

The Order of the Preachers and the Universities in the 13th Century

In this article, the relationship between the Order of the Preachers, also known as the Dominicans, and the early Western European universities in the 13th century is examined. It is argued that while this relationship was most definitely a fruitful one for both institutions and helped them in their early development, there were also extreme tensions and fundamental differences. This will be argued in different steps. Firstly, the historical context for both the early universities and the development of the Order of the Preachers will be briefly presented, including an analysis of the immense importance of education for the order. This will be followed by an analysis of the different ways in which the Dominicans and the early universities were closely connected to and influenced each other, namely through 1) the overlapping of both teachers and students of both institutions, 2) how the universities and the order were connected and intertwined on institutional levels, and 3) the influence the Dominicans had on the content taught at universities. Thirdly, the bitter conflicts that arose between the two institutions will be pointed out and it will be shown how the described relationship was by no means an easy one. To exemplify this, a letter written by the secular masters of the University of Paris in 1254 in the course of a prolonged dispute between French mendicants and secular clergy will be analysed.

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The very first European universities developed in Bologna and Paris during the 11th and 12th centuries. They developed in a slightly different way and were organised differently, yet the principle was the same: one institution that combined the teaching of higher knowledge in different subjects in one place. They were soon followed by other

universities and from the 13th century on, more and more universities were founded throughout Europe.¹

One of the main differences the universities had in comparison to the previous medieval schools was their right to award the *licentia ubique docendi* – the license to teach at any university in Europe. This was the basis for the success of the universities as it guaranteed a wide recognition of the skills thereby obtained. It was also, however, a right granted to the universities by the pope and was one manifestation of the deep embedding of the Christian Church in the universities.²

The early universities – up to the 19th century – consisted of four faculties: the *Artes* (which later became the faculty of philosophy), Medicine, Law, and Theology. Students first took up their studies at the faculty of the *Artes*, studying the seven free arts of antiquity. Onto that, it was possible to add studies at one of the three higher faculties. During the course of their studies, students first obtained the title *baccalaures (artium)* during the studies of the *Artes*, and later added the title *magister*. While at first, this title granted the right to teach at the according faculty, the rising number of students later made it necessary to add the *promotio* or *inceptio* to obtain the *licentia ubique docendi*. While this basic system was more or less the same at different universities, the details of the studies varied.³ At least at the theological faculty, most students aimed at obtaining a magisterial chair, but the title of a *magister* also made it possible to rise to a high position in the church.⁴

¹ Fisch, Geschichte, 9-12.

² Verger, Grundlagen, 49.

³ Fisch, Geschichte, 23-26; Asztalos, Theologische Fakultät, 366f.

⁴ Traver, Rewriting History, 28f.

The *Ordo fratrum Praedicatorum* was formed by papal privilege in 1216/17 out of a previous community of monks consisting of Dominic of Guzmán and six of his companions. In 1220, the order held its first general chapter, but it was not until 1228 that the last details of the order's constitutions and its basic organisation were determined. It was one of the mendicant orders founded in the High and Late Middle Ages. The mendicants, in contrast to previous orders, did not live in the seclusion of a monastery. In fact, the Order of the Preachers was founded with two explicit goals: converting heathens to the Christian faith and bringing spiritual welfare to those in need of it.⁵ In accordance with these goals, Dominic dispatched several of his brothers into different parts of Europe in 1217. They were to continue their preaching there and help the spread and growth of the order. But not only were they sent into different cities, Dominic had also chosen cities where there already was a university in existence.⁶ This connection of the still very young order to the universities had its foundation in the goals formulated by the order: If they were to bring Christianity to heathens, they needed a certain theological education and therefore, the order was in need of a well-organised educational system.⁷ This system, which developed over the course of the 13th century, had its basis at every single convent. As it said in the statutes, *conventus [...] sine priore et doctore non mittatur*.⁸ – No Dominican convent was to be founded without a teacher. And so the friars received a basic education at their convent, after which the most promising ones were sent to one of the order's university colleges – the so-called *studia generalia* – to receive further education in Theology. The most important *studium generale* was in Paris, where, as well as in Oxford, the faculty of Theology formed an important centre of theological learning in Europe during the 13th

⁵ Hinnebusch, Dominican Order Vol. 1, 83; 171f.

⁶ Hinnebusch, Dominican Order Vol. 2, 5.

⁷ Mulchahey, Dominican Education, 132.

⁸ Constitutiones Antiquae Ordinis Fratrum Praedicatorum II.23, 358.

and 14th centuries. In Paris, the friars formed their own college, Saint Jacques, which soon became the spiritual and educational centre of the order.⁹ As the order grew, its educational system developed as well. *Studia provincialia* were introduced as a second step in between the *scholae* and the *studia generalia*. All of these different schools, spread over large parts of Europe, formed an intricately connected system that has itself been compared to a *universitas magistrorum et scholarium* by different historians.¹⁰

However, despite being embedded in the order's own educational system, the *studia generalia* were also closely connected to the according faculties of Theology. This connection found its manifestation in numerous ways, which are now to be analysed.

First of all, at universities, friars on the one hand and secular students and professors on the other did not live a separate life. The Dominican friars did not always stay within their order's college – sometimes, a Dominican professor would teach at a non-Dominican college.¹¹ Additionally, Dominican students heard lectures given at non-Dominican colleges as well as at their own.¹² Neither, however, did the secular students and professors at the universities avoid the Dominican colleges. On the contrary: When the mendicant colleges first developed, it was not unusual for a master of the secular clergy to teach there. It was only later on, when the order itself had produced excellent theologians, that the order's own masters were chosen from among those. Accordingly, the order's lectures were also open for secular students.¹³ The Order of the Preachers, however, went one step further: While opinions differ on whether or not

⁹ Traver, *Rewriting History*, 15.

¹⁰ Hinnebusch, *Dominican Order Vol. 2*, 10; Frank, *Spannung*, 189; Mulchahey, *Dominican Education*, 132.

¹¹ Hinnebusch, *Dominican Order Vol. 2*, 12f.

¹² Hellmeier, *Stellung des Studiums*, 132; Hinnebusch, *Dominican Order Vol. 2*, 5.

¹³ Asztalos, *Theologische Fakultät*, 363f; Hinnebusch, *Dominican Order Vol. 2*, 11.

Dominic had intended for his order's studies and the universities to become intertwined so deeply, the instructions he gave his brothers in 1217 were clear: They were to preach in the cities they were sent to – and to recruit friars from among the secular members of the universities. Dominic also took care that those new friars should not suffer any disadvantages in comparison to the ones educated at the order's priory schools. The strategy was quite successful and even helped the order in gaining prominent new members – for example John of St. Giles, a secular magister teaching at Saint Jacques in Paris, who then joined the order himself.¹⁴

Secondly, it is important to emphasise that the connections between the universities and the Order of the Preachers went much beyond the simple exchange of students and professors. In fact, the two institutions formed a sort of symbiotic relationship which differed between universities. In some cities – such as Paris – the order's *studium generale* was integrated into the university and complemented the Faculty of Theology: The lectures adhered to university standards and were heard by Dominican and non-Dominican students alike. Furthermore, at some universities – such as Oxford and Paris – some lectures of Theology were held inside the convent's churches, which clearly shows cooperation on the simple organisational level.¹⁵ Moreover, the Dominican students were regarded and treated as students of the university and were given an official degree as well as the *licentia ubique docendi* after finishing their studies. Likewise, friars who taught at the order's college belonged to the Faculty of Theology's teaching staff.¹⁶ Finally, at some universities – although mainly in northern Italy –, the Faculty of Theology was entirely replaced with the order's *studium generale*.¹⁷

¹⁴ Hellmeier, Stellung des Studiums, 134; Hinnebusch, Dominican Order Vol. 2, 5; Asztalos, Theologische Fakultät, 363f.

¹⁵ Hinnebusch, Dominican Order Vol. 2, 13.

¹⁶ Mulchahey, Dominican Education, 363.

¹⁷ Hinnebusch, Dominican Order Vol. 2, 10.

