

Constitutiones monialium sancte marie magdalene de senis ordinis eremtiarum sancte augustini (Constitutions of the Nuns of St. Mary Magdalene of Siena of the Order of Augustinian Hermits); Ceremonial; and Tonary

In Italian and Latin, with musical notation; decorated manuscript on parchment; painted binding

Italy, Siena, after 1503-c. 1526, and c. 1539-51

i (parchment) + 68 folios on parchment, modern foliation in pencil, top, outer corner recto (collation, i-iii⁸ iv¹⁰ v⁸ vi⁴ vii-ix⁶ x⁴) quires four and five with quire and leaf signatures, with a letter designating the quire, beginning with "a," in quire four, and an Arabic number, the leaf, quires six through ten include catchwords at the bottom of the text on each page, all quires are numbered on the first leaf of each quire in a modern hand in pencil, format varies: ff. 1-24, quires 1-3, ruling usually indiscernible, but probably ruled in blind, prickings, top margin (justification, 165 x 124-123 mm.), written in a running gothico-antiqua script, in thirty-six to thirty-four long lines, square musical notation on red four-line staves, ff. 20-22, majuscules within the text occasionally highlighted in red, red rubrics, three- to one-line red initials, six-line red initial, f. 1, with decorative void space within the initial, ff. 25-46v, quires 4-6, horizontal rules for text only in ink, so that each page has fourteen horizontal rules, full-length single vertical bounding lines ruled very lightly in lead, prickings, top margin (justification, 173 x 130 mm.), written in an upright gothic bookhand, square musical notation on red three-line staves, with seven staves and seven lines of text on each page, ff. 47-67v (f. 68rv, blank), quires 7-10, ruled in blind with single full-length vertical bounding lines, with horizontal rules added in ink or lead for fifty lines per page, prickings top margin, and along the outer bounding lines for the ink rules on some pages (justification, 162 x 110 mm.), written in a formal italic script on every other ruled line in twenty-five long lines, three- to two line red initials, red rubrics, in good condition, text is legible throughout, some staining and soiling, especially in lower margins, ff. 8v-9, stain within the text space, occasional words within the text, ff. 1-24v, faded, erasures bottom margin, f. 20v. BOUND IN AN EXCEPTIONAL BLIND-STAMPED BINDING WITH AN EARLY SIXTEENTH-CENTURY SIENESE PAINTING (described below). Housed in a modern half-leather box lined with felt, with title and date on spine, "Convent of Santa Maria Maddalena, Constitutiones, Siena, c. 1480 and 1530." Dimensions 233 x 162 mm.

Manuscripts from houses of Nuns are noteworthy, since they are rarer than manuscripts from male religious houses. This copy of the Constitutions and Ceremonial in Italian from St. Mary Magdalene in Siena sheds important light on the liturgical life of the convent; details concerning the chant, including noted passages, are of particular interest given the importance of music in Italian convents during the Renaissance. Its remarkable contemporary binding includes a painting of the convent's patron, St. Mary Magdalene, in the manner of Siena's famous painted bindings from the Biccherna.

PROVENANCE

1. Written in Siena, Italy at the Convent of the Nuns of St. Mary Magdalene of the Hermits of St. Augustine; the original section of the manuscript, ff. 1-46v can be dated after 1503, since Pope Pius III is mentioned on f. 4v, line 27; Pius III, or Francesco Piccolomini was Pope only from September 22-October 18 1503. It seems likely that it dates before 1526, the year the Convent of St. Mary Magdalene was destroyed, and the Nuns were forced to re-locate within the city walls.

The *Constitutions*, found on ff. 1-13v, were re-copied in an elegant italic script on ff. 47-67v, while Girolamo of Naples was the Vicar General of the Augustinians (see f. 13v, note added in an italic script, stating that the previous text was written again on the feast of Pentecost at the order of the most reverend father General Master Girolamo Napolitano), this Girolamo can possibly be identified as Girolamo Seripando (1493-1563), and the time narrowed down to between 1539-41, when he visited all the Augustinian houses under his charge. Girolamo entered the Augustinian Order at young age, taught at Siena and Bologna, and was charged with reforming the Augustinian observant congregation of San Giovanni a Carbonara at Naples. He was the Vicar General of the Augustinians from 1532-4, and Prior General from 1539-1551. It is admittedly somewhat speculative to identify the Girolamo of Naples mentioned in the manuscript with Girolamo Seripando, but it seems quite likely, and a date ca. 1539-41 is in keeping with the appearance of this elegant, mannered italic script. This hand also added the text on the front flyleaf, notes on ff. 6v, 13, and rewrote part of f. 10v, presumably because the ink had flaked away.

The Convent of St. Mary Magdalene, or Maddalena, in Siena was founded in 1339 (see Monastic Matrix, listed below, Online Resources, and Gutiérrez, volume 1, part 1, 207; Nevola, pp. 197-198; Jackson, "Patronage," p. 64; and Reardon, pp. 10-11) outside the walls at the Porta Tufi, at the southern edge of the city. The nuns of St. Mary Magdalene copied and illuminated religious books for the Ospedale della Scala and the Opera del Duomo in Siena in 1440 and 1470 (Borghesi, p. 210).

From c. 1507, Pandolfo Petrucci (1452-1512), leader of the *Nove* (the Nine) who had returned from exile in 1487 and established himself as the absolute ruler of Siena, was the community's powerful patron. Pandolfo paid for a new church for the convent, said by Vasari to be designed by Giacomo Cozzarelli; in February 1508, Pope Julius II granted indulgences to visitors to the convent, and suppressed a number of small nunneries the nunneries which were relocated to the convent of S. Maria Maddalena. Pandolfo's cousin was the mother superior, and his youngest daughter Portia, and illegitimate daughter, Cassandra, known as Alexandra, were educated there.

The Convent was destroyed in 1526, to prevent Papal troops from using the convent during the battle of Camollia (won by the republican *Libertini*, and resulting in the exile of many who had held power during the previous regime). The years following 1526 were turbulent ones for Siena, culminating in a year-long siege that ended in 1555 when Siena was forced to capitulate to Spanish troops. In 1557, Siena was sold by the Spaniards to the Medici, and the city became part of the Grand Duchy of Tuscany.

Nothing is known about the state of affairs at the Convent of Mary Magdalene during these years, although we can assume they were difficult ones for the nuns. We do know that the convent was rebuilt inside the city walls, and continued to be a place where the nobility sent their daughters; in 1575, there were sixty-two nuns (see Reardon, pg. 10). The convent was suppressed in 1782, but its archives remained in place, until it was finally moved to the Archivio di Stato in 1865; this manuscript may have been removed between 1782 and 1865.

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2. Belonged to Richard Bladworth Angus (1831-1922), the wealthy Canadian banker and philanthropist.

3. Sold at Sotheby's, November 26, 1985, lot 99, possibly to H. P. Kraus, N.Y. (collation in pencil, inside back cover; "H.P.K. NY, 20.10.1987; UDNXLR").
4. Other booksellers' notes: inside front cover, "14253," in pencil; inside back cover, "13550."
5. Martin Schøyen (b. 1940), Spikkestad, Norway, and London, United Kingdom, whose collection is described as the largest private manuscript collection formed in the twentieth century; Schøyen Collection, MS 34, his small bookplate, inside front cover; "34" written on small sticker on spine of the case.

TEXT

Front flyleaf, in an italic hand, incipit, "Havendo bisogno il monasterio o no damandando voi alli padri o alter parenti le solite doti uestitmenti leti ei ogn'altra coso pertinente al bisogno di guella che si riceve ... per che guesto lo ricerca la ragione della natura. Le soprascritte parole sono estratte fedelmente dall suma haetana";

Additions by the scribe who copied ff. 47-67v to the Convent's constitutions pertaining to the Nun's dowries.

