



Conception of Mary According to Nicolaus Biceps OP in the Context of the Dominican Education System

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Abstract: The aim of the article is to present the interpretation of the conception of the Blessed Virgin Mary contained in the commentary on the *Sentences* by Nicolaus Biceps in the context of the educational system of the Dominican Order. The specified research goal was achieved in the following way. First, the system of intellectual formation in the Dominican Order was analysed based on the resolutions of the general chapters, and then the relevant contained in the 14th-century work was presented. This allowed us to capture the position of the Czech Dominican, his method of argumentation, the sources on which he based his reflection, as well as the theological problems he had to face when commenting on the issue of the conception of the Blessed Virgin Mary at the University of Prague. Finally, this approach allowed us to find an answer to the question to what extent the Dominican educational system influenced the interpretation of the conception of Mary by medieval Dominican theologians and the consolidation of their negative position towards the Immaculate Conception of Mary.

Keywords: Conception of Mary, Nicolaus Biceps, Dominicans, education, Mariology, Bohemia

The search for answers as to why the Dominicans steadfastly opposed the Immaculate Conception of the Blessed Virgin Mary has not adequately considered the system of intellectual formation. The method of education within the Dominican Order, including the selection of works for study, shaped their understanding and interpretation of issues related to Revelation. One key issue was the question formulated in the *Sentences* of Peter Lombard: *An priusquam [Virgo Maria] conciperetur, obligata fuerit peccato?* (Was [the Virgin Mary] bound by sin before she was conceived?) (PL 192, 760). Since the *Sentences* quickly became a fundamental textbook in theological education, students beginning their theological studies learned the answers

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provided by contemporary theologians through their commentaries. This process shaped their methods of argumentation and interpretation of theological sources. The theological education they received significantly influenced their pastoral ministry. Therefore, it is appropriate to examine the intellectual formation of the Dominicans to understand one of the key aspects that profoundly impacted the position of the Friars Preachers towards the Immaculate Conception.

To present the Dominican education system, this study considered sources such as the acts of general chapters from the 13th to the 16th century. These acts, by recommending the implementation of guidelines for all Dominicans, provide an objective picture of the preacher formation system.

In this context, we focused on the commentary on the *Sentences* by Nicolaus Biceps, a Czech Dominican who lectured in theology at the University of Prague. Biceps' commentary is a product of his education at a Dominican college and, as a Dominican, he subsequently educated generations of theology students. Our analysis is limited to the issue of the conception of Mary in Biceps' interpretation, an area that has been only briefly addressed in the works of Vladimír J. Koudelka (1957, 148–49),¹ Václav Wolf (2005, 42–43),² Štěpán M. Filip – Radim T. Černušák (2002, 196), as well as Włodzimierz Zega (2002, 55–56), and has never been the subject of comprehensive research. This study, utilising a previously unpublished source, contributes to the understanding of further issues in the medieval debate on the Immaculate Conception of the Virgin Mary, including its impact in Bohemia.

1. Education in the Dominican Order of the 13th–14th Centuries

From the beginning of their existence, the Dominicans attached great importance to intellectual formation, which took place in the monastery school. After completing the novitiate and before beginning the actual studies, the monk would pursue his education for about two years. He would familiarise himself with the regulations concerning monastic life and liturgy. If necessary, he would supplement his knowledge of reading and writing in Latin. This period was called *studium grammaticae* (Kielar 1969, 306).

Starting in 1259, three-year *artium* studies were officially introduced to prepare students for the study of theology (Acta 1259, 99–101). With the spread of Aristotelianism, these schools began teaching logic, followed by physics, metaphysics, and the ethics of Aristotle (Acta 1271, 159–60). *Artium* schools gathered Dominican

¹ Koudelka, by focusing solely on a single sentence of Nicolaus Biceps' commentary and neglecting the broader context, incorrectly classified Biceps as a supporter of the Immaculate Conception.

² Wolf, relying on the manuscript held in Prague (ff. 91rb–92rb), concluded that Nicolaus Biceps adhered to the teaching that Mary was conceived in original sin.

students from neighbouring monasteries. Classes were taught by theology lecturers or individuals with the degree of Master of Artium (Acta 1305, 12).

The next stage in Dominican education was studying at the school of theology, which lasted three years. This is confirmed by the acts of the general chapter of 1313 (Acta 1313, 64). The subjects of study included the Holy Scripture, the *Sentences* of Peter Lombard, and the *Historia Scholastica* of Peter Comestor. Two years were devoted to commenting on the *Sentences* (Acta 1305, 12) while one year was dedicated to the study of the Holy Scripture (Acta 1309, 38).

A defining feature of Dominican intellectual formation was the emphasis on the teaching of St Thomas Aquinas. This is evidenced by the acts of the general chapter of 1309, which mandated that lectors conduct lectures according to Thomas' doctrine and that students diligently study his writings.

The canonisation of Thomas Aquinas in 1323 resulted in an even stronger emphasis on Thomistic formation. The acts of the chapters of 1329, 1330, and 1340 recommended the study of Aquinas' writings. By 1342, the Dominicans at the chapter formally recognised Thomism as the official teaching of the Order (Acta 1342, 280).

Higher education played a crucial role in the Dominican education system. The first institution to offer such education was the school established in 1218 by Pope Honorius at the monastery of St James in Paris (Kielar 1975, 289). This monastery school provided advanced theological education (*studium solemne*) and swiftly became integrated into the University of Paris (Mulchahey 1998, 351). Thus,

[when it is stated that] the Dominicans studied or taught at the University of Paris, it should be understood that they were primarily referring to their activities at the monastic school of St James, which was part of the theological faculty of Paris. Just as the University of Paris served as a central and advanced institution for all of Christendom, so too did the school of St James [...] become a pivotal and central institution for the entire Dominican Order. (Mulchahey 1998, 251)

The Parisian Studium became a model for subsequent institutions of higher learning established by the Dominicans between 1246 and 1248 in Bologna, Montpellier, Cologne, and Oxford. These institutions, created to serve the needs of the entire Order, were thereafter known as *studia generalia* (Acta 1246, 34; