronicle, he retained most of its historical aspects. In fact, he retained the date, but unfortunately the two versions are contradictory. The most important version of the chronicle, contained in the ms. of Bologna, Archiginnasio, A 144, ff. 134v-135v, ends with the following information: "Datum Siracusie, V Iunii, XII indictionis", which seems to indicate with certainty that the letter was issued in Syracuse on 5th June 1224 (12th indiction). However, the matter is complicated by the fact that, in the immediately preceding part of the same document, Richard introduces the act with the words (f. 134v): "mense Iulii dominus Imperator generales per Regnum litteras dirigit in hunc modum"; "in the month of July the emperor sends a general letter to the Kingdom with these words"⁴.

The confusion of *iunii* and *iulii* is undoubtedly due to a simple copying error which is easily explained in palaeographic terms. But which of the two dates is an error and who made it? The manuscript can be dated as mid-14th century⁵, suggesting that the error was made by the copyist. Initial information before the document is inserted immediately after the following: "mense iunii in festo sanctorum Iohannis et Pauli summitates everse sunt novorum murorum Sancti Germani", that is: "in the month of June, on the day of the feast of St John and St Paul, the tops of the new wall of St Germano

³ Ryccardus de Sancto Germano, *Chronica*, ed. Carlo Alberto Garufi (Bologna: Zanichelli 1936-1938; *R.I.S.*², 7/2), 113-116. As the edition of the work by Riccardo di San Germano is not considered impeccable, the text of the letter – as will be made explicit – has been checked against the ms. (Bologna, Archiginnasio, A 144) containing its first draft (the only one which mentions the document). On the inaccuracies in the edition by Garufi, see Marino Zabbia, *Notai-cronisti nel Mezzogiorno normanno-svevo* (Salerno: Laveglia, 1997), 77-87; Edoardo D'Angelo, *Storiografi e cronologi latini del Mezzogiorno normanno-svevo* (Napoli: Liguori, 2003), 163-172.

⁴ Ryccardus de Sancto Germano, *Chronica*, 113: after checking against the ms. (Bologna, Archiginnasio, A 144, f. 134v), "generalem" was corrected to "generals".

⁵ See Giuseppe Mazzatinti - Albano Sorbelli, *Inventari dei manoscritti delle Biblioteche d'Italia*, XXX (Firenze: Olschki, 1924), 68; *Ignoti monachi cisterciensis S. Mariae de Ferrara Chronica et Ryccardi de Sancto Germano Chronica priora*, ed. Augusto Gaudenzi (Neapoli: Giannini, 1888), 1-3; Ryccardus de Sancto Germano, *Chronica*, XXXVIII-XL.

were knocked down”, this wall evidently having been built without imperial authorisation. Since the feast of the St John and St Paul is on 29th June, it seems impossible for the later note to be backdated to 5th June; it is more likely that it should refer to the later date of 5th July, as in the manuscript.

Furthermore, the other version of the chronicle, contained in the ms. of the Abbey of Montecassino, 597, which is definitely to be considered the original but which does not contain a transcription of the document, carries the same information: “Mense iunii summitates murorum Sancti Germani noviter reparate solo sternuntur. Mense iulii pro ordinando studio Neapolitano imperator ubique per Regnum mittit litteras generales”⁶.

In terms of a philological reconstruction, it is therefore plausible that the date of the foundation circular of the university is July 1224. From the institutional and administrative point of view, however, it might also be likely that the correct month was June. In another letter of similar content, probably of 1225, Frederick II allows for a period of four months to act on his orders. For this reason, if the period of four months was an administrative matter, the letter of 1224 can also be dated to June, assuming that courses were to begin on 29th September). In other words, there can be no certainty.

Having discussed the question of the precise date, we return to that of the formal nature of the letter. As we have seen, the 1224 circular is extremely refined in its rhetoric, with elegant rhetorical features and rhythmical sequences of *cursus*; it was for this reason that it was used as the basis for the composition of similar letters relative to the institution of the universities of Prague and Lleida⁷.

The rhetorical-literary aspect is by no means a secondary consideration because it is fundamental for the definition of the official culture that Frederick II made a point of organising by means of the institution of the University of Naples. It was needed to characterise a style which was presumably, in fact had to be recognisable: it declared not only the identity of the sender, but also his majesty and magnificence.

⁶ Ryccardus de Sancto Germano, *Chronica*, 113.