ff. 1-13v, *Iste sunt constituiones monialium sancte marie Magdalene de senis ordinis eremitarum sancti Augustini*, incipit, "Conciosie cosa che dalnostro padre sancto augustino nela regula sua uisia commadato debiate ... che per dette constitutioni sara ordinata." [f. 1] *Del officio dela chiesa, capitolo primo*, incipit, "Perche lhonor di dio debba andare ... se gia ad labbadessa non paresse in tal caso commettare ad un altra suora la uice sua. .. Nil amantibus durum est nullus difficilis cupientibus labor. Laus deo." Added in an italic hand in the bottom margin: incipit, "El soprascritto tempo di fare le officiali e transferito nela festa della Penthecoste dal P. Reverendisimo generale maestro Girolamo Napolitano come appare per una sua lettera" [f. 14, blank];

Twenty chapters related to the life of the Convent in Italian; topics include the obligations to say the Divine Office, the Office said by the lay nuns or *conuersi*, confession, dress and bedding, silence in the cell, the infirmarian, novices and profession, sins of various degrees, and the election of the Abbess and other monastic officers.

ff. 14v-24v, [table of chapters] *Questa e latauola de capitoli delordinario sequente et prima, Ad quale hora et tempore sisuonino lecampane e le monache uadino et stieno in chiesa, capitolo primo ... Ordinario com note doue distinctamente si pone toni et modo di cantare messe et latro officio diuino, capitolo ultimo;* [f. 15, text] *In commincia lordinario de le cerimonie ecclesiastiche per le monache di sancta maria magdalena cauato del ordinario del ordine de frati eremitani di sancto Augustino non tucto ma quelle chose che se adpartengono ad monache del decto ordine. Et prima ad quale hora et tempore sisuonino lecampane et le monache uadino et stieno in chiesa capitulo primo*, incipit, "Neli di feriali et feste semplici ad uespero matutino et messa ..."; [f. 24] *Di diuersi colori da uasare nele sacre ueste secundo uarii temporu et solempnita come usa la chiesa romana, capitolo xviii*, incipit, "Hauendo uoi nel auram sacrestia ... se usano rosse. Laus deo";

This section describes the liturgy followed in the Convent. Note that the table of contents lists nineteen chapters; this section includes chapters 1-18; chapter nineteen of the table of contents refers to the following section of the text, ff. 25-45, copied with musical notation by a different scribe.

Included are chapters on ringing of the bells, when the Nuns stand and sit in church, on the duties of the female cantor, on processions, on altar vestments, and so forth. Chapter nine, ff. 20-22, lists the musical variations for the Kyrie, Gloria, Sanctus, Agnus dei, *Ite missa est*, *Benedicamus*, and *Deo dicamus*, with musical notation, for different types of feasts; included among the minor semiduplex are the feasts during the octave of Monica, of the Visitation, of the Nativity and Conception of Mary, and of Nicholas of Tolentino (1446); among the major semiduplex feasts are feasts among the octave "of our father St. Augustine"; among the minor duplex, St. Joseph, translation of St. Monica, St. Nicholas, octave of Visitation, St. Catherine virgin and martyr, octave of Mary Magdalene; and among the major duplex, Trinity Sunday, Corpus Christi, Monica, Nicholas of Tolentino (1446), Visitation, Mary Magdalene, Mary ad Nives, Transfiguration (1457), and "our father St. Augustine."

ff. 25-45v, *In nomine domini amen. Capitulum xl quod est ordinarium cum notis in quo distincte ponitur qualiter bore singule sint incipiente et de tono absolutionis ante lectiones. De tono lectionum et benedictionum, De tono lamentationum ... De tono passionis. Et primo notatur inceptio matutini ut infra, V., incipit, "Domine labia mea aperies ..."; [f. 46rv, blank];*

A Tonary, setting forth the different musical settings or tones for texts from the Office and the Mass; in Latin with musical notation.

ff. 47-67v, *Istae sunt Constitutiones Monialium Sanctae Mariae Magdalene de Senis Ord. Erem. S. Agustini*, incipit, "Conciosia cosa dal nostro Padre S. Agostino nella Regola sua vi sia comandato debbiare ... che per dette Constitutioni sara ordinato." [f. 47v], *Del offitio dela chiesa, capitolo primo*, incipit, "Perche l'honor di Dio debba andare ... se gia all'Abbadessa non paresse in tal caso commettere ad un' altra suora la vece sua.... Nil amantibus durum est nullus difficilis cupientibus labor. Laus deo." [f. 68rv blank.];

A faithful copy of ff. 1-13v in an updated version; although the text appears to be the same, there are numerous spelling changes, and more attention to word separation.

