

Nulla lex est vera, licet possit esse utilis.
Averroes' "Errors" and the Emergence of Subversive Ideas
about Religion in the Latin West

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I. *Loquentes quasi garrulantes et sine ratione se moventes*

In 1311, Raymond Lull wrote that “although they were infidels, Saracens stoned Averroes, who was himself a Saracen, because of the errors that he introduced against their religion” (*quos contra legem eorum inducebat*)¹. A few years later, his disciple Thomas le Myésier described Averroes as a *haereticus in omni lege*². Lull and his disciple voiced sentiments that would have a great diffusion in European culture from the 14th century onwards: one need only think of Benvenuto of Imola, who in his commentary on Dante’s ‘Inferno’ first ascribed to Averroes the “three impostors” theme (previously credited to the emperor Fredrick the Second and to Simon of Tournai)³; of Petrarch, who saw Averroes

¹ Ramon Llull, *Sermones contra errores Averrois*, ed. Hermogenes Harada, in: Raimondi Lulli Opera Latina, vol. VII (Corpus Cristianorum. Continuatio Mediaevalis 32), Turnhout 1975, 246. On this text cf. C. Teleanu, *Raymundista et Averroista. La réfutation des erreurs averroïstes chez Raymond Lulle (Scholia Raymundistarum 3)*, Paris 2014, 354 sq. Cf. also the *Liber natalis pueri parvuli Christi Iesu*, in: Raimondi Lulli Opera Latina, vol. VII (Corpus Cristianorum. Continuatio Mediaevalis 32), 69: “[...] *quod dicunt et asserunt Auerroim haereticum imitantes.*” I discussed some of the texts examined here during three workshops, held at the Institute for Advanced Study, Princeton (February 14, 2011), at Catania University (October 4, 2014), and at the Ludwig-Maximilians Universität Munich (November 26, 2014). I am grateful to all participants for their helpful comments, and especially to Patricia Crone (Institute for Advanced Study, Princeton), whose research project on “The Impostor Theme” was unfortunately interrupted by her untimely death. This paper is dedicated to her memory. I also wish to thank Iacopo Costa (CNRS, Paris), Guy Guldentops (Thomas-Institut der Universität zu Köln), Maxime Mauriège (Thomas-Institut der Universität zu Köln), Luca Potestà (Università Cattolica di Milano) and Carlos Steel (University of Leuven) for their advice.

² *Breviculum sev electorum parvum Thomae Migerii (Le Myésier)*, edd. C. Lohr/T. Pindl-Büchel/W. Büchel, in: Raimondi Lulli Opera Latina, Supplementum Lullianum, vol. 1, Turnhout 1990 (Corpus Cristianorum. Continuatio Mediaevalis 77), 28: “*Fides Auerrois haeretici in omni lege.*”

³ Benvenuti de Rambaldis de Imola *Comentum super Dantis Aldigherii Comoediam*, I, ed. G. F. Lacaia, Firenze 1887, 182: “[...] *quomodo autor posuit iste sine pena, qui tam impudenter et impie blasphematur Christum dicens, quod tres fuerunt baratores mundi, scilicet Christus, Moyses, et Macometus, quorum Christus, quia invenis et ignorans, crucifixus fuit?*” On this topic, the most important work remains that by M. Esposito, *Una manifestazione d’incredulità religiosa nel medioevo: Il detto dei “Tre Impostori” e la sua trasmissione da Federico II a Pomponazzi*, in: *Archivio Storico Italiano*, ser. VII, 16 (1931), 3–48: see in particular 6–10, 14 sq. (on Fredric II), 29 (on Benve-

as the prototype of the faithless and called him “rabid dog”; of Denis the Carthusian, who claimed that Averroes “abandoned the law of Muhammad on account of the most blatant falsities that are contained in the Qur’an”⁴; of Chrysostomus Javelli, who wrote that after endorsing, in turn, the Jewish, Christian and Muslim religion he finally “despised all these laws”⁵; and eventually of modern *savants* such as Pierre Bayle, Daniel Georg Morhof, Johann Franz Budde and Jacob Brucker, who spread the image of Averroes as a freethinker⁶.

An heir of this tradition, as early as 1852, Ernest Renan understood that this image of Averroes goes back to the treatise ‘De erroribus philosophorum’ (or ‘Errores philosophorum’), probably written around 1270 and generally ascribed to the Augustinian friar Giles of Rome⁷. As is well known, the treatise first thoroughly examines the doctrines of Aristotle that are in conflict with Christian faith, then devotes specific chapters to the “errors” of Averroes, Avicenna, Alga-

nuto of Imola), 36 sq. (on Simon of Tournai). Cf. also M. M. Tischler, *Lex Mahumeti. Die Erfolgsgeschichte eines vergleichenden Konzepts der Christlichen Religionspolemik*, in: A. Speer/G. Guldentops (eds.), *Das Gesetz – The Law – La Loi (Miscellanea Mediaevalia 38)*, Berlin–Boston 2014, 527–573, at 569–572 (with bibliography). On the Islamic and Jewish origins of this topic cf. at least F. Niewöhner, *Are the Founders of Religions Impostors?*, in: S. Pines/Y. Yovel (eds.), *Maimonides and Philosophy*, Dordrecht–Boston–Lancaster 1986, 233–245; S. Stroumsa, *Freethinkers of Medieval Islam*, Leiden–Boston–Köln 1999, 217.

⁴ Denys the Cartusian, *De quatuor hominum novissimis*, ed. V. Priggjobba, Neapoli 1844, 176: “Fuit [Averroes] enim primo de lege Mahumeti, quemadmodum Avicenna et Algazel. Postmodum vero legem impiissimi Mahumeti reliquit, propter apertissimas falsitates, quae in Alchorano continentur.”

⁵ Chrysostomus Javellus, *Tractatus de animae humanae indeficientia*, ed. A. Pincius Venetus, Venetiis 1536, 63: “Isti de deo male sentiunt, ut pessimus ille Auerroes qui a Deo uigorem infinitum abstulit, qui diuinam sollicitudinem erga singularia ut singularia sunt negauit, qui omnem animam informantem materiam mortalem posuit, qui putauit animam intellectiuam esse unicam omnium hominum sed separatam ut intelligentiam, et ut sic immortalem, qui dictus est uno tempore se professum fuisse legem Moysi, alio tempore legem Christi, alio tempore legem immundissimi Mahumeth, denique omnes leges dispexit, ut qui se bestiam fecerat, negando animam intellectiuam esse formam dantem esse homini, sine lege ut bestia uiueret. Isti insani et atrabili uexati omnem pietatem et diuinum cultum prosternunt.” On this text cf. H. Wels, *Aristotelisches Wissen und Glauben im 15. Jahrhundert. Ein Kommentar zum Pariser Verurteilungsdekret von 1277 aus dem Umfeld des Johannes de Nova Domo (Bochumer Studien zur Philosophie 41)*, Amsterdam–Philadelphia 2004, cxlix–cl. The idea that Averroes moved from Christian to Jewish and eventually to Muslim religion is repeated by Antonius Sirmundus, *De immortalitate animae [...] aduersus Pomponatium et asseclas*, ed. Lodovicus de Heuqueville, Parisiis 1635, 29.

⁶ On these *savants* cf. G. Piaia, *Averroes and Arabic Philosophy in the Modern* “Historia Philosophica”: Seventeenth and Eighteenth Centuries, in: A. Akasoy/Guido Giglioli (eds.), *Renaissance Averroism and Its Aftermath: Arabic Philosophy in Early Modern Europe (International Archives of the History of Ideas 211)*, Dordrecht 2013, 237–253; C. König-Pralong, *Médiévisme philosophique et raison moderne de Pierre Bayle à Ernest Renan*, Paris 2016, 56–61.

⁷ The attribution of this treatise to Giles of Rome is not absolutely certain: cf. S. Donati, *Studi per una cronologia delle opere di Egidio Romano. I: Le opere prima del 1285. I commenti aristotelici*, in: *Documenti e studi sulla tradizione filosofica medievale 1 (1990)*, 1–112, at 28 sqq. (but see also 20 sq., nt. 46); C. Luna, *La “Reportatio” della lettura di Egidio Romano sul libro III delle Sentenze (Cm 8005) e il problema dell’autenticità dell’“Ordinatio”*, in: *ibid.*, 113–225, at 165 sqq.; F. Del Punta/S. Donati/C. Luna, *Egidio Romano in: Dizionario Biografico degli Italiani*, vol. XLII, 1993, 319–341, at 320. For Renan’s references to the ‘Errores philosophorum’ cf. E. Renan, *Averroès et l’averroïsme*, Paris 2002 (first edition, 1852), 184 sqq.

zel, Alkindi, and Maimonides. Besides emphasizing that Averroes endorsed and disseminated all of Aristotle's "mistakes", and established new ones such as the doctrine of the unity of the potential intellect, Giles rebukes Averroes for "scorning" both Christians and Muslims for their belief in the creation of the world. He also adds that, "at the beginning of book III of the Physics", Averroes stated that, because of the "custom" (*consuetudo*) acquired through religious teachings, some denied self-evident principles – such as "nothing can be produced out of nothing". Even worse, Averroes mocked Christians and all those who believe in revealed religions, calling them "*loquentes quasi garrulantes et sine ratione se moventes*"; and insulted in particular the "*loquentes in lege sua*" calling them "*voluntates*":

*"Praeter tamen errores Philosophi arguendus est, quia vituperavit omnem legem, ut patet ex II° Metaphysicae et etiam ex XI°, ubi vituperat legem Christianorum sive legem nostram Catholicam et etiam legem Sarracenorum, quia ponunt creationem rerum et aliquid posse fieri ex nihilo. Sic etiam vituperat in principio III° Physicorum, ubi vult quod propter contrariam consuetudinem legum aliqui negant principia per se nota negantes ex nihilo nihil fieri, immo, quod peius est, nos et alios tenentes legem derisive appellat loquentes quasi garrulantes et sine ratione se moventes. Et etiam in VIII° Physicorum vituperat leges et loquentes in lege sua appellat voluntates, eo quod asserant aliquid posse habere esse post omnino non esse. Appellat etiam hoc dictum voluntatem, ac si esset ad placitum tantum et sine omni ratione. Et non solum semel et bis, sed pluries in eodem VIII°, contra leges creationem asserentes in talia prorumpit."*⁸

Before examining the significance of these expressions, let me recall that in the second book, in chapter 3, of his 'Metaphysics' (II, 994b32–995a5) Aristotle drew attention to the negative role that what we are accustomed to hearing may play in the search for truth, illustrating his general remarks through references to the popular belief in the mythical and childish elements of the "laws" (*nomoi*)⁹. Developing these remarks in a passage that in the Averroes Latinus was often labelled as a "*Prologus in tertium Physicorum*" (and that the editors of the Giunta edition decided to move to the first book¹⁰), Averroes presented "custom" (*con-*

⁸ Giles of Rome, *Errores Philosophorum*, ed. J. Koch, English transl. J. O. Riedl, Milwaukee 1944, 16.

⁹ Aristotle, *Metaphysica*, II, 994b 32–995a 5, recensio et translatio Guillemi de Moerbeka, ed. G. Vuillemin-Diem (*Aristoteles latinus*, vol. XXV/3.2), Leiden–New York–Köln 1995, 47: "*Contingunt autem auditiones secundum consuetudines entibus; nam ut consuevimus ita dignamur dici. Et que praeter ea non similia videntur, sed propter inconsuetudinem minus nota et magis extranea; nam consuetum notius. Quantam uero uim habeat quod consuetum est leges ostendunt, in quibus fabularia et puerilia magis quidem ualent cognitione de eis propter consuetudinem.*" The best known medieval Aristotelian florilegium deeply distorts the meaning of this passage; cf. J. Hamesse, *Les auctoritates Aristotelis. Un florilège médiéval. Étude historique et édition critique* (*Philosophes médiévaux* 17), Louvain–Paris 1974, 119, § 59: "*In quibusdam fabularia puerilia magis ualent propter ueritatem conseruandam.*"

¹⁰ The reference of Giles to the "third book of the Physics" (and those of other medieval thinkers to Averroes' 'Prologus super tertium Physicorum') has long troubled scholars, who were unable to find the pertinent passage and therefore supposed a copyist's error: cf. e.g. Giles of Rome, *Errores Philosophorum* (nt. 8), 17, nt. 41; H. Wolfson, *The Twice-Revealed Averroes*, in: *Speculum* 36 (1961), 373–392, at 379. As a matter of fact, we now know that in the tradition of the Averroes Latinus this "prologue" corresponds to a text that the editors of the Giunta edition decided to publish at the end of text 60 of the first book, vol. IV, 36^D-E; cf. the gloss at the end of book II, 85^D. Cf. H. Schmieja, *Drei Prologe im grossen Physikkommentar des Averroes?*,

suetudo) as an impediment to scientific knowledge; he compared “false speeches” to “poison” and mentioned the notion of production out of nothing as an example of the force of often-heard opinions; and he discussed at length the views of the “*moderni loquentes*” regarding the relationship between the study of philosophy and the study of the “laws”, as well as the relationship between the “faith of the philosophers” and the “faith of common men”:

“Consuetudo sicut dicit Aristoteles in primo Metaphysicae est maxima causa impediens a pluribus rebus manifestis per se, quemadmodum enim quando homo fuerit assuetus ad aliquas actiones, licet noceant illi, erunt faciles illi, et credit quod sint utiles. Similiter cum fuerit assuetus credere sermones falsos a pueritia, erit illa consuetudo causa ad negandum illam veritatem manifestam, sicut quidam tantum assueti fuerunt comedere venenum in tantum quod erat eis cibus, et sicut accidit modernis dicentibus quod generatio fuit ex non ente, et causa istius aestimationis fuit consuetudo.