⁷ For a rhetorical and stylistic analysis of this document and information on its author (generally recognised as being Petrus de Vineia, though this is still open to discussion) see Fulvio Delle Donne, “La fondazione dello *Studium* di Napoli: note sulle circolari del 1224 e del 1234,” *Atti dell’Accademia Pontaniana* N. S. 42 (1993): 179-197. On its re-use for other universities, see Fulvio Delle Donne, “The Charters of Foundation of Prague and Naples: The Models and their Reuse,” *Acta Universitatis Carolinae - Historia Universitatis Carolinae Pragensis* 55 (2015): 95-106; Fulvio Delle Donne, “Gli *Studia* di Napoli e Lleida: tradizioni retoriche e loro riuso tra Italia meridionale e Aragona,” in *Quei maledetti Normanni. Sudi offertri a Errico Cuozzo*, ed. J.M. Martin, R. Alaggio (Ariano Irpinio - Napoli: CESN, 2016), 313-324.

But this style is not something abstract which is to be found only on the level of institutional, political and for the purposes of propaganda. It is made up of syntactic structures, figures of speech, rhythmical structures created by writers and by cultural contexts which are rather complex. In fact, in a chancery letter the purely rhetorical and literary aspect is as important as its political and institutional purpose. Indeed, the epistles of the Swabian period are some of the most interesting texts of the 13th century. It is true to say that, in central and southern Italy, these texts are the most important literary production, certainly the most widely used and appreciated, despite the fact that our contemporary world is hard put to see any expression of literary culture in rhetorical treatises and their related exemplifying manuals.

Letter writing, however, was not only important for the literary elegance of its style; it was a tool used by the privileged to spread propaganda, especially on occasion of the violent conflicts which Frederick II, Gregory IX and Innocent IV had to deal with especially from 1239 on⁸; conflicts which make very clear how necessary it was to be in possession of the rhetorical and writing skills of high-level, and especially political and propagandistic, communication.

The *stilus supremus* which characterised it had been forged in the papal chancery of the 12th century and by the first half of the 13th century it reached its height with Thomas de Capua⁹. The *dictamen* developed there left its mark on all western chanceries, having considerable influence on the production of Barbarossa's imperial chancery¹⁰, perhaps through Cistercian preaching for the crusades or German episcopal documents¹¹. And the German chancery

⁸ See Hans Martin Schaller, "Endzeit-Erwartung und Antichrist-Vorstellungen in der Politik des 13. Jahrhunderts," in *Stupor Mundi. Zur Geschichte Friedrichs II. von Hohenstaufen*, ed. Gunther G. Wolf (Darmstadt: WBG, 1982), 418-448; this essay first appeared in *Festschrift für Hermann Heimpel zum 70. Geburtstag* (Göttingen: Vandenhoeck & Ruprecht, 1972), 924-947; later republished in Schaller, *Stauferzeit*, 25-52). See also Fulvio Delle Donne, "Il papa e l'anticristo: poteri universali e attese escatologiche all'epoca di Innocenzo IV e Federico II," *ArNos. Archivio normanno-svevo. Testi e studi sul mondo euromediterraneo dei secoli XI-XIII* 4 (2013-2014): 17-43.

⁹ On this character and his epistolary, see Emmy Heller, "Zur Frage des Kurialen Stileinflusses in der sizilischen Kanzlei Friedrichs II.," *Deutsches Archiv für Erforschung des Mittelalters* 19 (1963): 434-450.

¹⁰ Karl Halleiner, "Der Einfluß des Papsturkunde auf die Diplome der deutschen Könige im 12. Jahrhundert," *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 44 (1930): 40-43.

¹¹ See especially Engelbert Mühlbacher, "Kaiserurkunde und Papsturkunde," *Mitteilungen des Instituts für Österreichische Geschichtsforschung* Erg.-Bd. 4 (1893): 499-518; Heinz Zatscheck, "Über Formularbehelfe in der Kanzlei der älteren Staufer," *Mitteilungen des Instituts für Österreichische Geschichtsforschung* 41 (1926): 93-107; Halleiner, "Der Einfluß des Papsturkunde," 21-56.

had a determining influence on the early writing of Frederick II's chancery, above all when he lived in Germany (1212-1220)¹². The Norman chancery too – which, of course, laid the foundation for that of Frederick, above all during the years 1198-1212¹³ – used papal documents as models to be imitated¹⁴.