Thirdly, it is clear that these close connections between the Order of the Preachers and the universities could not exist without each of them also influencing the contents taught at the other. These influences comprised questions of theological teachings, doctrine, and science. Especially those problems concerning theological doctrine that were discussed during large parts of the 13th and 14th centuries frequently led to conflicts between Dominican and secular masters, as will be discussed later on. However, it was also with regard to these questions that the friars contributed most to the universities' development. Due to their wide distribution across Europe, they had their own extensive network as well as connecting the different universities of Europe.¹⁸ Thus they helped creating a large-scale network of scholars. Moreover, some Dominicans made important contributions to the theological lectures at the universities. For example, it was the Dominican friar Robert Fishacre who first made the "sentences" of Petrus Lombardus an integral part of the theological lectures at Oxford University.¹⁹ Additionally, some of the best-known theologians of the 13th century, who were deeply involved in the development of new theological ideas, belonged to the Dominicans. One of those was Thomas of Aquin, whose *Summa Theologiae* made an important contribution to the discussion whether Theology should be seen as a science and how it should be differentiated from philosophy. It influenced the Dominican's point of view on those matters from the 13th to the 15th century and then went on to replace the "sentences" as the main theological textbook at German and Italian universities.²⁰

At the same time, however, it must be remembered that not only the Dominicans influenced the universities – the connection worked in both directions. As Isnard Frank has pointed out, the Dominican order profited greatly from the universities as well. They organised their own schools according to the universities' example, which made

¹⁸ Hellmeier, *Stellung des Studiums*, 141.

¹⁹ Levy, *Study of Theology*, 66f.

²⁰ Asztalos, *Theologische Fakultät*, 384f; Levy, *Study of Theology*, 72.

it possible for them to develop such a large network in the first place. According to Frank, they also adopted the new scientific ideals developed at universities and helped the spread of scholastic theory and philosophy.²¹

It has been made clear that the Order of the Preacher's *studia generalia* were by no means always clearly distinguishable from the universities' theological faculties. Instead, the relationship was mutually dependent and influencing. However, while the theological studies were closely linked, the overall institutions of universities and mendicant order were not. Instead, they were quite different from each other and also pursued different goals when studying Theology at a university. It therefore seems hardly surprising that over the course of the 13th century and beyond, severe problems in the relationship of universities and Dominicans became obvious. These conflicts were complex and caused by several reasons.

For one, the Dominicans' contribution to theological discussions of the 13th and 14th century may be regarded as fruitful with hindsight. At the time, however, bitter and prolonged arguments were lead at universities between the Dominicans and other mendicant orders as well as between mendicant orders and secular masters. In some cases, they had very substantial consequences, for example when the Dominicans were secluded from the Parisian university for some years at the end of the 14th century over theological discussions.²² The effect of such conflicts on the overall relationship between friars and secular masters at universities must not be underestimated.

Conflicts arose, however, even outside of disagreements about theological contents. Especially from the second half of the 13th century on, the Dominicans and the theological faculties tried to impose restrictions and regulations on each other both in Paris

²¹ Frank, *Spannung*, 189.

²² Asztalos, *Theologische Fakultät*, 382.

and Oxford, without taking the interests of their students into consideration.²³ The animosities arose because of simple questions of power, because of the order's privileges, such as their providing spiritual welfare to the rural population²⁴, or because of the number of magisterial chairs the Dominicans held. Some of these conflicts stretched over decades and did serious harm to the relationships between Dominicans and universities.

One example for these conflicts is the very long dispute between French mendicants and secular clergy in the 13th century. It broke out during the 1250s in Paris and went on until the end of the century. It started as a dispute between mendicant orders and the secular clergy in different parts of Europe that led to a very substantial conflict at the Parisian university. From there, the controversy spread over all of France and turned into open quarrels that were led in cities, at universities, by synods and even at the courts of the French king and the pope.²⁵ The conflict at the University of Paris in the early phase of the dispute is most relevant for this essay. Even though it has to be put into the context of larger conflicts rather than to be seen as a singular event, it allows us to recognise the underlying problems between the Dominicans and the secular masters at universities. But first, it is necessary to recount the order of events of the dispute.

Saint Jacques, the Dominicans' oldest and most important *studium generale*, was incorporated into the Parisian university as explained above. The first two *magisters* of Theology at Saint Jacques were John of St Albans (from c. 1220) and John of St Giles (from c. 1225). Both of them did not belong to the order, which did not yet have the possibilities to train its own masters, but were secular priests and masters of Theology.

²³ Asztalos, Theologische Fakultät, 364f.

²⁴ s. Hödl, Disputation; Steckel, Synodale Konfliktführung, 164f.

²⁵ Steckel, Synodale Konfliktführung, 159ff.

Despite teaching at the Dominicans' own college, they occupied one of the theological faculty's magisterial chairs, belonged to the university's teaching staff, and their lectures were heard by Dominican and non-Dominican students alike.²⁶

The problems started in the spring of 1229, when some of the university's students were arrested or killed during festivities in the city. The masters and students of the university left the city in protest, but John of St Giles, the Dominican's current master of Theology, refused to join. On the contrary: While the other masters were absent from Paris, John of St Giles took care that the Dominican friar Roland of Cremona was made a master of Theology, thereby claiming a second of the faculty's magisterial chairs for the Dominicans. In addition, John of St Giles himself joined the order only shortly afterwards.²⁷

In 1250, the secular masters tried to reduce the number of chairs held by mendicant friars to one for each order. The Dominicans, however, refused to give up one of their chairs, causing the decree to remain largely without consequences for them.²⁸

In 1253, similar events to those of 1229 occurred. Again, students of the university were attacked in the city, some arrested, and some killed. Again, the university's masters and students left Paris to force the city to compensate them. And again, the mendicant friars refused to participate in the protest. After the masters and students had returned to Paris, the university decreed that henceforth, all masters were to take an oath on the university's statutes. Although Pope Innocent IV. had already passed a decree giving the universities the right to do so in 1247, the Dominican masters refused to oblige. Consequently, the university excommunicated and expelled them.²⁹

²⁶ Asztalos, *Theologische Fakultät*, 363f.

²⁷ Traver, *Rewriting History*, 10f; Asztalos, *Theologische Fakultät*, 364.

²⁸ Traver, *Rewriting History*, 12f.

²⁹ Traver, *Rewriting History*, 13; 17.

At first, the order received papal support and Pope Alexander IV. renounced the excommunication. However, when he ordered the secular masters to readmit the Dominicans, it was their turn to refuse.³⁰ Following this, the conflict reached its height during the winter of 1255/56 but continued to smoulder for several more years at the university.³¹

Having excommunicated the Dominican masters and refused to readmit them into the university, the secular masters of Theology of Paris wrote an open letter to the secular clergy and all members of the university in the beginning of 1254 to justify their actions and ask for support from outside the university. Accordingly, throughout the letter, the masters highlight the alleged importance of the university as well as their own adherence to the laws of God. In contrast, the friars are described as power-hungry, devious, selfish, and aiming at nothing less than the destruction of the entire university. Naturally, this depiction is thoroughly biased and one-sided. Moreover, many facts are recounted in a highly distorted way to make the secular masters look better, as Andrew Traver has explained.³² Nevertheless, despite the accusations towards the Dominicans not being entirely justified, the letter mirrors the secular masters' underlying fears and the problems between them and the Dominicans. These are to be analysed in the following.

First, the masters summarise the entire history of the Dominicans at the Parisian university, then go on to recount the events of 1253 in more detail in order to explain their attitude both through previous conflicts and that year's events.

³⁰ Traver, *Rewriting History*, 13; Hinnebusch, *Dominican Order Vol. 2*, 73.

³¹ Hinnebusch, *Dominican Order Vol. 2*, 74.

³² Traver, *Rewriting History*, 29f.