Et tu potes scire hoc ex hoc quod dixit Aristoteles quod omnes antiqui conveniunt in hoc quod nihil generatur ex nihilo. Et iam vidi quosdam socios dubitantes in hac quaestione, et Avicenna oboedivit huic aliquantulum in suo tractatu de substantia orbis [Giunta ed.: vidi quosdam socios dubitantes in hac quaestione, tamen obviavi huic aliquantulum in tractatu de substantia orbis]. Et ista mala consuetudo potest auferri per habere consuetudinem audiendi sua contraria. [...].

Et ideo videmus modernos loquentes dicere quod qui in principio addiscit philosophiam, non potest addiscere leges, et qui primo adiscit leges, non [om. Giunta ed.] ei abscondentur post aliae scientiae, et bene dixerunt. In quo enim congregantur consuetudo veritatis et comprehensio [Giunta ed.: comprehensibilitas] veritatis, ille non habet impedimentum a veritate, sed habet impedimentum a falsitate aut saltem ab eo, in quo neque est veritas neque falsitas ut in legibus. Sed qui habet consuetudinem recipiendi falsum, aptus est, ut impediatur a veritate. [...].

Et ex hoc modo, scilicet per consuetudinem aestimatur quod apologi positi civitati [Giunta ed.: civitatum] sibimet corrumpunt multa principia necessaria, et hoc est per assuetudinem, et ideo fides vulgi est fortior quam fides philosophorum, quoniam vulgus non assuevit audire aliud, philosophi autem audiunt multa, et ideo quando disputatio et consideratio communis est omnibus, corrumpitur fides vulgi, et ideo quaedam leges prohibent disputare.”¹¹

Giles’s presentation of Averroes is clearly based on this passage and, as he explicitly declares, on a parallel passage of the Long Commentary on the second book of the ‘Metaphysics’, in which Averroes first presents the “custom” acquired in childhood through religious training as an impediment to the search of

in: A. Zimmermann/G. Vuillemin-Diem (eds.), *Aristotelische Erbe im Arabisch-Lateinischen Mittelalter*. Übersetzungen, Kommentare, Interpretationen (Miscellanea Mediaevalia 18), Berlin–New York 1986, 175–189, at 175–184. Schmieja makes reference to the short note by A. Pattin, A propos du prologue d’Averroès au III^e livre de son commentaire sur la Physique d’Aristote, in: *Bulletin de Philosophie médiévale* 25 (1983), 61 sq. Both scholars, however, apparently ignore that the so-called prologue to the third book of the ‘Physics’ had already been identified and examined by two outstanding Italian historians of philosophy: cf. B. Nardi, *Studi su Pietro Pomponazzi*, Firenze 1965, 130 sq., nt. 2; M. Grignaschi, *Indagine sui passi del ‘Commento’ suscettibili di avere promosso la formazione di un averroismo politico*, in: E. Cerulli (ed.), *L’averroismo in Italia* (Atti dei Convegni Lincei 40), Roma 1979, 237–278, at 257–261.

¹¹ I quote the prologue to the third book of the ‘Physics’ from H. Schmieja, *Drei Prologe im grossen Physikkommentar des Averrois?* (nt. 10), 177 sq. In the Giunta edition cf. I, c. 60, vol. IV, 36^D–E.

truth; he then explains that human beings achieve “completion” only “through association”, which is promoted by “goodness”, and concludes that it is therefore necessary that men be good but “it is not necessary that they know the truth”:

“Intendit in hoc capitulo declarare ea, quae impediunt veritatem scire. Et fortissimum est eorum consuetudo in pueritia in rebus legum et maxime in hac scientia, quia plures opiniones huius scientiae sunt radices legum. Et ponuntur in legibus non ad sciendum, sed ad inquirendum veritatem [Giunta ed.: bonitatem]. Et causa in hoc est, quia complementum hominum non completur nisi per congregationem, et congregatio est propter bonitatem. Ergo esse boni est necessarium, et non est necessarium eos scire veritatem. Et hoc non accidit tantum in legibus, sed etiam in primis cognitis, sicut accidit hominibus, qui in pueritia audierunt scientiam loquentium. Isti enim propter consuetudinem negant naturam esse et veritatem, et negant necessaria esse, et ponunt omnia possibile esse.”¹²

At the end of the chapter he devotes to Averroes, Giles appends a short list of the latter’s “errors”, including the shocking thesis “that no law is true, although it can be useful” (*Quod nulla lex est vera, licet possit esse utilis*)¹³. Distinguished scholars such as Josef Koch, Harry Wolfson and Mario Grignaschi have shown that Giles of Rome’s portrait of Averroes stems from his very selective and distorting reading of a few textual elements extracted from the Averroes Latinus. According to Wolfson, Giles misunderstood several key words: in particular the term “lex” – standing for both “nāmūs” (law) and “millah” (religion), which he always interpreted in the second sense – and the expression “loquentes in divinis” – which he identified with the Muslim theologians known as Mutakallimūn, currently called “Loquentes” in the Latin world¹⁴. Therefore,

¹² Averroes Latinus, *Metaphysicorum libri*, II, c. 14, ed. G. Darms, In *Aristotelis librum II* (a) *Metaphysicorum commentarius*, Freiburg 1966, 75 (= Giunta ed., vol. VIII, 34^V–K; cf. also M. Grignaschi, *Indagine sui passi del ‘Commento’* [nt. 10], 272–275). Among the propositions ascribed to the “Commentator” in the section of the ‘Auctoritates Aristotelis’ devoted to the second book of the ‘Metaphysics’, one reads the following one (J. Hamesse, *Les auctoritates Aristotelis* [nt. 9], 120, § 67): “*Consuetudo audiendi apologos et fabulas magnum est impedimentum in cognitione veritatis.*” The term “apologi” is not used in the passage from which this saying is extracted, but in other passages of the Averroes Latinus. Besides the so-called prologue to the third book of the ‘Physics’, quoted supra; cf. e.g. the ‘Great commentary on Metaphysics’, XII, c. 50, Giunta ed., vol. VIII, 334^A–B: “*Alij autem sermones, et apologi in corporibus praeter illos, qui accepti sunt a Chaldaeis, verae sunt fabulae sine aliqua veritate; et non fuerunt scriptae nisi ad corrigendum mores hominum ad illud, quod est bonum eis*”; the ‘Commentary on the De caelo’, II, c. 6, ed. F. Carmody, *Averrois Commentaria Magna in Aristotelem De Caelo et Mundo*, Leuven 2003, 279 (= Giunta ed., vol. V, 98^VK): “*Et quia omnia ista sunt apologi quos ponunt ponentes leges ad rectificationem civium, a veritate autem sunt valde remota et ab intellectu humano, dixit ‘Volumus igitur fugere’ etc.*” In this commentary, Averroes emphasizes that several men trained in his own “law” absorb “false opinions”, which contradict evident principles (*ibid.*, I, c. 90, 163 = Giunta ed., vol. V, 58^VL): “[...] *plures homines non possunt credere principia prima propter crementum eorum in opinionibus falsis, ex quibus infinguntur in eis propositiones probabiles, contrarie primis propositionibus manifestis per se, sicut opinantur per se in lege nostra quod Deus posset creare mundos infinitos nisi esset diminutus.*”

¹³ Giles of Rome, *Errores Philosophorum* (nt. 8), 24.

¹⁴ On these misunderstandings cf. Koch’s remarks in Giles of Rome, *Errores Philosophorum* (nt.8), 17, nt. 41; M. Grignaschi, *Il pensiero politico e religioso di Giovanni di Jandun*, in: *Bullettino dell’Istituto Storico Italiano per il medioevo e Archivio Muratoriano* 70 (1958), 425–496, at 470 sqq.; Wolfson, *The Twice-Revealed Averroes* (nt. 10), 375–382.

critical remarks addressed by Averroes to a particular group of Muslim theologians were transformed into an attack against every form of theology – Islamic, Jewish and Christian – and even into a rebuttal of all revealed religions, which Averroes would have disparaged primarily because of their belief in creation out of nothing¹⁵.

However it may be, this portrait of Averroes had a long impact on Western culture and fed the fear that Averroes was introducing subversive views regarding the origin, the nature, and the function of religion. One need only remember that the treatise ‘*Errores philosophorum*’ circulated in several manuscripts, was printed in Vienna in 1482, was appended in 1581 to the Venice edition of Giles of Rome’s commentary on the ‘*Sentences*’, and was reproduced by the Jesuit Possevinus in his well-received ‘*Bibliotheca selecta*’ (1593)¹⁶ and by Charles du Plessis d’Argentré in his huge ‘*Collectio Iudiciorum de novis erroribus*’ (1728)¹⁷. Moreover, the chapter devoted to Averroes in the ‘*Errores philosophorum*’ is the source of Nicolaus Eymericus’ presentation of him in the ‘*Directorium inquisitorium*’, compiled by 1376, which would become – together with the commentary of the Jesuit Francisco Peña, first published in 1578 – the handbook for Inquisition trials, in use until the 17th century¹⁸.

In the second part of this work, Eymericus raises 58 questions “on the heretical depravity pertaining to the office of the inquisition” (*de haeretica pravitate ad officium inquisitionis pertinentes*), the fourth of which deals with the “errors of the ancient philosophers” (*de erroribus Philosophorum priscorum*)¹⁹. Focusing on the

¹⁵ See above. Creation is indeed targeted in several passages of the ‘*Long Commentary*’ on the twelfth book of the ‘*Metaphysics*’, another declared source of Giles’ treatise. According to Koch (*Errores Philosophorum* [nt. 8], 17, nt. 40), Giles referred to XII, c. 18, 304^F (“[...] *et haec est opinio Loquentium in nostra lege, et lege Christianorum, de qua Ioannes Christianus opinabatur, quod possibilitas non est nisi in agente [...]*”), but see also *ibid.* 305^{E-F}: “*Imaginatio ergo super creationem formarum induxit homines dicere formas esse et datorem esse formarum: et induxit Loquentes trium legum, quae hodie quidem sunt, dicere aliquid fieri ex nihilo.*” These “three laws” are clearly identified in the ‘*Long Commentary on the De caelo*’, I, c. 102 (ed. F. Carmody [nt. 12], 196 = Giunta ed., vol. V, 70^D), where Averroes recalls that the thesis that the world is generable and corruptible was spread by the Muslim, Christian and Jewish religion: “[...] *et hanc sustinent tres leges que sunt modo note scilicet Maurorum et Christianorum et Iudeorum.*”

¹⁶ On these editions cf. Koch’s Introduction to Giles of Rome, *Errores Philosophorum* (nt. 8), xiv–xvi.

¹⁷ Cf. Ch. Du Plessis d’Argentré, *Collectio iudiciorum de novis erroribus* [...], vol. I, ed. L. Coffin, Lutetiae Parisiorum 1724, 238a–245b (the section devoted to Averroes is at 240a–241a). As shown by Koch (*Errores philosophorum* [nt. 8], x, xvi), Du Plessis d’Argentré used the fourteenth-century manuscript Paris, BN lat. 16553, which is all but reliable, since “the scribe often abridges the text” and “includes many of his own observations”.

¹⁸ On Eymeric cf. C. Heimann, Nicolaus Eymeric (vor 1320–1399) praedicator veridicus, inquisitor intrepidus, doctor egregius. *Leben und Werk eines Inquisitors* (Spanische Forschungen der Görresgesellschaft 37), Münster 2001. On Peña’s edition of the *Directorium inquisitorium* cf. at least A. Borromeo, A proposito del *Directorium inquisitionis* di Nicolas Eymeric e delle edizioni cinquecentesche, in: *Critica storica* 20 (1983), 499–547.

¹⁹ *Directorium inquisitorium* F. Nicolai Eymerici [...] cum commentariis Francisci Peniae [...] in hac postrema editione iterum emendatum, auctum, et multis litteris Apostolicis lucupletatum, II, q. 4, ed. Marcus Antonius Zalterius, Venetiis 1595, 238a–242a.

same authors examined by Giles of Rome, Eymericus devotes a long section to Averroes, ascribing to him ten “errors”. The first three read as follows:

- “1. *Hic secutus est errores Aristotelis, et cum maiori pertinacia errores eius defensavit: sed praeter errores Aristotelis, negavit creationem rerum, id est quod ex nihilo aliquid fiat; & vituperat legem Christianorum, et sectam Sarracenorum in hoc, quod ponunt rerum creationem, & hoc patet ex xj & xij Metaphysicorum.*
2. *Item, vituperat nos Christianos, asserens nos esse garrulatores, & sine ratione nos mouentes: haec patent circa principium tertii Physicorum.*
3. *Item negat, aliquid posse habere esse post omnino non esse, et vituperat Christianos hoc credentes: hoc patet viii Metaphysicorum.*”²⁰

According to Giles of Rome, Averroes went so far as to call the upholders of all the “laws” “loquentes quasi garrulantes”; Eymericus – who condenses Giles’ passage and mentions only the Christians – assumes that he labeled them “garrulatores”. These expressions, which as yet have not received due attention, are interesting in two ways. Firstly, whereas medieval theologians often associated terms such as “garrulare”, “garrulitas”, “garrulationes” and “garrulatores”²¹ to heresy, “garrulatores” also played a significant, though unnoticed role in the tradi-

²⁰ Ibid., 239a. Though hinting at a possible oral circulation of these offending theses, Peña perceived Eymericus’ dependence on Giles of Rome and in the glosses of his edition wrote (ibid., 241b): “*Illud est pretereā observandum, Eymericum hos philosophorum errores non uideri hausisse ex proprijs fontibus, aut libris eorum auctorum, quibus tribuuntur, sed vel ab alijs libris, vel ab illis, qui uia uoce eos sibi retulerunt, accepisse. Mibi autem valde fit verisimile, eum in tota hac quaestione secutum fuisse Aegidium Romanum, a quo dicitur esse conscriptus tractatus de praecipuis philosophorum erroribus, qui nunc impressus circumfertur; nam quae hic traduntur, cum illis maxime conueniunt.*” On the relationship between Giles’ and Eymericus’ list of “errors” cf. E. Cerulli, Nuove ricerche sul Libro della Scala e la conoscenza dell’Islam in Occidente (Studi e Testi 271), Città del Vaticano 1972, 300–312. Cerulli, however, does not take the minor textual and terminological differences into account, which are of interest to me here.

²¹ Cf. e.g. Peter Lombard, *Commentarium in Psalmos*, 77, 50, ed. J.-P. Migne, in: *Patrologia Latina*, vol. 191, Paris 1880, 737 (“*Mystice rana est loquax vanitas, et significat garrulitatem haereticorum*”); Summa Fratris Alexandri, III, t. 2, c. 2, ad 5, ed. PP. Collegii S. Bonaventurae, Quaracchi 1959, vol. IV, 1116b (“[...] *est contra declamationes et garrulationes haereticorum*”); Pseudo-Thomas Aquinas, *Expositio super Apocalypsim*, 16, in: *Sancti Thomae Aquinatis Opera*, ed. Parmensis, vol. 23, 666b (“[...] *quia daemones importunum garrulant in cordibus multorum persuadendo fortiter errores per se et per alios haereticos garrulatores [...]*”). It is, moreover, worth noting that shortly after 1300, in the section of his treatise ‘De cymbalis Ecclesiae’ devoted to the prophecy “Woe to the world in one hundred years”, Arnald of Villanova criticizes Paris Aristotelians who “obscure the truth” by using these terms: “*Nidus etiam Aristotelis contabescens evacuabitur, quia pullorum garritus abominabilis obteget veritatem, irridente ministris eius*”; I quote from J. Perarnau i Espelt, *El text primitiu del De mysterio cymbalorum ecclesiae d’Arnau de Vilanova*, in: *Arxiu de textos Catalans antics 7/8* (1989–1990), 7–169, at 103. Even more interesting is that, in his commentary on this passage, brother Gentile of Foligno firstly associates “the disciples of Aristotle”, *garrulitas* and disbelief; then, he complains that “the science of Aristotle makes people loquacious and gabbling”; and finally, he emphasizes that the study of “the errors of the philosophers” may be risky to Christians: “*Tales pulli, scilicet discipuli Aristotelis, dicuntur habere garrutum pro eo, quod sciencia Aristotilis facit hominem loquacem et garrulum. Et talis garritus est abhorribilis pijs mentibus, quia sapit infidelitatem, magis quam catholicam veritatem. Nam cum mens in primevo sue erudicionis, antequam sit radicata in catholice fidei*

tion of the so-called “three impostors” theme. Most medieval sources on this theme describe Christ, Moses and Mahomet as “*baratores*” or “*baratatores*” (impostors), “*deceptores*” (deceivers) or “*truffatores*” (tricksters), while the letter discussing the origin of the ‘*Traité des trois imposteurs*’, written by Bernard de la Monnoye and appended to several editions of the *Traité* under the title ‘*Sentimens sur le Traité des trois imposteurs*’, states that one of the sermons of the otherwise unknown Berlette denounced the thesis, ascribed to Porphyry, that Moses, Mahomet and Jesus Christ were the three “*garrulatores*” that “converted the whole world”²².

Secondly, expressions such as “*garrulantes*” and “*garrulatores*” sound openly derogatory: they may be rendered with “gabblers” – or with “babblers”, as in Reidl’s English translation of the ‘*Errores philosophorum*’ – provided that one bears in mind that the emphasis is not on talking rapidly and too much but on talking foolishly. In other terms, Giles of Rome, and Eymericus in his footsteps, spread the idea that Averroes – who actually denounced the verbosity and presumed philosophical dilettantism of the Mutakallimūn – considered all believers, and in particular Christians, as men led by their religious convictions to “proceed irrationally” (*sine ratione se [or nos] mouentes*) and even to contradict self-evident principles such as “nothing can be produced out of nothing”. Moreover, Giles of Rome – not followed by Eymericus in this – adds that Averroes “also in book VIII of the *Physics* scorns the laws” and qualifies the “*loquentes in lege sua*” as “*voluntates*”²³. According to Koch and Nardi, this is probably a misreading of a passage of the ‘*Great Commentary on the Physics*’, in which the Averroes Latinus refers to the “*Loquentes nostrae legis*” using the term “*involventes*”:

sensibus, occupatur philosophie studio, et inbuitor opinionibus et erroribus philosophorum et paulatim subripitur ei veritas fidei et desiccatur in ipsa pinguedo sancte devocionis [...]”; I quote from M. Kaup/R.E. Lerner, Gentile of Foligno interprets the Prophecy “Woe to the world”, with an Edition and English Translation, in: *Traditio* 56 (2001), 149–211, at 204 (cf. also H. Finke, *Aus den Tagen Bonifaz VIII. Funde und Forschungen*, München 1902, 222, nt. 1). Bearing in mind that Gentile of Foligno was an Augustinian friar, one might advance the hypothesis, not envisaged by Kaup and Lerner, that the language of this gloss is inspired by the *Errores philosophorum*: a treatise which, whoever the author was, soon circulated under Giles of Rome’s name (see below, nt. 68).

²² *Sentimens sur le Traité des trois imposteurs*, appended to the 1777 Amsterdam edition of the *Traité des trois imposteurs*, facsimile reproduction, Universités de la Région Rohne-Alpes 1973, 107: “*Le bon Gabriel Berlette dans un sermon de St. André fait dire à Porphire ce qui suit: & sic falsa est Porphirii sententia, qui dixit tres fuisse garrulatores qui totum mundum ad se converterunt; primus fuit Moyses in Populo Judaico, secundus Mahometus, tertius Christus. Belle Chronologie qui met Jésus-Christ & Porphire après Mahomet!*” This passage is mentioned (without remarks and information on Berlette) by F. Charles Daubert, *Le “Traité des trois imposteurs” et ‘L’Esprit de Spinoza’*. Philosophie clandestine entre 1678 and 1768, Oxford 1999, 38.

²³ Using an unreliable fourteenth-century manuscript (cf. supra nt. 17), Du Plessis d’Argentré, *Collectio judiciorum de novis erroribus*, 240a, offered a highly distorted version of the passage: “*Appelatique eos [i. e. those who deny evident principles] garrulantes et loquentes sine ratione et in 8 libro loquentes suae legis appellat voluntates eo quod asserant aliquid posse habere esse post omnino non esse. Appellat enim Deum Voluntatem, ac si esset ad placitum solum Deum.*”

*“Et hoc quod dicunt Loquentes nostrae legis, immo involuentes, quod possibile est prouenire actionem nouam [...] est sermo sophisticus et deceptiuus.”*²⁴

Plausible as the identification of the source is, one might still wonder whether Giles actually wrote “*voluntates*” (the reading attested in all extant manuscripts and printed editions) or “*volentes*” (Robert Holcot’s variant reading in the passage examined below). In the first case, Giles transformed the “*loquentes in lege sua*”/“*involuentes*” – that is, a group of Islamic theologians who, according to Averroes, enveloped or concealed in sophisms the truths of faith – into men who might be roughly (and enigmatically) defined as “wills”. In the second case, he implied that they were simply “willing” (*volentes*) to believe certain doctrines, first of all that “something can have being after wholly non-being”. However it may be, it is clear that, departing from the assumption that Averroes considered all believers as people who “proceed irrationally” (*sine ratione se mouentes*), Giles made a generous but specious effort to interpret a wrong reading of the Latin translation of the ‘Great Commentary on the Physics’ available to him, and assumed that Averroes rebuked Muslim theologians for believing religious doctrines by an act of will – in particular for endorsing the doctrine of the creation of the world “just arbitrarily without any reason” (*ad placitum tantum et sine omni ratione*). In other words, Giles implicitly attributed to Averroes the claim that Muslim theologians viewed religion as the expression of a simple “will to believe” – to use William James’ formula. Tacitly relying on Giles’ ‘*Errores philosophorum*’, at the beginning of the 14th century, the Dominican theologian Robert Holcot mentioned a few passages of Averroes – and first of all the so-called prologue to the third book of the ‘Physics’ – in order to present him as an “execrable rascal” (*ribaldus ille pessimus*) who “disparaged all religions”²⁵, then added:

“Nota hic circa stolidi dicta sua quod habentes per prophetarum revelationem leges sicut habent Christiani et Iudaei tantummodo vocat loquentes quasi garrulantes sine sensu vel ratione. Similiter alios de lege sua, quia fuit aliquando Saracenus, vocat volentes quasi sine scientia non quod ratio cogit sed quod voluntas eligit. Vult ergo dicere in praedicto prologo [scil.: “super 3m librum physicorum”] quod loquentes tales dicunt quod homo imbutus in aliqua lege potest postea addiscere philoso-

²⁴ Aristotelis de Physico auditu libri VIII, VIII, 4, 341^vl. Cf. the commentary by Koch in Giles of Rome, *Errores Philosophorum* (nt. 8), 17, nt. 42. Koch’s views on this point are accepted by R. Guerrero in his Introduction to the Spanish translation of Giles’ treatise: cf. Gil de Roma (Egidio Romano), *Los errores de los filósofos*, Editorial Trotta, Madrid 2012, 43. Nardi, *Studi su Pietro Pomponazzi* (nt. 10), 128, nt. 4 remarked: “Paleograficamente l’errore di leggere *voluntates* al posto di *involuentes* è spiegabile. Più strano è lo sforzo di giustificare l’errore di lettura con una chiosa abbastanza lambiccata.” However “convoluted”, Giles’ interpretation reflects a precise way of interpreting Averroes as a thinker who considered one of the main beliefs of revealed religions, i. e. creation, as arbitrarily and irrationally established.

²⁵ Robert Holcot, *Quodlibet I*, ed. J. T. Muckle, *Utrum theologia sit Scientia*. A *Quodlibet Question* of Robert Holcot O.P., in: *Mediaeval Studies* 20 (1958), 127–153, at 145: “[...] *ribaldus ille pessimus Commentator Averrois, omnium legum contemptor, qui legem Christianorum, Iudeorum, et Saracenum plane contemnit.*”

*pbiam [...], sed qui primo addiscit philosophiam numquam potest postea legibus assentire. Appologos vocat leges et statuta et ceremonias quibus multitudo hominum in communi civitate regulabatur, et ideo dicit quod quando licet omnibus publice disputare tunc fides vulgi corrumpitur et cetera sunt plana.”*²⁶

II. Siger of Brabant and John of Jandun on “fables”

Let us now go back to Aristotle’s remarks, in the second book, chapter 3, of his ‘Metaphysics’, on the difficulties impeding the inquiry into truth and on men’s tendency to believe “fabularia et puerilia”. From the thirteenth century onwards, several Latin thinkers expounded this chapter. It is therefore interesting to examine how they interpreted it and, in particular, how the Arts masters often labeled as ‘Averroists’ made use of Averroes’ reading: did they develop, qualify, or challenge his controversial ideas on “laws”? Did they see them as an expression of his religious insincerity, as Giles of Rome did around 1270?

Precisely in this period, the ‘Averroist’ Siger of Brabant gave several courses on the ‘Metaphysics’. Despite a few significant differences, both the Cambridge and the Munich reportations show that he taught his students that Aristotle was right when he assumed that “what is commonly heard, although fabulous and false, is more easily impressed on the mind than what is true”²⁷. Siger repeatedly made clear that such remarks concerned only “human laws”²⁸, but

²⁶ Ibid., 145 sq. The passage which I have omitted reads as follows: “*quia naturales rationes necessitant eum ad dissentiendum legi.*” It seems clear that this sentence should be placed after and not before the sentence: “*sed qui primo addiscit philosophiam nunquam potest postea legibus assentire.*”

²⁷ Siger of Brabant, *Quaestiones in Metaphysicam* (Cambridge), II, q. 23, ed. A. Maurer, in: Siger de Brabant – *Quaestiones in Metaphysicam*. Texte inédit de la reportation de Cambridge. Édition revue de la reportation de Paris (Philosophes médiévaux 25), Louvain 1983, 71: “*Dico ad hoc quod consuetudo audiendi falsa, etiam opposita eorum quae sunt per se nota, facit credere ea; quod per effectum probat hic Aristoteles. Illa enim quae in legibus humanis consueta sunt audiri, quamvis fabulosa et falsa, magis applicabilia sunt animo quam suae veritates. Ratio quare in legibus humanis traduntur aliquando falsa et fabulosa est quia legislator non semper ponit secundum quod opinatur de primis principiis, sed secundum quod magis potest aptare cives ad mores bonos. Falsis autem et fabulosis possunt quandoque homines aptari ad bonum [...]. Et ideo in lege Pythagorae tradebatur sub comminatione quod anima hominis boni post mortem intraret aliud corpus bonum, mali autem corpus alicuius bestiae; quod non fuit verum sed propter terrorem positum.*” In the Munich reportation, Siger also mentions Averroes’ ‘Commentary on the De caelo’, I, c. 33, ed. Carmody (nt. 12), 64 (= Giunta ed., vol. V, 23^oM–24^oA): “*Sed Averroes 1^o Caeli et mundi: illud impedimentum quo homo impeditur a cognitione veritatis penes prima principia non est parvi momenti, sed maximi.*” Cf. Siger of Brabant, *Quaestiones in Metaphysicam* (Munich), II, 3, ed. W. Dunphy, in: Siger de Brabant – *Quaestiones in Metaphysicam*. Édition revue de la reportation de Munich. Texte inédit de la reportation de Vienne (Philosophes médiévaux 24), Louvain 1981, 80. Often referred to by thirteenth-century Arts masters, this passage was used by one of Siger’s colleagues, around the same period, while discussing whether the lawgivers must tell people the false: cf. I. Costa (ed.), *Anonymi Artium Magistri Quaestiones super Librum Ethicorum Aristotelis* (Paris, BnF, lat. 14698) (*Studia Artistarum* 23), Turnhout 2010, 231 sq.

²⁸ Cf. the passage of the Cambridge reportation mentioned above, nt. 27, as well as the Munich reportation, II, *commentum*, 80 sq.

he did not introduce any cautionary statement regarding the different status of revealed “laws”, as Thomas Aquinas did in his ‘Sententia super Metaphysicam’, openly distinguishing human laws, which – as he claimed – may contain “fabulous and childish elements”, from “the law given by God”, in which “there is nothing false”²⁹. Emphasizing this point, Armand Maurer suggested that Siger’s frequent association of “fables”, “falsehoods”, and “laws”, together with his emphasis on the moral and social function of Pythagoras’ doctrine of the survival of souls, might have provoked the suspicion of ecclesiastical authorities. Maurer therefore surmised that Siger’s lessons on Aristotle’s ‘Metaphysics’ might be behind article 174, which was condemned by the bishop of Paris, Etienne Tempier, on March 7, 1277, “That there are fables and falsehoods in the Christian law just as in others”, and perhaps behind another three prohibited articles (152, 153, 175) dealing with Christian religion and theology³⁰. Maurer prudently added that this does not necessarily mean that Siger was the source of these “errors”, but claimed that “if their authorship is ever discovered, it will be no doubt among the commentators on book 2 of the ‘Metaphysics’”³¹.

This is possible, but far from sure. Aristotle’s ideas on the “consuetudo audiendi” had been developed by Averroes, not only in his commentary on the second book of the ‘Metaphysics’, but especially in his so-called prologue to the

²⁹ Thomas Aquinas, In duodecim libros Metaphysicorum Aristotelis expositio, II, l. 5, § 333, edd. M.-R. Cathala/R.M. Spiazzi, Torino 1964, 93: “*Loquitur autem hic philosophus de legibus ab hominibus adinventis, quae ad conservationem civilem sicut ad ultimum finem ordinantur; [...]. Sed lex divinitus data ordinat hominem ad veram felicitatem cui omni falsitas repugnant. Unde in lege Dei nulla falsitas continetur.*”

It is worth noting that at the end of the 1280s Giles of Rome devoted an entire question of his ‘Quodlibet III’ to discussing whether someone who has been “nourished in a false law” can realize that it is false. Giving a positive answer to this question, Giles emphasizes that, whereas the law revealed by God is true, all laws which have a human origin “contain many falsities”: “*Nulla enim est lex data ab homine puro, vel per hominem purum, nisi data sit per revelationem, vel per inspirationem divinam, quae non contineat multa falsa, et multa reprobanda et vitiosa.*” Later, after attacking Muhammad’s religion, Giles wonders whether laws which are not inspired by God can be properly called “laws”: “*Aliarum autem legum, si leges dici debeant, quae non sunt per divinam inspirationem habitae [...]*”; I quote from B. Aegidii Columnae Romani [...] Quodlibeta, ed. Typis Hieronimi Nempaci, Lovanii 1646, 145b and 146b. For a fine analysis of this question and related texts cf. G. Guldentops, Die Kritik des Ägidius von Rom am ‘falschen Gesetz’ in ihrem philosophie- und theologiehistorischen Kontext, in: A. Speer/G. Guldentops (eds.), Das Gesetz – The Law – La Loi (nt. 3), 583–606.

³⁰ Cf. art. 174: “*Quod fabule et falsa sunt in lege christiana, sicut in aliis*”; art. 152: “*Quod sermones theologi fundati sunt in fabulis*”; art. 153: “*Quod nichil plus scitur propter scire theologiam*”; art. 175: “*Quod lex christiana impedit addiscere*”; I quote from the edition provided by D. Piché, La condamnation parisienne de 1277. Texte latin, traduction, introduction et commentaire, Paris 1999, 124, 132.

³¹ A. Maurer, Siger of Brabant on Fables and Falsehoods in Religion, in: id., Being and Knowing. Studies in Thomas Aquinas and Later Medieval Philosophers, Toronto 1990, 163–174, 174. The hypothesis that Siger might be the source of these articles is taken into account by R. Hissette, L’implication de Thomas d’Aquin dans les censures parisiennes de 1277, in: Recherches de théologie ancienne et médiévale 64 (1997), 3–31, at 15 sq.; and is unquestioningly assumed by S. Landucci, La doppia verità. Conflitti di ragione e fede tra Medioevo e prima modernità, Milano 2006, 55.

third book of the ‘Physics’, and this passage (surprisingly ignored by Maurer³²) had been largely used and abused by Latin thinkers since the 1260s³³. Although we do not know whether articles 152, 153, 174 and 175, prohibited in 1277, were ever taught literally by anyone, those who were responsible for the (written or oral) circulation of similar ideas – if they did exist – were most likely acquainted with a reading of the Averroes Latinus which recalls the one provided by Giles of Rome, who in his summary of Averroes’ “errors” rebuked him, as we have seen, for maintaining “that no law is true, although it may be useful”³⁴.

³² Although Siger makes explicit reference to “*Commentator super III^m Physicorum*” in the Cambridge reportatio edited by Maurer himself (nt. 27): cf. II, q. 25, 74, together with the parallel passage of the Munich reportatio (nt. 27), II, q. 25, 84: “*Averroes in prologo super III^m Physicorum.*”

³³ Landucci, *La doppia verità* (nt. 31), 56, 110 sq., claims that, after Giles’ attack on it, Averroes’ so-called prologue to the third book of the Physics became a “prohibited” and “explosive” text, and therefore only a few ‘radical’ Arts masters such as Siger of Brabant, John of Gottingen and John of Jandun were so “brave” as to refer to it. As a matter of fact, we will see that Siger of Brabant’s and John of Jandun’s approach to this text is all but ‘radical’; as to John of Gottingen, see below, nt. 34. Moreover, one might easily show that several thinkers working from the 1270s onwards – theologians included – mentioned this passage without qualms: cf. e.g. Roger Bacon, *Compendium Studii Philosophiae*, 3, ed. J. S. Brewer, London 1859, 416; John of Dacia, *Divisio scientiae*, ed. A. Otto, in: *Johannis Daci Opera Omnia*, vol. I/1, Hauniae 1955, 15 sq.; Anonymi Boethio Daco *usi Quaestiones Metaphysicae*, II, q. 10, ed. G. Fioravanti, Hauniae 2009, 229; Godfrey of Fontaines, *Quodlibet VI*, q. 11, edd. M. De Wulf/J. Hoffmans, in: *Les Quodlibets cinq, six, et sept de Godefroid de Fontaines*, Louvain 1914, 225; Humbert of Prouilly, *Sententia super Librum Metaphysice Aristotelis Liber I–V*, prolog., edd. Monica Brinzei/N. Wicki (*Studia Aristotarum* 36), Turnhout 2013, 48; Duns Scotus, *Quaestiones super libros Metaphysicorum Aristotelis*, II, q. 1, edd. R. Andrews/G. Etzkorn/G. Gál/F. Kelly/G. Marcil/T. Noone/R. Wood, in: *Duns Scotus Opera philosophica*, vol. 3, St. Bonaventure 1997, 195. Lastly, as Landucci knows (cf. *La doppia verità* [nt. 31], 118), no less than four sayings extracted from this passage were included in the best known florilegium of Aristotelian tags and sayings – the so-called ‘Auctoritates Aristotelis’, redacted at the end of the 13th century by the Franciscan Johannes de Fonte and preserved in hundreds of manuscripts and several printed editions. Cf. J. Hamesse, *Les auctoritates Aristotelis* (nt. 9), 149, §§ 113–116 (*Commentator in prologo hujus [scilicet: Physicorum] III libri*): “*Quidam homines ita erunt consueti comedere venenum quod erat eis cibus*”; “*Quidam propter usum audiendi fabulas negaverunt principia vera per se nota, ut est illud: ex nihilo nihil fit*”; “*Fides vulgi fortior est quam fides philosophorum*”; “*Qui in principio addiscit philosophiam non bene potest audire leges, sed qui in principio addiscit leges non impeditur posse audire philosophiam.*” On Averroes’ quotations in the ‘Auctoritates Aristotelis’, cf. L. Bianchi, *Conclusions*, in: J. Hamesse/J. Meirinhos (eds.), *Les ‘Auctoritates Aristotelis’, leur utilisation et leur influence chez les auteurs médiévaux. État de la question 40 ans après la publication (Textes et Études du Moyen Âge 83)*, Barcelona–Madrid 2017, 317–331, at 324 sq.