Great similarity between the style of the papal Curia and that of the imperial chancery is found, above all, in the precise construction of the introductory phrases, which are logically held together by recurrent conjunctions and nexus such as *ad hoc-ut, cum, licet-tamen, quoniam, quotiens, sicut-ita* and others¹⁵. However, it is the overall style and its structure that suggests total assimilation of the papal model by Frederick's chancery. What characterises the prose texts of both are, above all, their expansive, vertiginous syntax, whose labyrinthine convolutions tend to stun the reader, but which the writer never loses control of. And then, there is the richness of the figurative language, always present and often enhanced by recourse to formulae and expressions drawing mostly on sacred texts and the liturgy. And finally, we have the rhythmical construction of the sentences, which make extensive use of the *cursus*. The rhythmical character of the sentences in the documents was necessary in order to have their intended effect of the hearer, given the culture of the time, when diplomas and letters were read aloud – indeed, declaimed¹⁶.

The musicality of the prose, especially that of the introductory phrases, was achieved by syntactic construction, and above all by the frequent use of *cursus*¹⁷, both those with an analytic rhythm, which delimit and divide the

¹² In the previous and subsequent periods, however, these influences seem scarce. But some *formulae* of particular beauty were retained. See Hans Martin Schaller, "Die Kanzlei Kaiser Friedrichs II. Ihr Personal und ihr Sprachstil," *Archiv für Diplomatik* 4 (1958): 298, 301, 303.

¹³ See Gerhart Burian Ladner, "Formularbehelfe in der Kanzlei Kaiser Friedrichs II.," *Mitteilungen des Instituts für Österreichische Geschichtsforschung*, Ergänzungsband 12 (1933), 111-113; Schaller, "Die Kanzlei," 297-298.

¹⁴ See Karl Andreas Kehr, *Die Urkunden der normannisch-Sicilischen Könige. Eine diplomatische Untersuchung* (Innsbruck: Wagner, 1902), 239-243.

¹⁵ See Schaller, "Die Kanzlei," 307.

¹⁶ The first to discover that the rhythmic inflection in prose was not only theorised, but also used in papal bulls was Noël Valois, "Études sur le rythme des bulles pontificales," *Bibliothèque de l'École des Chartres* 42 (1881): 161-98 and 257-72. Later, others recognised such use in metrical clauses also utilized in the prose of ancient Latin and Greek. See also Wilhelm Meyer, "Die rythmische lateinische Prosa," *Göttingische gelehrte Anzeigen* 1893, later republished and expanded in Wilhelm Meyer, *Gesammelte Abhandlungen zur mittellateinischen Rythmik* (Berlin: Weidmann, 1905), II 236-286, which shows how accented rhythms similar to Latin were adopted in Greek medieval prose.

¹⁷ See Schaller, "Die Kanzlei," 320, in which one notes how expressive formulae were used to work on the mind and to create certain impressions and sensations.

individual tone groups, and those with a synthetic rhythm, whose function is the artistic division of sentences, parts of sentences and whole sentences¹⁸. It was the papal chancery which made us of rhythmical clauses, so much so that its style, mainly characterised by *cursus*, is known as the *stilus curiae Romanae*. And, by example of the curial *dictatores*, the use of *cursus* later fully characterised and identified the style of Frederick's chancery¹⁹.

The epistolary model of the papal chancery, which reached its height in the epistles of Thomas de Capua, was equalled, even improved, by Petrus de Vineia and – as it were – by his pupil Nicolaus de Rocca, who carried to an extreme the metaphorical and syntactic complexity employed by his master. The epistles written by Petrus de Vineia and the other *dictators* of the Swabian chancery were, therefore, used as a formidable instrument of propaganda not only because of their vigorously effective ideological content, but also because of their extraordinary style. This style was an impressive “symbol of power” demonstrating to the world Frederick's renewed imperial authority²⁰. But at the same time it was just as much an instrument for the

¹⁸ See Schaller, “Die Kanzlei,” 270-271, which, for these formulations, makes use of musicology. An example of rhythmical syntactic prose is the *Vulgata*; analytic rhythm, however, is essentially characterised by the use of *cursus*.

¹⁹ For a quantitative analysis of the *cursus* used in Frederick's chancery, see Gudrun Lindholm, *Studien zum mittellateinischen Prosarythmus. Seine Entwicklung und sein Abklingen in der Briefliteratur Italiens* (Stockholm - Stockholm: Almqvist, 1963), 75; but for the limitations of this kind of statistical analysis, see the review of Tore Janson, *Prose rhythm in medieval latin from the 9th to the 13th century* (Stockholm: Almqvist, 1975), by Giovanni Orlandi in *Studi Medievali* s. III, 89 (1978): 701-718. See, also, Francesco Di Capua, “Lo stile della curia romana e il *cursus* nelle epistole di Pier della Vigna e nei documenti della cancelleria sveva,” *Giornale italiano di filologia* 2 (1949): 97-116, reprint in Francesco Di Capua, *Scritti minori* (Roma: Desclée & C., 1959), I 500-523; Benoît Grévin, “De l'ornementation à l'automatisme: *cursus* rythmique et écriture semi-formulaire (XIIe-XIVe s.),” in *Rythmes et croyances au Moyen Age: actes de la journée d'étude organisée par le Groupe d'anthropologie historique de l'Occident médiéval, le 23 juin 2012, Paris, Institut national d'histoire de l'art*, ed. Marie Formarier, Jean-Claude Schmitt (Pessac: Ausonius, 2014), 81-102. On the use of *cursus* in the Norman chancery, see Kehr, “Die Urkunden,” 242 ss.