The roots of the Hermits of St. Augustine (now known as the Augustinian Friars) go back to a number eremitical groups in Italy in the twelfth century, but the Order adopted a mendicant lifestyle in the thirteenth century. After the approval of their Constitutions by Pope Alexander IV in 1256, the Order grew quickly and founded many houses throughout Europe. There were Convents of Nuns associated with the Order, with varying degrees of formality, from the thirteenth century. Some foundations simply adopted the Rule of St. Augustine, but other houses, like the Convent of St. Mary Magdalene in Siena, were more closely aligned with the Hermits of St. Augustine, and followed the Rules and Constitutions of the Order, and often depended upon the Friars for direction and supervision.

Male foundations of the Hermits of St. Augustine followed the constitutions set forth by the Order. The Constitutions and Ceremonial in this manuscript are an adaptation based on these regulations for the male houses. We can assume that each Convent of Nuns needed their own Constitutions, but Gutierrez, in his history of the Augustinian order, knew of only five (see Gutierrez, vol. 1, part 1, p. 211). The Constitutions from the Convent of St. Elizabeth in Florence by Giovanni da Salerno was a free adaptation in twenty-one chapters based on the fifth-one chapters of the Friar's Constitutions (edited Mattioli, pp. 129-163, with Augustine's Rule in Italian, followed by Constitutions). There are general similarities in the types of topics treated here and in our manuscript, but the texts are quite different. In addition to the Constitutions from Florence, Gutierrez knew of two Spanish examples, and two German.

There is another copy of the texts found in this manuscript, Biblioteca Comunale, Siena, MS I.VIII.29; Reardon, p. 32, dates it sixteenth-century, and says it is virtually identical to the constitutions of the Augustinian convent of S. Monaca, also in Siena, found in Archivio di Stato, Siena, ASS, Con. Sopp, 2841. A comparison of these three manuscripts would be of considerable interest, especially given the usual premise that each Augustinian Convent of Nuns was governed by their own version of the Order's Constitutions.

As important as the Constitutions, which include the rules governing life in the community, was the text known as the Ceremonial, which described the community's liturgical life. The Augustinian Ceremonial consisted of thirty-nine chapters, followed by a tonale of common tones (edited by Langeveld, p. 51ff. in a publication that seems extremely rare; see also Van Dijk, vol. 1, p. 55, and pp. 100-103). A tonale, or tonary, sets forth the various musical settings, or psalm tones, used in Gregorian chants for the sung texts of the Mass and Office. It cannot be a coincidence that the tonary found in this manuscript on ff. 25-45v is labeled chapter forty, as it was in the Augustinian Ceremonial, even though here it follows a shortened, vernacular Ceremonial for the Nuns that includes only eighteen chapters. Langeveld's edition is unavailable, but a comparison of the chapter titles printed by Van Dijk makes it clear that our text is a shorter adaptation of the Latin Ceremonial; for example, note these chapters from the Latin version, which are also found in the Nun's version: ch. 1, "In quibus horis et temporibus pulsetur campana ..."; ch. 3, "Quando sedere et quando in ecclesia stare debeant erecti," ch. 4, "De officio cantorum," etc.

Although the study of the history of women in religion in the Middle Ages and the early modern period has flourished in the last decades, direct sources that were created by Nuns themselves are comparatively difficult to find. This manuscript, therefore, is an important direct source of information of the rules that governed daily life and the liturgy at one of the most illustrious convents in Renaissance Siena. Recent studies have underlined the remarkable importance of religious communities of women in the social history of the Italian City (for example, see Strocchia and Sperling). Remarkable percentages of the female population, and in particular of women from the nobility, who were often educated and allied with the city's most powerful families, lived in convents. Reardon in her study of the Nuns in Siena estimated that in 1575 about 10 percent of Siena's women lived in convents; by the mid-Seicento the percentage had increased to about 12 percent (Reardon, pp. 18-19).