³⁴ According to Z. Kuksewicz, *De Siger de Brabant à Jacques de Plaisance. La théorie de l’intellect chez les averroistes latins des XIII^e et XIV^e siècles*, Wrocław–Varsovie–Cracovie 1968, 140 sq., at the beginning of the fourteenth century, notwithstanding Tempier’s condemnation, ‘Averroists’ developed a ‘rationalist’ approach towards Christian faith: in particular, John of Goettingen displayed in his ‘Sophisma’ a true “esprit anti-théologique”. The most relevant passage of the text that Kuwsewicz quotes to support this interpretation, however, seems rather ambiguous to me (ibid., 262, nt. 55): “*Iuxta illud Philosophi 2 Metaphysicae, quod sicut consuevimus [sic! lege: consuevimus], ita digeramur [sic! lege: dignamur], dici: nam propter inconsuetudinem aliqua videntur minus nota et magis extranea; nam omne consuetum notius, secundum quod confirmat Philosophus per ea, quae nos videmus in legibus, in quibus fabularia et puerilia magis valent cognitione veritatis propter consuetudinem. Et hoc est, quod Commentator dicit pulchre in Prologo 3 Physicorum sic. Dicit, quod apologeti positi in civitatibus*

Moreover, if it is undeniable that – as Maurer noticed – Siger “does not explicitly exempt the Christian religion from contamination by childish tales and errors”³⁵, one should not forget that his analysis of Aristotle’s passage of the second book of the ‘Metaphysics’, concerning the fabulous teachings of the “laws”, is more prudent than Albert the Great’s. Actually, in his long paraphrase of this passage, the Dominican theologian not only neglected – like Siger – to highlight that Aristotle’s remarks should not be applied to revealed “laws”. Unlike Siger, Albert also pointed out that the aim of the lawmakers is not to discover truth but to give *praecepta pietatis* useful to preserve the unity of the community, adding:

*“Et ideo ficti sunt esse dii multi et cultus multi et religiones, in quibus non attenditur, quid verius sit, sed potius quid moveat ad reipublicae conservationem.”*³⁶

So, Siger probably played a smaller role than Albert in disseminating the idea that religions may have a human origin and teach what is politically useful but not true³⁷; and, as far as one can judge from the extant reportations, his courses on the ‘Metaphysics’ do not seem a plausible source of Tempier’s articles affirming that “there are fables and falsehoods” in all religions and that the study of Christian religion and theology is incompatible with the study of philosophy (art. 152, 153, 174, 175). But what about the other presumed ‘founder’ of ‘Latin Averroism’ – and even of ‘political Averroism’ – namely John of Jandun?³⁸

corruptunt multa principia necessaria, et hoc est per assuefactionem; et propter hoc fides vulgi fortior est quam fides philosophorum. Vulgus enim non consuevit audire aliud, philosophus autem profundat multa, et ideo quando disputatio et consideratio communis omnibus, corrumpitur fides vulgi et ideo quaedam leges prohibent disputare.”

³⁵ Maurer, Siger of Brabant on Fables and Falsehoods in Religion (nt. 31), 172 sq.

³⁶ Albert the Great, *Metaphysica*, II, 11, ed. B. Geyer, in: *Alberti Magni Opera Omnia*, vol. 16, Münster 1960, 102 sq. Grignaschi, *Indagine su passi del ‘Commento’* (nt. 10), 253, and Landucci, *La doppia verità* (nt. 31), 112, nt. 31, mention this chapter but without taking the passage quoted above, which is – I think – the most impressive one, into account. Cf. also Albert’s ‘Commentary on *De anima*’ I, 3, 407b20–24, where Albert (I, t. 2, c. 7, ed. C. Stroick, in: *Alberti Magni Opera Omnia*, vol. 7/1, Münster 1968, 38) underscores that Pythagoras introduced his “fables” on the destiny of the souls “to make citizens cultivate piety and justice”. In so doing, he goes further than Averroes, who simply stated that Pythagoras’ “apologue” aimed at “correcting the citizens’ souls”. Cf. *Commentarium magnum in Aristotelis de anima libros*, I, t. 53, ed. F. Stuart Crawford, Cambridge (Ma.) 1953, 74.

³⁷ It is significant that Humbert of Prouilly rephrases Albert’s text adding what Albert implies but does not explicitly say, namely that his remarks concern “laws invented by men”. Cf. Humbert of Prouilly, *Sententia super Librum Metaphysice Aristotelis Liber I–V* (nt. 33), II, 4, 245: “*Secundo est intelligendum quod in legibus humanitas adinventis, ut dicit Albertus, non considerantur principia veritatis, sed tantum praecepta pietatis, que hominem alliciant ad bene agendum propter primum, premium boni et penam mali, sicut dicebat Pythagoras [...].*”

³⁸ I do not take Boethius of Dacia into account here. First, because he can no longer be qualified as an ‘Averroist’ – cf. L. Bianchi, *Boèce de Dacie et Averroès: essai d’un bilan*, in: D. Calma/Z. Kaluza (eds.), *Regards sur les traditions philosophiques (XIIe–XIVe siècles)* (Ancient and Medieval Philosophy, Series 1, 56) Leuven 2017, 127–151; second, because no commentary on the ‘Metaphysics’ has been ascribed to him with certainty so far. The one preserved in ms. Leipzig, Universitätsbibliothek 1386, however, is issued from his ‘school’, and it is noteworthy that Aristotle’s views concerning the custom of hearing falsehoods are discussed making use of

It is well known that in a passage of his celebrated question 18 on the first book of the ‘Metaphysics’³⁹ Jandun claims that philosophers represent the pre-eminent “part of the community” and have a decisive social utility, insofar as they can fulfill – as Averroes taught – the intellectual potentialities of mankind by contemplating in this life the separate substances and God. It is equally known that he goes as far as saying that, in this perspective, the contribution of priests is very limited since they “add nothing but outward acts” (i. e., ceremonies, rituals) to what philosophers do for the perfect actualization of reason and the acquisition of supreme happiness⁴⁰.

Yet, when in question 17 he discusses the hierarchy of the sciences and thoroughly examines the relationship between the study of speculative sciences and the study of practical sciences, including that of the “laws”, Jandun is extremely prudent. Far from emphasizing their incompatibility (as in the objection presented by his opponents⁴¹), he displays a great amount of ingenuity in order to

Averroes’ remarks on the “leges”, and without introducing any qualification about their human or divine origin. Cf. Anonymi Boethio Daco usi Quaestiones Metaphysicae (nt. 33), II, qq. 9–10, 227–230.

³⁹ This question has been thoroughly examined by specialists of medieval political thought, from Alan Gewirth to Ludwig Schmugge, from Jeannine Quillet to Mario Grignaschi. As most scholars, I examine Jandun’s commentary on the ‘Metaphysics’ using the printed version of the text, first published by Marcantonio Zimara in 1505 (I quote from the following edition: Ioannis de Ianduno [...] Acutissimae Quaestiones in duodecim libros Metaphysicae [...], ed. Hieronymus Scotus, Venetiis 1560). There is no need to say, however, that I am aware that this represents the last step of elaboration of the text and contains several materials lacking in the manuscript tradition, perhaps not always authentic. On this point cf. at least R. Lambertini, Jandun’s Question-Commentary on Aristotle’s Metaphysics, in: F. Amerini/G. Galluzzo (eds.), A Companion to the Latin Medieval Commentaries on Aristotle’s Metaphysics (Brill Companions to the Christian Tradition 50), Leiden 2014, 385–411, at 388 sq.

⁴⁰ Ioannis de Ianduno [...] Acutissimae Quaestiones in duodecim libros Metaphysicae (nt. 39), I, q. 18, 74: “*Dicendum quod speculativi viri sunt finis aliarum partium civitatis gratia cuius, quia sicut omnes homines sunt propter speculativos viros tamquam gratia cuius, sic tota civitas propter illos, et felicitas politica ordinatur ad felicitatem speculativam, sicut omnes homines in civitate ordinantur ad speculationem de Deo. Similiter sacerdotes non addunt supra speculativos viros ad speciem speculationum Dei nisi actus exteriores.*” Cf. also *ibid.*, I, q. 1, 6, where Jandun argues for the primacy of philosophical happiness over political happiness, remarking that the knowledge of God is necessary in order to behave well, and therefore lawgivers need philosophers, who are able to “demonstrate” God’s existence: “[...] *dicendum, quod verum est, omnis sapientia non est necessaria ad communicationem humanam sed sapientia, quae est in contemplatione et cognitione dei et aliorum principiorum abstractorum, necessaria est ad communicationem et bonum coniunctum: quia sine cognitione dei homines formaliter non possunt bene operari, licet materialiter; unde ad hoc, quod legislator suos cives faciat bonos, oportet quod habeat cognitionem dei per se, ut per habitum sapientiae sibi adiunctum, vel per alium sapientem qui dicat sibi, et demonstret sibi deum, ut possit alios instruere; unde etiam felicitas politica ordinatur ad felicitatem speculativam, sicut ad illud quod est finis.*”

⁴¹ *Ibid.*, I, q. 17, 62: “*Item illi habitus sunt honorabiliores qui non prohibent acquisitionem aliorum habituum, quam illi qui prohibent acquisitionem aliorum habituum, sed habitus practici non prohibent acquisitionem aliorum habituum, ut speculativorum, sed habitus speculativi impediunt acquisitionem habituum practivorum, ut vult Commentator in prologo 3 Physicorum, ubi dicit qui primo adiscit leges non prohibetur a philosophia, id est a speculativa scientia, sed qui primo adiscit philosophiam, non potest postea adiscere leges, et hoc habet auctoritate suorum contemporaneorum. Modo leges sunt habitus practici, quare et c. Item illi habitus sunt honorabiliores, secundum quos habetur certior fides, ut patet per Comentatorem in prologo 10 [sic] physicorum*

point out that the adages taken from Averroes' so-called prologue to the third book of the 'Physics' – one of his favorite auctoritates⁴² – can be read in an 'orthodox' way: according to John, religious training does not impede the study of philosophy, and the latter renders the acquisition of religious beliefs perhaps more difficult, but not impossible⁴³. Moreover, he adds, one should carefully distinguish between true religion (i. e., the Christian one) and false religions, or, to use his own terminology, which is significantly inspired by Thomas Aquinas, "laws intermingled with errors"⁴⁴. In this perspective, Jandun concludes, phi-

ubi dicit Fides enim vulgi est fortior fide philosophorum, sed fides vulgi habetur per habitum practicum, et fides philosophorum per habitum speculatiuum."

⁴² In scarcely reliable manuscripts and ancient editions of his works, Jandun refers to this passage as belonging not only to Averroes' prologue to the third book of the 'Physics', but also to the fourth, the eighth, and even the tenth. Besides Jandun's passages quoted above (nt. 41) and below, cf. Super octo libros Aristotelis de Physico auditu subtilissimae quaestiones, IV, q. 5, ed. Hieronimus Scotus, Venetiis 1575, 95b: "*Et Commentator in prologo suo super 3. Physicorum dicit, quod consuetudo est maxima causa impediens a pluribus rebus manifestis per se, unde et in 1. Coeli et Mundi dicit Commentator quod prava consuetudo audiendi falsa a pueritia est causa impediens a comprehensione propositionum primarum, et idem tangit in 1. Physicorum.*" It is worth noting that later, having argued that philosophy cannot demonstrate the beginning of time, Jandun claims that this is a simple object of faith and emphasizes that belief in revealed truths is strengthened by hearing them during childhood: "*Considerandum etiam, quod licet Aristoteles ita diceret, ut praemissum est, tamen dico secundum fidem et veritatem, quod totum tempus est terminatum a parte ante [...]. Hoc autem, quamvis non sit per se notum tamen non est demonstrabile aliqua demonstratione ab homine, sed sic esse credimus sola auctoritate divina et scriptura Sanctorum. Et ad huiusmodi et similium credulitatem multum facit consuetudo audiendi a pueritia huiusmodi dicta: quae enim consuevimus dignamur dici secundo Metaphysicae*" (ibid., VI, q. 11, 162a). In itself, the emphasis on the role of religious training in childhood can hardly be considered a novelty. To give just one example, Peter Abelard, in his so-called Dialogue, allows the philosopher to say that adults continue to hold true what they were taught as children. Abelard, however, has the Jew answer that faith is indeed instilled by parents, but is later followed by virtue of a rational choice: cf. Collationes, edd. J. Marenbon/G. Orlandi, Oxford 2001, 8–14 (§§ 7 sq. and 12 sq.).

⁴³ Ioannis de Ianduno [...] Acutissimae Quaestiones in duodecim libros Metaphysicae (nt. 39), I, q. 17, 67: "[...] sic qui assuefit in philosophia, postea difficulter adiscit leges, tamen non prohibetur hoc omnino, quia post philosophiam potest leges adiscere, sed non ita feliciter." Another fourteenth-century commentator, whose identity is controversial, followed a different and easier strategy for neutralizing this passage, assuming that by "laws" Averroes meant the "follies" of poets: "*Tertium est quod ipse dicit quod qui primo audiunt leges, bene postea possunt proficere in philosophia; qui autem primo in philosophia, non possunt postea proficere in legibus, et per leges intelligit fatuitates et fremotiones poeticas et inopinabiles.*" Cf. B. Patar (ed.), Ioannis Buridani Expositio et quaestiones in Aristotelis Physicam ad Albertum de Saxonia attributa, vol. III (Liber I–Liber III) (Philosophes médiévaux 40), Louvain-la-Neuve–Louvain–Paris 1999, 114.

⁴⁴ Ioannis de Ianduno [...] Acutissimae Quaestiones in duodecim libros Metaphysicae (nt. 39), I, q. 17, 67 sq.: "*Vel aliter posset dici quod duplices sunt leges, scilicet communes et proprie, et proprie sunt duplices. Quaedam sunt leges proprie cum admixtione erroris, sicut sunt leges mahumeti, et omnes aliae prater diuinam legem. Aliae sunt leges proprie sine admixtione erroris, sicut est lex Christianorum. Modo qui est assuefactus in legibus propriis cum admixtione errorum, postea bene potest adiscere philosophiam, si termini debite exponantur ei, sed econuerso non, quia qui habet cognitionem philosophiae et veritatis non potest adiscere leges, quae sunt cum admixtione errorum, quia homo fortiorem habet inclinationem ad veritatem, quam ad falsitatem, licet impediatur aliquando per aliud. [...]. Et quando Commentator dixitque fides vulgi fortior est fide philosophorum, intellexit in legibus falsis, et non veris.*" It has been highlighted that Jandun's conception of positive law is inspired by Thomas Aquinas' 'Summa Theologiae', and that the distinction

losophers have a stronger faith in the true “law of the Christians” than common men: Averroes’ saying refers only to “false laws”⁴⁵.

The distinction between different kinds of law (*lex naturalis/lex positiva, lex communi/lex propria; lex propria cum admixtione erroris/lex propria sine admixtione erroris*) is accurately explained in question 11 of book II, specifically devoted to discussing “whether custom represents a hindrance to truth” (*Num consuetudo impedimentum praestet ad veritatem*)⁴⁶. Here, Jandun repeatedly refers to Averroes’ so-called prologue to the third book of the ‘Physics’, but limits the validity of its analysis, systematically excluding Catholic faith: Averroes, Jandun remarks, was a Muslim, and the target of his criticism were not Christians but Muslim thinkers, first of all Avicenna, who wrongly assumed that something can be naturally created out of nothing⁴⁷; Averroes’ opinion that “laws” corrupt neces-

between laws *cum admixtione erroris* and *sine admixtione erroris* is reminiscent of – but distorts – Aquinas’ thesis that legal justice arises from natural justice *cum permixtione* or *sine permixtione humani erroris*; cf. *Sententia libri Ethicorum*, V, l. 12, ed. Commissio Leonina, in: *Opera omnia*, vol. XLVII, 306, and comments by Grignaschi, *Il pensiero politico* (nt. 14), 450–454, 474 sq.; J. Quillet, *Brèves remarques sur les Questions super metaphysice libros I–IV* (Codex Fesulano 161, f^o 1^{ra}–41^{va}) et leurs relations avec l’aristotélisme hétérodoxe, in: A. Zimmermann (ed.), *Die Auseinandersetzungen an der Pariser Universität im XIII. Jahrhundert* (Miscellanea Mediaevalia 10), Berlin–New York 1976, 361–385, at 371–376; Lambertini, *Jandun’s Question-Commentary on Aristotle’s Metaphysics* (nt. 39), 405. One might add that in his ‘Summa Contra Gentiles’, I, 6 (ed. Commissio Leonina, in: *Opera omnia*, vol. XIII, 17), Aquinas presented Muhammad as an outstanding example of “those who founded sects committed to erroneous doctrines” (*qui sectas errorum introduxerunt*), complained that he “seduced the people” through promises and false doctrines, and concluded that “he mingled the truths that he taught with many fables and with doctrines of the greatest falsity” (*fabulis et falsissimis doctrinis immiscuit*). On this text cf. M. Di Cesare, *The Pseudo-Historical Image of the Prophet Muhammad in Medieval Latin Literature: a Repertory* (Studien zur Geschichte und Kultur des islamischen Orients, N.F. 26), Berlin–Boston 2012, 307–310.

⁴⁵ Ioannis de Ianduno [...] *Acutissimae Quaestiones in duodecim libros Metaphysicae* (nt. 39), I, q. 17, 68: “*Dicendum quod fides potest referri ad duo: uno enim modo potest referri ad falsas leges, et sic fides vulgi est fortior, quia magis credunt falsis legibus quam philosophiae, quia non viderunt multa, et nesciunt discernere verum a falso, sed philosophi multa viderunt, ut dicit Commentator ibidem. Alio modo fides potest referri ad verum, et sic fides philosophorum fortior est fide vulgi, quia philosophi magis credunt veris quam vulgares. Et quando Commentator dixitque [sic] fides vulgi fortior est fide philosophorum, intellexit in legibus falsis, et non in veris.*” Cf. Grignaschi, *Indagine sui passi del ‘Commento’* (nt. 10), 255 sq.

⁴⁶ Ioannis de Ianduno [...] *Acutissimae Quaestiones in duodecim libros Metaphysicae* (nt. 39), II, q. 11, 170–175. Grignaschi, *Il pensiero politico* (nt. 14), 456–459, had the merit of drawing attention to this question. Although this is the most important text where Jandun discusses the problem of the “consuetudo audiendi”, other passages should be taken into account in order to fully understand his position. Besides those examined below, I draw attention to the incidental remark in q. 22 of the *Quaestiones super Parvis Naturalibus*, apud Hieronimum Scotum, Venetiis 1570, 79a–b, where Jandun argues that what is “naturally” held as true by most men cannot be totally false, qualifying this statement thus: “*et dico naturaliter, quia si omnes vel plures concederent, et crederent aliquid esse verum per consuetudinem audiendi illud, et per aliquas persuasiones sophisticas, non ex naturali inclinatione sui intellectus, non esset bonum argumentum, sicut et de multis quae ponuntur in legibus ad persuadendo hominibus operationes virtuosas.*”

⁴⁷ Ioannis de Ianduno [...] *Acutissimae Quaestiones in duodecim libros Metaphysicae* (nt. 39), II, q. 11, 173 sq.: “*Sed si aliquis instaret, videtur quod Commentator loquatur de lege christianorum, quae est verissima, quia exemplificat de principio, per quod christiani in legibus radicantur, scilicet quod ex nihilo dicunt*

sary principles and therefore represent an obstacle to acquiring philosophical knowledge applies only to laws “intermingled with errors”, i.e., “erroneous laws”:

“Et tu dicis, quod consuetudo in legibus etc.: conceditur de legibus communibus et de illis propriis que rationaliter sunt fundatae, et sine admixtione erroris fundantur super leges communes ille sunt bone et promouent ad cognitionem veritatis, sed proprie leges quae fundantur super communes cum admixtione erroris impediunt cognitionem veritatis et sunt fortissimum impedimentum inter impedimenta quae sunt aduentitia naturae, quia aliter non est verum, et de illis legibus erroneis loquitur Commentator. [...] Ac etiam qui audit leges falsas, bene postea potest proficere in philosophia et veritate quando est in opposito exercitio vel legibus, sed quamdiu manent leges in eo, et eis adheret tunc sunt fortissimum impedimentum a cognitione veritatis, et sic intellexit Commentator de legibus propriis, quae sunt cum admixtione erroris et non de legibus communibus intellexit, et de propriis quae sunt verae et sine admixtione errorum, sicut est lex christianorum.”⁴⁸

Whatever one might think of Jandun’s sincerity⁴⁹, three points need to be emphasized. First, the assumption that Averroes’ analysis of the relationship between philosophical training and religious beliefs is true insofar as it refers to religions invented by men for political purposes, while it is false if extended to Christian faith, is constant in his teaching. One can find allusions to it in Jandun’s commentaries on the ‘Physics’⁵⁰, the ‘De anima’⁵¹ and the ‘Rhetoric’⁵² – where

aliquid fieri, et quod homo fiat ex terra. Dicendum quod Commentator hoc retulit ad legem mahumeti, unde vocat eos loquentes nostrae legis, unde mahumetani hoc principia [sic] quod ex nihilo aliquid fit utebantur male, quod per naturam et naturaliter aliquid posset fieri ex nihilo, non attribuentes omnia potentiae divinae. Et tunc iuste increpat eorum legem. Unde illud digne attribuitur potentiae divinae, quod nulli competit nisi sibi, unde etiam natura respectu Dei nihil est, quia natura non potest facere ex nihilo, sed solum Deus, qui producit per creationem, quae non est factio naturalis, sed super omnem naturam, unde etiam Commentator fuit de lege mahumeti, ergo illos qui sunt de lege ista nominat loquentes suae legis. Ex hoc ulterius patet, quod consuetudo audiendi aliqua falsa a pueritia, quae ponuntur in istis legibus retrahit, et impedit cognoscere veritatem principiorum non solum propriorum, verum etiam communem, et hoc patet per Commentatorem in isto commento, quia dicit, quod audit a pueritia scientiam loquentium, immo dicit, quod qui audiuit in pueritia scientiam loquentium propter consuetudinem negant naturam esse et virtutes naturales, et negant necessarium esse, et ponunt omnia possibilium [...].” Cf. also Super libros Aristotelis de Anima subtilissimae quaestiones [...], ed. Hieronymus Scotus, Venetiis 1552, prooemium, 1^{va}: “Quantam vim habeat, quod consuetum est, leges ostendunt, in quibus plus valent fabularia et puerilia cognitione de eis propter consuetudinem. Est etiam impedimentum non solum in conclusionibus, sed etiam principis, et hoc est quod dicit Commentator 2 Metaphysicae quod illi qui audiunt in pueritia scientiam loquentium, propter quod consueverunt, negant verum esse et omnem veritatem, et negant necessarium, et ponunt omnia possibilium esse.”

⁴⁸ Ioannis de Ianduno [...] Acutissimae Quaestiones in duodecim libros Metaphysicae (nt. 39), II, q. 11, 175.

⁴⁹ On this point cf. at least S. MacClintock, Perversity and Error. Studies on the ‘Averroist’ John of Jandun, Bloomington 1956, 88–99.