²⁰ On the concept of the “symbol of power”, but restricted to the material objects making up the items of the liturgy of monarchs, see Percy Ernst Schramm, *Kaiser Friedrichs II. Herrschaftszeichen* (Göttingen: Vandenhoeck & Ruprecht, 1955); Percy Ernst Schramm, “Le insegne del potere di Federico II,” in *Atti del Convegno di Studi su Federico II* (Jesi: Biblioteca Comunale, 1976), 73-82; Reinhard Elze, “Le insegne del potere,” in *Strumenti, tempi e luoghi di comunicazione nel Mezzogiorno normanno-svevo, Atti delle Undecime Giornate normanno-sveve*, ed. Giosue Musca, Vito Sivo (Bari: Dedalo, 1995), 113-129. On the application of the concept in a more general sense, see Fulvio Delle Donne, *Il potere e la sua legittimazione. Letteratura encomiastica in onore di Federico II di Svevia* (Arce: Nuovi Segnali, 2005), 26; also Fulvio Delle Donne, “Le lettere di Pier della Vigna: da *epistolae* a *dictamina*, da insegne di po-

promotion of culture. This formal aspect, in fact, is explicitly exemplified in the statements contained in the foundation circular of 1224.

In particular, there are two elements of greatest interest. At the very beginning, when he announces his decision to found the *Studium*, Frederick II states his desire that many in his Kingdom should become wise and discerning by making good use of a source of science and a seminar teaching doctrine (“per scientiarum haustum et seminarium doctrinarum”²¹). Then, in a very cogent rhetorical structure whose syntax has perfect balance, he declares that he wishes to create this because such people, having been made observant by study and their regard for legal rights (“facti discreti per studium et per observationem iuris iusti”²²), at the same time serve God, He who all must serve, and they are liked by the emperor, because of their knowledge of justice, whose precepts must be obeyed by all (“Deo serviant, cui serviunt omnia, et nobis placeant per cultum iustitie, cuius preceptis omnes precipimus obedire”). The first element of note, therefore, which is the importance given to law both as a specific subject of study with respect to the *artes*²³, and as a guide to his subjects and an instrument of government, is legal right, in fact, which allows one to be in the service of God and therefore appreciated by the king, who has been given divine right to rule over the *regnum* and his subjects, who serve God by being in obedience to he who, *lex animata in terris*, is his earthly expression²⁴. For this reason, the control of justice is entrusted to

tere a emblemi retorici,” in *Les correspondances en Italie 2. Formes, styles et fonctions de l'écriture épistolaire dans les chancelleries italiennes (V^e-XV^e siècle) - La corrispondenza epistolare in Italia 2. Forme, stili e funzioni della scrittura epistolare nelle cancellerie italiane (secoli V-XV)*, ed. Paolo Cammarosano, Stéphane Giovanni (Trieste: CERM, 2013), 239-251; and Fulvio Delle Donne, “Culture as a symbol of power in the Kingdom of Sicily during the Swabian period,” in *Representations of power at the Mediterranean Borders of Europe (12th-14th C.)*, ed. Ingrid Baumgärtner, Mirko Vagnoni, Megan Welton (Firenze: SISMEL, 2014), 15-28.

²¹ On the pediment of the central university building of the University of Naples, erected between the late 19th century and the early 20th, these are the words that appear, though slightly altered by the initial insertion of *ad* in place of *per*.

²² Note that there is an error in Riccardo's edition, in which *iusto* is incorrectly used instead of *iusti*, which is found in all the traditional texts as also in the Bologna ms.; see the edition in Rycardus de Sancto Germano, *Chronica*, 113; and in Delle Donne, *Per scientiarum haustum*, 86.

²³ That this was at once true of the teaching of other subjects, among which the *artes*, is explicitly stated, in Delle Donne, *Per scientiarum haustum*, 86 (doc. 1): “Disponimus autem [...] doceri artes et cuiuscumque professionis vigere studia”.