One basic problem laying beneath the escalation of the conflict becomes obvious throughout the letter: The Order of the Preachers was quickly gaining power both inside and outside the university and the secular masters were fearing for their influence and position at the university. According to Traver, these fears were well-founded: At the time of the conflict, the Dominicans were in control of a much larger, more systematic network of studies than the universities and quickly gaining reputation and students.³³

This problem, despite underlying the entire conflict, is not the sole cause for it. At the beginning of the letter, the masters argue that the Dominicans would not have been able to gain a foothold in Paris in the first place, had it not been for the university. Only because of their integration into the university and because of the university granting them use of the hospital of Saint Jacques did their number in Paris grow, according to the masters.³⁴ Thus it becomes clear that they were feeling the order was in fact indebted to them.

The masters did not generally have a problem with single magisterial chairs of Theology being occupied with mendicant friars. However, the Dominicans were not the only order claiming at least one chair at the faculty and the number of these was limited. Additionally, the masters felt that the Dominicans had gained both their chairs in an unlawful way. Travers discusses whether or not this was justified³⁵, but the problem remained that after 1230, two of the theological magisterial chairs were firmly held by Dominicans. The secular masters further argue that the mendicant orders would keep these chairs to themselves and would continue to place their own friars on them. And further: Because the Dominicans were not the only mendicant order at the university, there were only very few chairs left to the secular masters anyway. Accordingly, the

³³ Traver, *Rewriting History*, 15; 29.

³⁴ *Against the Friars*, 57.

³⁵ Traver, *Rewriting History*, 21ff.

secular clergy allege that they had to prevent being forced out of the university by the mendicant friars. They therefore had issued the decree of 1250, reducing the number of magisterial chairs per order to one. They had tried this in order to force the Dominicans to give up one of their chairs as well as to prevent other orders from following the Dominicans' example.³⁶

But the masters go further still: The reason for the theological faculty only being able to support twelve magisterial chairs was, according to them, the increasing number of Dominican studies in different cities which prevented more students from coming to Paris. Although this allegation is not entirely true, it shows what had been making the masters worry for quite some time: the steady growth of the mendicant orders that had already been leading to some quarrels with the rural secular clergy.³⁷

Just as problematic was the Dominicans' recruitment of friars from among the university's members. As mentioned above, this had been an important part of the task Dominic of Guzmán had set his brothers. However, the secular masters were not too happy with this and probably saw it as part of the problem of the order's growth.

What the masters naturally do not mention is that not just the Dominicans profited from the integration of their studies into the universities. While they complain that because of the Dominicans, less students came to the university, the friars meanwhile added their own students to the faculty, thereby increasing the number of students. Additionally, famous Dominican theologians such as Thomas of Aquin or Albertus Magnus must have drawn further students to the university they were teaching at.

The masters further allege that the Dominicans were to blame for sowing disunity among them. Before the friars had come, they explain, they had all been similar in things such as clothing and profession. The Dominicans had put an end to that: They

³⁶ Against the Friars, 59.

³⁷ Steckel, Synodale Konfliktführung, 159.

had their own habit, followed a different daily routine from the secular students and masters, and lived in their own community within their convent. And of course, in the protests of 1229 and 1253, they had not acted as one with the other masters. When the masters had tried to regain their former unison by demanding an oath from every master, the Dominicans had refused.³⁸ The secular masters, therefore, did not only fear to be forced out of the university by the mendicants, but also to have the university's position towards the city weakened by not all of the masters standing as one when needed. Furthermore, they had already lost the traditional support of the papacy, as the pope had placed himself on the Dominicans' side in this conflict.³⁹

A further cause for the problems becomes obvious as the masters write in their letter that for the secular clergy, education was more important than for the mendicant friars. After all, secular priests would more often take high positions in the church and therefore had a more urgent need of the according education. As the number of masters belonging to a mendicant order was increasing, however, there were less possibilities for secular students to gain a magisterial chair after finishing their education and therefore secular students had less motivation to continue their studies.⁴⁰ This argument not only shows the secular masters' very pragmatic worries for the number of their students, but also an underlying problem further disturbing the relationship between secular and mendicant masters: The secular masters assumed themselves to be more important for the catholic church than the mendicant friars. According to Ian Wei, it was typical for the masters of Theology at the Parisian university to have such a high opinion of themselves, which also led to frequent conflicts with jurists and other members of the church.⁴¹ The problem was only made worse by the Dominicans naturally not

³⁸ Against the Friars, 60.