⁵⁰ Cf. Super octo libros Aristotelis de Physico auditu (nt. 42), prol. [fol. 1b, not numbered]: “[...] unde Commentator dicit in suo prologo super Octavo [sic] physicorum, quod homines qui in iuuentute fuerunt nutriti in legibus positis falsis et ficticijs, cum incipiunt philosophari et audire rationes demonstratiuas, tunc ipsi reputant impossibilia illa, quae ponuntur in talibus legibus et reputant impossibilem illam perfectionem, quae mittitur per observationem legis.” Jandun repeatedly insists on the consequences of being “nourished in laws”, and in his Quaestiones de somno et vigilia he develops Averroes’ idea (cf. Averroes’ Paraphrasis of Aristotle’s ‘De Somno et vigilia’, in: Averrois Cordubensis compendia librorum Aristotelis qui Parva Naturalia vocantur, ed. A. L. Shields, Cambridge [Ma.] 1949, p. 117 = Giunta ed., vol. VI, 36^E; cf. J. Hamesse, Les auctoritates Aristotelis. [nt. 9], 204 § 103) that

Jandun repeatedly refers to the Muslim religion as “intermingled with errors”⁵³ and draws attention to its deceitful promises⁵⁴ – as well as in his questions on the ‘De caelo’, where he explicitly declares that the Commentator speaks of “the fables [*apologi*] of his religion”, and “if he spoke also of the Christian religion, proved by God’s miracles, he would lie”:

even oneiric activity is influenced by religious training: “[...] *aliqua enim simulacra communiter et indifferenter occurrunt omnibus gentibus cuiuscunque legis, sicut simulacrum aeris, ignis, aut aquae aut huiusmodi, aliqua autem simulacra sunt quasi propria aliquibus hominibus secundum quod nutriti sunt in aliqua lege, et consueti sunt imaginari, ut aliqui nutriti sunt in expectando resurrectionem mortuorum, ut Christiani, et alij in alijs positis a suis legibus, et secundum hoc apparent diversa simulacra*”; I quote from the ‘Quaestiones de somno et vigilia’, q. 24, in: *Quaestiones super Parvis Naturalibus* (nt. 46), 85a.

⁵¹ Cf. *Super libros Aristotelis de Anima subtilissimae quaestiones* (nt. 47), III, q. 37, 10^{va}: “*Et puto quod illi qui reputant istam perfectionem impossibilem homini, et hoc propalant et colorant, dant multis hominibus occasionem divertendi a bono suo declinandi ad inbonesta: quia non possunt demonstrare aliam perfectionem nobiliorem, propter cuius ademptionem homines ratione vigentes debent fugere opera inbonesta et vivere secundum virtutes, sed promittunt talia quae non possunt rationibus convinci; cum tamen hominum genus arte et ratione vivat, sicut in lege Machometi, et in alijs multis falsis legibus positis voluntarie.*” On this question cf. J.-B. Brenet, *Transferts du sujet. La noétique d’Averroès selon Jean de Jandun*, Vrin 2003, 407 sq.; A. Vella, *Il ruolo delle credenze religiose nell’ascesa intellettuale a Dio in una quaestio di Giovanni di Jandun sulla possibilità di conoscenza delle sostanze separate*, in: *Rivista di Filosofia Neoscolastica* 109/1 (2017), 131–146. I am grateful to Andrea Vella for sending this article to me before its publication.

⁵² The *Quaestiones super libris Rhetoricorum* are likely to be the last of Jandun’s Aristotelian commentaries and were redacted shortly before he left Paris in 1326. L. Schmutge, *Johanes von Jandun* (1285/89–1328). *Untersuchungen zur Biographie und Sozialtheorie eines Lateinischen Averroisten* (Pariser Historische Studien 5), Stuttgart 1966, 135–139, argued that two redactions of this work exist. Iacopo Costa, who is preparing its critical edition, thoroughly examines the manuscript tradition and shows that it is actually tripartite in his forthcoming article: *Plurality of redactions and access to the original: editing John of Jandun’s ‘Questions on Aristotle’s Rhetoric’*. I thank Costa for making this important article available to me before its publication.

⁵³ My references to Jandun’s ‘*Quaestiones super libris Rhetoricorum*’ concern the long version, preserved in manuscript Padova, Biblioteca Universitaria 1472, fols 262^{ra}–286^{rb}. In book I, discussing the question “*utrum magis peccat ille qui peccat contra iura scripta quam qui contra iura non scripta*”, Jandun (fol. 280^{va}) presents Muhammad’s “law” as an example of positive law deriving from natural law “*cum permixtione erroris*”.

⁵⁴ In the question of book I devoted to discussing “*utrum aliquid quod nullus homo habet sit bonum homini*” (ibidem, fols 272^{ra}–^{rb}, here 272^{rb}), Jandun distinguishes different ways in which something cannot be had by anyone and, arguing that something cannot be had “*secundum veritatem*” although it can be had “*secundum opinionem vel estimationem*”, he provides the following example: “*Verbi gratia magnitudo imperii a solis ortu usque ad occasum et ab aquilone usque ad meridiem et huiusmodi non est bonum humanum secundum veritatem, cum nec sit finis hominis nec ordinatum in finem, ut satis patet consideranti; tale tamen non habitum potest esse bonum humanum secundum opinionem vel estimationem, et si quis potest inducere homines ad credendum tale bonum esse possibile, tunc propter ademptionem illius boni potuerunt induci consequenter ad multa alia facienda que reputantur bona, huiusmodi autem sunt que promittuntur in legibus falsis et corruptis siue peruersis, sicut in lege machometi et quibusdam alijs similibus, ut innuit commentator averrois in suo prologo super 4 [sic] *physicorum*. Contingit autem maxime opinari huiusmodi propter consuetudinem audiendi ut patet ex 2 *metaphysice*.*” Incidentally, this passage shows that Jandun envisaged the function of a universal monarchy differently from Dante; this is remarkable if one bears in mind that, from Bruno Nardi onwards, Jandun’s and Dante’s ideas on the fulfillment of human welfare have been frequently compared.

*“Et sciendum quod Commentator dicit de his dictis, quod ista omnia sunt apologi, idest sermones vulgares, quos ponunt legislatores, et sunt remoti a veritate et intellectu humano. Unde etiam dicit in tertio Physicorum in prologo, quod apologi nostrae legis, quos ponimus in ciuitatibus, corrumpunt multa principia necessaria propter consuetudinem. Et ipse Commentator loquitur de apologis suae legis, quae sumitur de lege Maumeth. Et si loqueretur de nostra lege mentiretur: quia omnia in lege nostra sunt vera et probata per miracula Dei et Creatoris gloriosi.”*⁵⁵

Second, Jandun’s insistence on this point shows that he does not always content himself with distinguishing the conclusions of philosophy from the tenets of Christian revelation abruptly. Far from appending cautionary disclaimers and protestations of faith – as he often does at the end of his *quaestiones* –, in this case he develops a complex line of reasoning aiming at affirming the superiority of Christian religion. Third, such an approach is not totally unprecedented. As a matter of fact, Jandun expands on what Ferrandus of Spain suggested, around 1290, in his commentary on the ‘Metaphysics’⁵⁶: a commentary labeled as Averroistic by Albert Zimmermann, but considered “perfectly orthodox” by Fernand Van Steenberghe⁵⁷.

III. “The law of the Christians is false”

We have seen that two major figures of the so-called ‘Latin Averroism’ expounded Aristotle’s passages on fabulous elements of the “laws”, avoiding (Siger of Brabant) or even rejecting (John of Jandun) the reading that Giles of Rome had ascribed to Averroes, above all his insulting remarks concerning revealed religions. Does this mean that an endorsement of this reading, going as far as claiming that religious beliefs are useful but not true, would only come with the

⁵⁵ Averroes, In libros Aristotelis De coelo et mundo [...] quaestiones subtilissimae, II, q. 2, ed. Iuntas, Venetiis 1552, 24^{ra}.

⁵⁶ Cf. the passages quoted in A. Zimmermann, Ein Averroist des späten XIII. Jahrhunderts: Ferrandus de Hispania, in: Archiv für Geschichte der Philosophie 50 (1968) 145–164, at 163, nt. 44: “*Haec autem, quae hic dicit Commentator, tangunt legem suam et consimiles leges, quae fuerunt quaedam fictiones inventae ab hominibus. Et ideo mores talium legum impediunt cognitionem veritatis*”; 163, nt. 45: “*Non autem tangunt in aliquo legem nostram, quae est divinitus inspirata. Unde et mores legis nostrae non solum non impediunt cognitionem veritatis, immo sine ipsis impossibile est venire ad speculationem veritatis et philosophiae*.” Cf. also A. Zimmermann, Remarques et questions relatives à l’œuvre de Ferrand d’Espagne, in: H. Santiago-Otero (ed.), Dialógo filosófico-religioso entre Cristianismo, Judaísmo e Islamismo durante la Edad media en la península ibérica (Rencontres de Philosophie Médiévale 3), Turnhout 1994, 215–228, at 226.

⁵⁷ Cf. Zimmerman, Ein Averroist des späten XIII. Jahrhunderts (nt. 54), 164; F. Van Steenberghe, La philosophie au XIII^e siècle, deuxième édition, mise à jour (Philosophes Médiévaux 28), Louvain-la-Neuve–Louvain–Paris 1991, 373 (cf. also id., Introduction à l’étude de la philosophie médiévale, Louvain–Paris 1974, 548 sqq., 563 sqq.). Both judgments should be better qualified. Good arguments for denying Ferrandus “the epithet Averroist” are proposed by G. Galle/G. Guldentops, Ferrandus Hispanus on Ideas, in: G. Van Riel/C. Macé (eds.), Platonic Ideas and Concept Formation in Ancient and Medieval Thought (Ancient and Medieval Philosophy. De Wulf Mansion Centre. Series 1, 32), Leuven 2004, 51–80, at 51–55.

presumably 'lay' Renaissance thought? This is generally assumed, and Pietro Pomponazzi is often credited with the diffusion of such subversive ideas, being presented as the prototype of a sceptic who reduces religions to a series of artful expedients to avoid immorality and social disorder. As a matter of fact, in his treatise on the immortality of the soul, published in 1516, Pomponazzi claimed that this doctrine was a "device" (*ingenium*) introduced by the founders of religions who – "as Averroes says in the prologue of the third book of the *Physics*" – do not care for truth but only try "to lead men to virtue"⁵⁸. Moreover, though quickly dismissing them as "poison", in the lectures he gave at Bologna in 1514 Pomponazzi carefully explained this prologue to his students, first emphasizing that for the Commentator religious laws "impede the truth" and "are false because they are not evident, or reduced to evident things", then suggesting that they are "neither true nor false", like all "fables" (*apologi*) necessary to indoctrinate gross and childish men⁵⁹.

In the space at my disposal, I can neither discuss Pomponazzi's views on this point – which are more complex than it might appear at first glance⁶⁰ – nor

⁵⁸ Pietro Pomponazzi, *De immortalitate*, 14, in: id., *Tractatus acutissimi, utillimi et mere peripatetici*, facsimile reproduction of the 1525 Venice edition, Casarano 1995, 49^b: "*Maiorque hominum, si bonum operatur, magis ex metu aeterni damni quam spe aeterni boni operatur bonum, cum damna sint magis nobis cognita quam illa bona aeterna. Et quoniam hoc ultimum ingenium omnibus hominibus potest prodesse, cuiuscumque gradus sint, respiciens legislator prouidentiam virorum ad malum, intendens communi bono, sancit animam esse immortalem, non curans de veritate, sed tantum de probitate ut inducant homines ad virtutem. Neque accusandus est politicus: sicut namque medicus multa fingit ut egro sanitatem restituat, sic politicus apologos format ut ciues rectificet. Verum in his apologis, ut dicit Auerrois in prologo tertij physicorum proprie neque est veritas neque falsitas. Sic etiam nutrices inducunt alumnos suos ad ea quae pueris prodesse cognoscunt.*"

⁵⁹ Cf. the passages quoted by Nardi, *Studi su Pietro Pomponazzi* (nt. 10), 134 sq., examined also by M. Pine, *Pietro Pomponazzi: Radical Philosopher of the Renaissance*, Padova 1986, 117 sq.: "*Alias dedi multas expositiones: do unam expositionem que videtur mihi esse melior. Non sunt veri nec falsi apologi; dicimus quod sunt sermones fabulosi quia illo tegumento intendunt bonum, sub illo intendunt verum [...]. 2° Metaphysice, commento 14, dicit quod finis phylosophi est docere verum; veritas est finis phylosophi. Finis legis latoris nec est verus nec falsus: est facere bonum morigeratum. Quando pueri clamant dicunt aliqui – Veniet lupus. – Homines docuntur metu, non paradiso. Erant viri boni qui fecerunt illas leges propter bonum nostrum, quia non possemus ire per vias. Intendunt bonum etsi sciant se [non] dicere veritatem.*" Cf. also the passage quoted by Nardi, *Studi su Pietro Pomponazzi* (nt. 10), 147: "*Pro quo sciendum quod apologi sunt quidam sermones fabulosi, qui scilicet sub alia fabula intendunt aliquod bonum aut verum, sicut sunt fabulae Aesopi [...]. Et nota etiam, ex 2° Metaphysicae, quod differentia est enim inter philosophum et legislatorem, quia finis philosophi est veritas, finis vero legislatoris est bonitas. Et ita apologi non intendunt veritatem nec falsitatem. Unde legislator non dicit illas fabulas ut decipiat homines, sed ut faciat homines bonos. Et ideo dicit Plato et vult quod liceat medico quandoque dicere falsitatem egroto, ut scilicet ei imictat spem futurae sanitatis, et legislatoribus dicere mendacia, ut scilicet terrorem inducant.*"