²⁴ The expression “*lex animata in terris*” was used by Frederick in 1237: Johann Friedrich Böhmer, *Acta Imperii Selecta* (Innsbruck: 1870), 264 (doc. n. 299). Furthermore, “*iurisprudentia est divinarum atque humanarum rerum notitia*” is found in the Justinian Code, in *Dig.*, I, 1, 1, 2 and in *Inst.*, I, 1, 1. On the role given to justice in Frederick II's imperial concept, and the

those desirous to learn as soon as they have become skilful in the diligent study of law (“secure illis qui discreti fuerint per instantiam studii iuris et iustitie regimina committentes”). In fact, the only professors mentioned explicitly in the founding circular, or at least in the badly-copied text²⁵, are Roffredo Epifanio of Benevento and Benedetto of Isernia, who in fact were teachers of law²⁶.

Further on in the circular, another notable element is the insistence with which it puts forward the idea of the accessibility and closeness of the chosen location, a fact that would allow the students to concentrate on their studies without leaving their families (“in conspectus parentum suorum”); an idea that is repeated when it is stated that the students should be freed from anything involving exertion (“a multis laboribus”) and from long journeys and walks (“a longis itineribus et quasi peregrinationibus”), so protecting them from being bothered by robbers and looters because it was common for travellers to be stripped of their money and possessions while they travelled to distant places (“spoliabantur fortunis suis et rebus longa terrarum spatia peragrantes”).

related sacral representation of power, see especially Antonino De Stefano, *L'idea imperiale di Federico II* (Bologna: 1952; reprint, Parma: 1978); Ernst Hartwig Kantorowicz, *The King's two bodies. A Study in Mediaeval Political Theology* (Princeton: Princeton University Press, 1957), 97-142; Hans Martin Schaller, “Die Kaiseridee Friedrichs II.,” in *Stupor Mundi*, 494-526: this essay first appeared in *Probleme um Friedrich II.*, ed. Josef Fleckenstein (Sigmaringen: Jan Thorbecke, 1974), 109-134, and was then republished in Schaller, *Stauferzeit*, 53-83; see also Delle Donne, *Il potere e la sua legittimazione*, 81-83.

²⁵ The question of the names of professors mentioned in the foundation letter of 1224 is rather complex. In the version, which appeared in the Chronicle of Riccardo di San Germano, the only one which gives the date of issue and which therefore reflects a different tradition to that of the so-called epistolary of Petrus de Vineia, the only name given is that of Roffredo of Benevento. However, in the manuscripts from which the so-called epistolary of Petrus de Vineia comes down to us, we also find the name of Benedetto of Isernia, though this place-name is sometimes changed to Hibernia; furthermore, they add a sentence referring to other professors sent to the *Studium*, but their names are omitted and replaced by a series of dots. The ms. Bibl. Apostolica Vaticana, Ott. Lat. 279, omits the name of Roffredo of Benevento and, in addition to Benedetto of Isernia, names a certain P. de Panozono. It is impossible to establish with any certainty whether the letter given by Riccardo di San Germano is preferable in this case too, since we do not know what type of document Riccardo was referring to (whether an original, a chancery copy, a copy to be collected in *dictamina*, or something else). In our edition, in Delle Donne, *Per scientiarum haustum*, 85, however, we have chosen to follow the text of those manuscripts which add to the name of Roffredo of Benevento that of Benedetto of Isernia, since we thought that such a letter would be the original copy, its being an addition contradicting the practice found elsewhere in quite well organised collections of letters from which names tend to be omitted.

²⁶ It is clear that only the most representative ones are named, if we interpret correctly the meaning of “de numero autem prelatorum, quos ibi duximus destinandos”.

This insistence deserves special attention because the statement should be seen in relation to what is stated in the *Habita* constitution²⁷, granted to students by Frederick II's grandfather, Barbarossa, in 1155²⁸. While Barbarossa lauded the abnegation of the exiled and the poor *amore scientie* by putting their lives at risk *omnia pericula*, Frederick II insisted on the safety and comfort they should be given while at the same time, as we shall see, he encouraged the students to be ambitious, promising them concrete benefits such as riches and noble titles.