³⁹ Traver, *Rewriting History*, 13f; 15f.

⁴⁰ Against the Friars, 59; Traver, *Rewriting History*, 28.

⁴¹ Wei, *Self-Image*, 439f.

sharing the secular masters' opinion. Quite to the contrary, Thomas of Aquin went so far as to state that the mendicant orders had to compensate for the secular clergy's weaknesses.⁴² Also, both the Dominican Humbert of Romans and the Franciscan Roger Bacon criticised their own orders in the middle of the 13th century, making clear that their masters of Theology had a tendency to emphasise the complexity of their teaching instead of focusing on the mendicant ideal of modesty.⁴³

The secular masters clearly were quite conscious of these problems, as they state at the ending of the letter. They write that it was generally a bad idea to bring together people with different vocations and ideas at one single institution, thereby giving a cause for the conflict themselves.⁴⁴

Overall, we have seen the following main problems between the secular masters and the Dominicans. The secular masters felt that the Dominicans threatened their power and position at the university: Firstly, because they feared that the mendicants might force them out of the theological faculty, secondly, because the friars weakened their unity and therefore the strength of their position towards the city, and thirdly, because they thought the university's education monopoly to be threatened by the growing number of the order's theological schools. At the basis of all of this lay the assumption that the mendicant friars actually were in debt to the university as they profited greatly from its structures and only existed because of the university's goodwill. However, instead of showing gratitude and supporting the university, the secular masters felt that the Dominicans were ungrateful and greedy and only contributed to weakening the university. And on top of all of this, the secular masters thought that they, in fact, had the greater right to the theological education as well as the greater need of it. The university, therefore, is basically seen as an institution that was founded by secular

⁴² Traver, *Rewriting History*, 16.

⁴³ Humbert of Romans, *Criticism of Universities*, 73f; Levy, *Study of Theology*, 68.

⁴⁴ *Against the Friars*, 63.

masters for secular students and masters and that had openly welcomed the Dominicans only to be repaid with ingratitude, greed, and the weakening of the university. This basic assumption did much to further aggravate the existing problems.

Having thus examined first the teaching at the early universities and the development of the Order of the Preachers, then the different ways these two were intertwined with each other, and finally the problems that arose out of the close connections, the following conclusion can be reached.

The *Ordo fratrum Praedicatorum* was founded at a time in which the *universitas magistrorum et scholarium* itself was a new and not yet fully developed institution. Over the course of the 13th century, both the order and the universities grew, establishing and strengthening their structures. This, however, did not happen separately at both institutions. From 1217 on, when the Dominican order was founded, Dominicans were sent to universities. Over the course of time, their studies were tightly incorporated into the structures of the theological faculties. This happened at three different levels; firstly by mixing secular and mendicant students and masters, secondly by the organisational integration of the order's studies into the faculty, and thirdly by the resulting influences the Dominicans had on the theological contents taught at the university. At the same time, the Order of the Preacher's educational system was influenced by the university's structure. The Dominicans also profited from the universities in other respects – firstly because of secular masters who educated the first generations of Dominicans at universities during the first half of the 13th century, and secondly because of the institutionalisation their studies gained by being incorporated into the university. For example, the graduates of Saint Jacques received the *licentia ubique docendi* just as any other graduate of the University of Paris.

However, this entanglement of secular and mendicant studies also had its problems. The enormous conflicts that arose at universities were based in large parts on the underlying problem that despite the integration of each other's studies, the basic objectives of secular and mendicant students were different. Furthermore, the Dominicans lacked a certain identification with the university, as seen for example through their refusal to participate in university-wide protests or to take an oath on the university's statutes. This caused the secular masters to fear for their position and power, thereby creating even more problems.

But although the relationship between the Order of the Preachers and the universities in the 13th century was partly extremely difficult and heavily influenced by mutual distrust and prolonged conflicts, both institutions still profited greatly from each other, with regard to contents as well as to structure. The Dominicans made up an integral part of the theological faculties of universities and at the same time, a well-developed educational system such as the Dominicans possessed it would not have been possible without the incorporation into the early universities.

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