In the sixteenth and seventeenth centuries, in Siena, as in Milan, Bologna, and Rome, and other Italian cities many of the most skilled female musicians lived in convents (see studies by Reardon, Kendrick, and Monson). Given the importance of religious women for the history of music in Italy, the amount of information about the liturgical chant at the Convent of St. Mary Magdalene found in this manuscript is of particular interest.

BINDING

The binding appears to represent several layers of craftsmanship. The original brown leather-stamped binding may date to the last quarter of the fifteenth century; when it was re-used for this manuscript in the first quarter of the sixteenth century a painting of the Convent's patron, St. Mary Magdalene, was added to the back cover. It was subsequently re-backed in brown leather.

Bound in blind-stamped brown calf over wooden boards with rounded corners, and with five metal bosses (one in each corner and in the center), five remain on the front and two on the

back cover (top bosses nearest the spine, front and back, may be replacements), spine with three raised bands, remains of two straps, upper board, and small nail holes, lower boards, for clasps. The binding is now rebacked in quarter brown calf (see the bindings of the manuscripts from the Ospedale di Santa Maria della Scala, restored in a very similar manner, Piccinni and Zarrilli, *passim*), painting, back cover, with minor touches of restoration, and small losses of pigment in the outer robe and foot, leather covers worn and scuffed, leather surrounding the painting at the top is partially detached.

Blind-stamped on the front cover in a panel design, with broad fillets surrounded by two narrow fillets forming a narrow inner border filled with interlaced squares made from oval stamps, and a broader outer border filled with heart-shaped arabesques (obscured on one side by the re-worked spine), surrounding a rectangular center panel with a vertical row of five diamonds, with the larger central diamond surrounding the metal boss, made from small quatri-lobed stamps; on the back cover, there is a blind-stamped scroll-work border, and remains of the outer fillets (most of the original back cover now covered by the re-worked spine, and the painting, see below).

On the back cover, a rectangular panel, measuring 210 x 90 mm., has been cut out from the leather covering, and a painting added on the wood, bordered by holes on all sides, probably from the transparent horn that once covered the painting. The painting depicts St. Mary Magdalene holding her jar of ointments, finely painted in colors and gold on a gesso ground with a pink border; the saint is standing, full-length, in a light yellow robe, with a deep red over mantle with a vivid green lining, partly exposed over her shoulder, on a green and deep blue ground, with touches of gold.

Once ascribed to Guidoccio Cozzarelli (1450-1495) or Andrea di Niccolo or his school, the painting is certainly later, and is contemporary with the main text of the manuscript, i.e., c. 1503-1526; stylistically its draperies may be compared to works by Giacomo Pacchiarotti (1474-1539-40), who was active politically in Siena's struggle against Florence, and was a collaborator with Pintoricchio (he worked on the vault of the Piccolomini Library in 1502-3 with Pintoricchio, who also employed him in Rome to decorate the Basso della Rovere Chapel in Santa Maria del Popolo; see Syson, *et. al.*, no. 77, pp. 258-261 and note 5; see also p. 284, note 8; we thank Dr. Laurence Kanter for his comments on this painting, confirming the dating we propose c. 1503-1526, noting some similarity to Pacchiarotti's work in the drapery style, though it is not by Pacchiarotti himself). There was a similar figure of Mary Magdalene also depicted full-length with one hand raised in blessing, the other holding the ointment jar, found in the Altarpiece in the Bichi Chapel in Sant'Agostino painted by Luca Signorelli, ca. 1489-90 (see Christiansen and Kanter, page 341, figure 1, and Syson, Angelini, *et. al.*, pg. 224, fig. 62).

De Marinis and Hobson list no decorated blind-stamped bindings from Siena (see Literature, below); Siena is known, however, for its remarkable wooden bindings, decorated by prominent painters on the financial records of the Biccherna and Gabella; this style of binding is also found on the books from the Ospedale di Santa Maria della Scala: see Piccinni and Zarrilli, pg. 140, no. 29, with plate of Siena, Archivio di Sato, Ospedale di Santa Maria della Scala 1336, Siena 1638-1651, which is quarter bound in stamped leather, leaving half of the cover bare wood for the painting. It seems reasonable to assume that the present binding emulates the specifically Sienese tradition of the celebrated painted Biccherna panels.

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