The two most significant elements that we have pointed out, probably, cannot have been associated by chance but must necessarily correspond to a precise political and cultural strategy that Frederick II adopted, especially if we take into account the fact that – as we have seen in relation to the reasons for which the students were motivated to study – he was opposed to a tradition supported, if not initiated, by his grandfather. In fact, by setting up a *Studium* in his kingdom and for the benefit of that kingdom (“in regnum nostrum”), where *regnum* was the expression of earthly power given by God, Frederick intended first and foremost to have at his disposal a large number of people of great culture, especially legal culture, who were so necessary for the administration of the state, which he was organised in a more and more centralised way²⁹. Therefore, the *Studium* would supply qualified administrative staff, rewarding them with the promise of wards and adequate remuneration: in this, he followed the principles of administrative reforms of the time, which

²⁷ The latest edition of the *Habita* is in Winfried Stelzer, “Zum Scholarenprivileg Friedrich Barbarossas (Authentica Habita),” *Deutsches Archiv für Erforschung des Mittelalters* 34 (1978): 123-165: the edition is on page 165.

²⁸ See above all Girolamo Arnaldi, “Fondazione e rifondazioni dello studio di Napoli in età sveva,” in *Università e società nei secoli XII-XVI* (Pistoia: Centro Italiano di Studi di Storia ed Arte, 1982), 88; Lidia Capo, “Federico II e lo *Studium* di Napoli,” in *Studi sul Medioevo per Girolamo Arnaldi*, ed. Giulia Barone, Lidia Capo, Stefano Gasparri (Roma: Viella, 2001), 28-30; Francesco Violante, “Federico II e la fondazione dello *Studium* napoletano,” *Quaderni medievali* 54 (dic. 2002): 22-23. But refer also to Delle Donne, *Per scientiarum haustum*, 14.

²⁹ See the title I, 31 (*De origine iuris*) of the *Constitutions*, emanated by Frederick II in 1231: “Non sine grandi consilio et deliberatione perpensa condende legis ius et imperium in Romanum principem lege regia transtulerunt Quirites, ut ab eodem, qui commisso sibi Cesaree fortune suffragio per potentiam populis imperabat, prodiret origo iustitie, a quo eiusdem defensio procedebat. Ideoque convinci potest non tam utiliter quam necessario fuisse provisum, ut in eiusdem persona concurrentibus hiis duobus, iuris origine scilicet et tutela, et a iustitia rigor et a rigore iustitia non abesset. Oportet igitur Cesarem fore iustitie patrem et filium, dominum et ministrum: patrem et dominum in edendo iustitiam et editam conservando; sic et iustitiam venerando sit filius et ipsius copiam ministrando minister”. The most recent edition of the *Constitutions* is that edited by Wolfgang Stürner, *Die Konstitutionen Friedrichs II. für das Königreich Sizilien* (München: Hahnsche Buchhandlung, 1996; MGH, Const. II Suppl.); the text is on page 185.

favoured the employment of jurists in the central and outlying offices of the kingdom, since they could undoubtedly much more easily be oriented and certainly more easily managed than the exponents of the great feudal nobility³⁰.

At the same time, however, Frederick II wanted to deal a blow to the flourishing University of Bologna, which was the most prestigious university of the time in terms of juridical studies. His aim was to build up a group of functionaries of reliable ideology and to protect them from the dangerous rebel spirit that characterised the municipalities of northern Italy³¹, with whom the conflict, already in act, would very soon become irreparable. Furthermore, it had become clear, since the founding of 1224, that Frederick tended to select professors for the *Studium* on the basis of their loyalty. So, his 1224 circular, he says of Roffredo of Benevento and Benedetto of Isernia that they are “our loyal professors of civil law, men of great culture, of noted virtue and true fidelity which they have shown and show towards our majesty” (“fideles nostros civilis scientie professores, viros magne scientie, note virtutis et fidelis experientie, quam nostre semper exhibuerunt et exhibent maiestati”), then adding that he has every belief in their loyalty (“de quibus [...] fidelibus fiduciam gerimus pleniorum”)³². Then, in 1238 the emperor says that the no less maestro V. is his loyal servant and that he has certain trust and experience in his loyalty, prudence and culture (“fidelem nostrum, de cuius fide, prudentia et scientia certam fiduciam et experientiam obtinemus”): it was for this reason that he had been sent to the students of Vercelli, not only to teach civil law. But also to promote imperial *servitia* in that city³³. The word *fideles* is also used of the just-as-well-known G. de Antiochia and T. of Cemonia, as well as the *magistri* Bartholomew Pignatelli and Matthew of Pisa³⁴. At a later date, some teachers, such as Nicolaus de Rocca and Salvus, were directly transferred from the chancery³⁵. Therefore, proven loyalty was an absolutely necessary determining factor in the choice of professors for the university

³⁰ See Norbert Kamp, “Die sizilischen Verwaltungsreformen Kaiser Friedrichs II. als Problem der Sozialgeschichte,” *Quellen und Forschungen aus italienischen Archiven und Bibliotheken* 62 (1982): 119-142. But also Paolo Colliva, “Strutture feudali e tendenze romanizzanti in Federico II: la fondazione dello Studio di Napoli (1224),” in *Quarte giornate federiciane* (Bari: Dedalo, 1980), 143-161, who does not believe that Frederick II was mainly interested in the constitution of a class of competent jurists.