⁶⁰ Vittoria Perrone Compagni has repeatedly argued that Pomponazzi does not conceive of religions as impostures, because he assumes that they are produced, through the agency of the heavenly bodies, by the Intelligences and God (cf. her introductions to *Pietro Pomponazzi, Il fato, il libero arbitrio e la predestinazione*, Trento 2004, xxvi sqq.; *Pietro Pomponazzi, De incantationibus*, Firenze 2011, lxii sq.). Yet, one should better distinguish Pomponazzi's views about the origin of the "laws" and his statements about their truth-value. Needless to say, one can no longer assume too easily that Pomponazzi was a 'heterodox' thinker who masked his religious insincerity by the expedient of the so-called 'double truth'. Nonetheless, one cannot

examine interesting reactions to them – notably that of the Dominican friar Bartolomeo Spina, who significantly asked whether Pomponazzi’s statement that those who taught the immortality of the soul “were deceivers of the people, not caring for truth” should be applied even to Jesus Christ⁶¹. Rather, I will point out the existence of documents which ascribe to a major medieval figure the most challenging ideas about religion denounced both by Giles of Rome in his treatise against the “errors of the philosophers” and by bishop Tempier in his list of the “execrable errors” supposedly taught by the *studentes in artibus*⁶². According to this early fourteenth-century document, several witnesses swore, during a trial for heresy, that the accused claimed that religions had no divine

underrate his emphasis on a few striking points. First, he often compares religious beliefs to “fables” and “fictions”, useful to educate ignorant men but not acceptable to philosophers. Second, he claims that the lawmakers introduced doctrines such as the immortality of the soul “not caring for truth but only for righteousness” (text quoted supra nt. 58); cf. also *Apologia*, in: *Tractatus acutissimi, utilissimi et mere peripatetici* (nt. 58), 61^b: “*Quare cum hec sint tam irrationaliter dicta non videntur convenire hominibus se philosophice tradentibus sed magis poetis, viris vulgaribus et etiam legislatoribus non curantibus de veritate sed bonum constituere hominem et morigeratum.*” Third, in the ‘De incantationibus’, he goes as far as affirming that the existence of angels and demons has been “invented” by men who were perfectly aware that they “cannot exist at all” (*De incantationibus*, 10, ed. Perrone Compagni, 110: “[...] *propter vulgares introducti sunt angeli et daemones, quamquam introducetes minime posse esse illos sciebant*”). The fact that Pomponazzi absorbed them into the eternal cycle of events governed by the celestial Intelligences undoubtedly demonstrates that he refused the idea that religions are impostures – but only insofar as it implies that prophets and lawmakers are simple charlatans who exploit their knowledge to deceive and manipulate the masses. Some of the points examined above, however, show that Pomponazzi was nonetheless indebted to the tradition which sees the “legislatores” as “altruistic impostors”, who take upon themselves the task to diffuse virtue but not to teach the truth. This, significantly enough, is in accordance with Averroes’ gloss to Aristotle’s remarks on the “consuetudo audiendi”. In the passage of his ‘Long Commentary’ on the second book of his ‘Metaphysics’ quoted above, Averroes indeed presents “laws” as a means aiming at promoting “goodness” and argues that it is necessary that men must be good, but that “they need not know the truth”.

⁶¹ Bartolomeo Spina, *Tutela veritatis de immortalitate anime contra “Petrum” Pomponacium* [...], 14, alpha 8, i, in: *Opuscula* [sic] edita per fratrem Bartholomeum de Spina Pisanum [...], ed. Gregorius de Gregorijs, Venetiis 1519: “*Haa verba scelestia. Nun* [sic] *et christum dominum nostrum qui est ipsa prima et summa veritas illuminans omnem hominem venientem in hunc mundum suggillare audes quod non curet de veritate, quod dixerit falsitatem, quod totum mundum deceperit, quod ut fictus doctor populorum ad bona per figmenta deduxerit?*”; id., *Flagellum in tres libros apologie eiusdem Peretti de eadem materia*, *Flagellum in tertium Apologie Peretti*, alpha 1, a, in: *ibid.*: “*Quomodo potes te excusare quod non perperam sapias de immortalitate anime, cum omnis tuus conatus sit rationibus et infinitis dolis probare mortalitatem, et in tantum insanias ut affirmes quod immortalem dicere animam nostram sit delirare, principiis philosophie contradicere, pictagoricas fabulas retexere; et quod qui hoc docuerunt fuerunt nugaces, deceptores populorum, de veritate dicenda non curantes – etiam Moyses? etiam Christus? O deus meus [...]*” Pine, Pietro Pomponazzi (nt. 58), 179 sq., rightly remarks that Spina does not identify in Averroes the source of Pomponazzi’s idea that the lawmakers introduced religious doctrines “not caring for truth”.

⁶² On the meaning of this expression in Tempier’s prefatory letter cf. L. Bianchi, *Students, masters, and ‘heterodox’ doctrines at the Parisian Faculty of Arts in the 1270s*, in: *Recherches de Théologie et Philosophie Médiévales* 76 (2009), 75–109, at 94–98.

origin but “were invented by men” in order to preserve morality and peace⁶³. Some reports are more detailed and attribute to the defendant the claim that religions “have no truth” (*nullius veritatis sunt; nullius veritatis existere*)⁶⁴ and, in particular, that “Christian law” is a fabrication and contains “many falsities” (*multa falsa*) – including the Trinity, Mary’s virginal childbirth, the resurrection of the bodies, and transubstantiation⁶⁵. This explains why in the list of accusations against the suspect redacted in 1310 we find the article saying that the Old and New Testament do not communicate “laws given by God” but “human inventions” (*hominum adinventiones*) and that all of the “laws” do not “contain truths” but “are only useful” (*solummodo utilitatem habere*)⁶⁶.

Who is the presumed advocate of such dangerous heresies? Surprisingly enough, a powerful cardinal, namely Benedict Caetani, later Pope Boniface VIII. As a matter of fact, in a posthumous trial held between 1309 and 1311 he was charged, among other things, of having made these claims, on the occasion of a private debate, held in Naples in 1294 in front of several bystanders. Jean Coste, who carefully edited and thoroughly examined the proceedings of this trial, affirms that the formal identity between allegations excludes that they record what the denouncers spontaneously remembered around fifteen years later, and therefore reflects a prior agreement between the denouncers and/or between the denouncers and the accusers. Coste, moreover, remarks that, leaving aside speculations about cardinal Caetani’s religious sentiments, one can hardly imagine that he actually made such utterances a few weeks before his election to the Holy See, since this “would have been a suicide”⁶⁷. It is difficult to

⁶³ Jean Coste, *Boniface VIII en procès. Articles d’accusations et dépositions des témoins (1303–1311)*. Edition critique, introduction et notes, Roma 1996, 504 sq., 508 sq., 512, 513, 515, 516, 654.

⁶⁴ *Ibid.*, 508 sq.: “[...] *audivit quod dum quereretur de lege Machumeti, ipse dominus Benedictus cardinalis dixit et asseruit, quasi per modum doctrine, quod nulla lex est divina, sed omnes leges invente sunt per homines et posite sunt ibi multe pene eternales solum ut homines pro metu pene retrabantur a malis, cum tamen nulla sit pena eterna et ideo leges nullius veritatis sunt nisi ut homines metu penarum spiritualium vivant civiliter et quiete*”, *ibid.*, 504; “... *dixit: ‘Omnes leges invente sunt ad doctrinam hominum et continent varias et multas penas eternales ad terrorem hominum ut abstineant a malefaciendo metu pene’*, asserens legem divinam nichil esse et alias leges nullius veritatis existere.” Cf. also *ibid.*, 512, 515, 516, 683 sq., 687.

⁶⁵ *Ibid.*, 505: “[...] *inter ceteras leges, lex cristianorum, ut lex evangelica plura vera continet et plura falsa*”, “[...] *dicebat quod lex Christianorum est falsa [...]*”; *ibid.*, 516: “[...] *inter ceteras leges, lex cristianorum peior est et falsior est*”; *ibid.*, 513: “*Lex divina et Christianorum non est sicut creditis, quia per homines facta est et non a Deo et continet multa falsa*”; *ibid.*, 655: “[...] *dixit quod lex divina fuit inventa ab hominibus, et quod lex christiana erat falsa in multis*”; *ibid.*, 663: “*dixit tunc idem cardinalis quod lex christianitatis continet falsitates*”; *ibid.*, 687: “[...] *dixit quod nulla dictarum legum erat divina, sed erant leges iste ab hominibus adinvente, ut homines metu pene retraberentur a malis et quod dicte leges, et specialiter lex christianorum continet multa vera et multa falsa.*”

⁶⁶ *Ibid.*, 565: “[...] *dictus Bonifatius dicebat et asserbat expresse novum et vetus testamentum leges a Deo datas non fuisse, sed quod erant hominum adinventiones, nec ipsas leges, sicut est lex Mabometi, continere veritatem, ad animarum salutem, sed hoc solummodo utilitatem habere, ut per eas informarentur homines ad vivendum pacifice in hoc mundo.*”

⁶⁷ *Ibid.*, 19 sq., 456–462. I quote from 461: “*Sans douter qu’ait bien eu lieu, le 3 novembre 1294 à Naples, une disputatio au cours de laquelle le cardinal Caetani aura passé en revue de manière critique certaines particularités de la foi chrétienne, on ne saurait en effet penser sérieusement qu’un candidat à la papauté, à*

disagree with him, especially if one bears in mind that the aforementioned accusations were added to a previous list of heresies, offending statements, and behaviors in the last phase of a trial which had political reasons, namely the conflict between the late Boniface VIII, the Colonna family and the king of France Philip the Handsome. Still, the fact remains that a cardinal destined to become a Pope is, as far as I know, the first medieval “vir litteratus” who was openly accused of endorsing something similar both to “error” 174 censured at Paris in 1277 and to the first of the “errors of the Commentator” listed in the ‘*Errores philosophorum*’ circulating under the name of Giles of Rome⁶⁸. Since Giles had been one of the best collaborators of Boniface VIII and presented himself as his “humble creature”⁶⁹, one could even be tempted to think of an easy retaliation, effected by posthumously ascribing to the Pope what the best known theologian of his entourage had ascribed to Averroes⁷⁰. However it may be, the least we can say is that at times also in intellectual history ‘one error leads to another’: what in the 1270s had been denounced as the worst of the “*errores Commentatoris*” reappeared, a few decades later, among the “*errores Bonifacii*”.

quelques semaines d'une élection fort attendue, ait nié à la file et de manière formelle les principaux dogmes de sa religion. C'eût été suicidaire.”

⁶⁸ Although the authenticity of the ‘*Errores philosophorum*’ is not certain, it is noteworthy that it was ascribed to Giles of Roma as early as the thirteenth century: cf. Giles of Rome, *Errores philosophorum* (nt. 8), xxx sqq.

⁶⁹ On Giles’ relationship with Boniface VIII cf. F. Del Punta/S. Donati/C. Luna, Egidio Romano (nt. 7), 323–325.

⁷⁰ This is not to say that the treatise ‘*Errores philosophorum*’ was the only possible source of the thesis ascribed to pope Boniface VIII. As a matter of fact, it is well known that the idea that religions (or at least some of them) are human inventions devised for political purposes was widely diffused in Greek and Latin culture and circulated in the Middle Ages thanks to Cicero’s ‘*De natura deorum*’ (I, 42, ed. W. Ax, Stuttgart 1961, 46) and Augustine’s ‘*De civitate Dei*’ (IV, 27, edd. B. Dombart/A. Kalb [Corpus Christianorum. Series Latina 47], 120 sq.). Yet, it does not come as a surprise that Boniface VIII was presented as an ‘Averroist’ in literature on the history of religious unbelief, which is now outdated but nonetheless continues to have a readership. Cf. e.g. Fritz Mauthner’s history of atheism, first published between 1920 and 1923, and recently translated into Italian: F. Mauthner, *L’ateismo e la sua storia in Occidente*, Italian Translation by L. Franceschetti, Roma 2012, 349–352.