³¹ Ernst Hartwig Kantorowicz, *Federico II Imperatore* (Milano: 1976; or. ed., Berlin: Bondi, 1927-30), 118.

³² See Delle Donne, *Per scientiarum haustum*, 89 (doc. 1).

³³ See Delle Donne, *Per scientiarum haustum*, 99 (doc. 5).

³⁴ See Delle Donne, *Per scientiarum haustum*, docs. 6, 9 and 12.

³⁵ See Delle Donne, *Per scientiarum haustum*, 46-50.

which was, after all, a direct emanation of the sovereign in that it was he who selected the teachers and awarded degrees – or at least this seems to be so in the following Angevin period, since information on Swabian times is so lacking – with a royal diploma³⁶. The royal character of the university of Naples was made explicit in its total lack of autonomy and self-government, which usually characterised other universities of the time.

On the other hand, the organisational function of an official culture of the Neapolitan *Studium*, in some ways similar to that of anti-Bologna protectionism and made explicit in the 1224 circular when the emperor lays down that no student was to dare to leave the Kingdom for study reasons, and that no one is to dare study or teach anywhere else within the Kingdom (“ut nullus scholaris legendi causa exire audeat extra regnum nec infra regnum aliquis audeat addiscere alibi vel docere”³⁷); and in 1225 when, in an explicit reference to Bologna, he repeats this ban: “nullus, qui sit nostri imperii et regni iurisdictione subiectus, Bononie addiscere audeat vel docere”³⁸. Later, in his circular of 1239, the emperor was also to ban students from rebel cities from coming to Naples, obviously to avoid the spread of anti-imperialist ideas³⁹.

There is more to say about the promises made to students of the Kingdom who were to come to Naples. The emperor not only makes general references to the convenience of living near home, but states that the students should expect *bona plurima*. The rewards to be expected are described in great detail when he says: “cum sterilis esse non possit accessio, quam nobilitas sequitur, cui tribunalia preparantur, sequuntur lucra divitiarum, favor et gratia comparantur”⁴⁰.

As we have said, while Barbarossa appreciated the abnegation of those who left home and were impoverished *amore scientie*, exposing themselves to *omnia pericula*, Frederick II made his appeal to students by means of concrete promises. While these pronouncements opened up real new and promising horizons, the motivating factors in the documents of his sons Conrad and Manfred were much more precise, pragmatic and impelling.

³⁶ See Fulvio Delle Donne, “Strutture e organizzazione dello Studio di Napoli nel Trecento,” in *L'università in tempo di crisi. Revisioni e novità dei saperi e delle istituzioni nel Trecento, da Bologna all'Europa*, ed. Berardo Pio, Riccardo Parmeggiani (Bologna: CLUEB, 2016), 208-209.

³⁷ See Delle Donne, *Per scientiarum haustum*, 89 (doc. 1).

³⁸ See Delle Donne, *Per scientiarum haustum*, 93 (doc. 2).

³⁹ See Delle Donne, *Per scientiarum haustum*, 100-102 (doc. 6).

⁴⁰ See Delle Donne, *Per scientiarum haustum*, 86-87 (doc. 1). “Since the acquisition of goodness cannot be unproductive, for goodness comes from nobility, from preparation for the law courts, from those who wish for wealth, from following favour and clemency [of the emperor]”.

A letter of Conrad of 1252 reasserts the necessity “ut fideles nostri regnicole, scientiarum fructus, quos indesinenter esuriunt, per aliena querere pomeria non coacti, paratam in regno sibi mensam propositionis inveniant”⁴¹. But another letter uses a still more appealing image, that “litteralem scientiam esse singulare gradarium ad virtutes, que de fastibus oneris ad fasces honoris, de fastidiis ad fastigia suos promovet possessores, de pauperibus divites, de rudibus eruditos et claros efficiens de obscuris”⁴².

Some years later, probably in 1259, Manfred again invites students to Naples, and on this occasion we find even more interesting assertions. Manfred presents himself immediately as a person to whom the exiled philosophy asks for help: it is here that the relevance of politics to knowledge becomes evident – its purpose is to govern kingdoms and princedoms. The Kingdom had found an instrument of government which was essential to the education of men who have become experts (*periti*) in the knowledge of philosophy. Philosophy was inseparable from *sapientia*, and it is thanks to their cohesiveness that great advantages can be drawn: “Hec est autem illa scientia, que diligentibus eam thesauros aperit et ad divitias pontem facit. Hec est illa scientia, que scalas erigit ad honores et gradaria construit ad fastigia dignitatum. Hec est illa scientia, que suscitans a terra inopem et erigens de stercore pauperem cum principibus eum locat”⁴³.

The rhetorical devices used to construct this part of the document are clear; but the *topoi* are not so easy to interpret. The series of anaphora “hec est illa scientia” begins with a general reference to the obtainment of treasures and wealth, which might also be interpreted as spiritual gain; but despite the concluding biblical citation (*Ps.*, 112, 6), its continuation raises awareness of more pragmatic and palpable elements. In short, philosophy and wisdom are important to enlighten minds and souls, but they are useful above all for the attainment of dignity, honour and riches.

⁴¹ See Delle Donne, *Per scientiarum haustum*, 112 (doc. 13). “That our loyal subjects find ready in the kingdom a rich table, so that they are not forced to seek in distant lands the fruits of science they increasingly desire”.

⁴² See Delle Donne, *Per scientiarum haustum*, 115 (doc. 14). “Literal knowledge offers an extraordinary stairway to the virtues, which raises the persons who possess them from the glories of the charges to the pomp of the honors, from the inconveniences to the magnificence, and allows the poor to become rich, the rough to become erudite, and the unknown to become eminent”.

⁴³ See Delle Donne, *Per scientiarum haustum*, 129 (doc. 19). “This, therefore, is the science that unlocks treasures to those who love her and builds bridges towards the riches. This is the science that erects ladders to honours and builds steps towards supreme dignity. This is the science that by raising up the wretched from the ground and lifting the poor man out of the dung, puts him alongside princes”.

It is here that we find the explicit promise not only of riches, but also the equality with princes, or the attainment of noble status, which can be achieved through application of the intellect. Application of the intellect, however, meant cooperation with the Kingdom's administration. Along with chivalric nobility, which was gaining more and more prominence at the time⁴⁴, in a not dissimilar context, the principles of the nobility of the soul, which was to be attained by study and personal virtue, were being affirmed more and more in contrast to those of the nobility of lineage.

All this was due to the Swabian monarchy, which placed severe restrictions on the privileges of the upper aristocracy. It was the Swabian monarchy, in fact, which spread the idea that virtue elevates those who are in an inferior position, so putting them on the same level as those at a higher social level, as was clearly stated in a *Contentio de nobilitate generis et probitate animi*, granted to Petrus de Vinea and Taddeo of Sessa, perhaps, of the Naples *Studium* in the fourth decade of the 13th century, for attempting to understand whether true nobility was that of lineage or that of the soul⁴⁵. In any case the cultural education to be acquired from the Naples *Studium*, though offering noble titles for merit and with adequate retribution, was not to be considered to be an end in itself. Its real purpose was to provide monarchs with a wide choice of people of excellent education, these being so necessary for the administration of the state, which was being organised more and more centrally. In conclusion, even the favours granted to the cultured and to philosophers had strings attached, for they served as a useful *instrumentum regni*.

⁴⁴ See above all, from the latest, Jean Flori, *Chevaliers et chevalerie au Moyen âge* (Paris: Hachette, 1998); Jean Flori, *La chevalerie* (Paris: Gisserot, 1998).

⁴⁵ On the debate about the two types of virtue, see the text edited in Fulvio Delle Donne, "Una disputa sulla nobiltà alla corte di Federico II di Svevia," *Medioevo Romanzo* 23 (1999): 3-20. Perhaps it was precisely awareness of the new opportunities generated by Frederick's politics to provide, in Swabian circles, the impetus to animate the discussions concerning the definition and the features of the true nobility, which is characterized by individual virtues and not by the privileges of lineage. However, the concept expressed in the letter concerning the foundation of the *Studium* (1224) seems to echo the prologue of Azzo's *Summa institutio-num* (Venetiis, ap. Franciscum ab Hostio: 1610), 1043: "Haec siquidem velut almifica dominatrix nobilitat addiscentes, exhibet magistratus et honores conduplicat et profectus et, ut vera per omnia fatear, iuris professores per orbem terrarum fecit solenniter principari et cedere in imperiali aula, tribus, nationes, actores et reos ordine dominabili iudicantes. Per ipsam namque universi reges regnant, iustitia conservatur in terris". This seems to confirm the possibility that Frederick II's words were eminently addressed to lawyers.

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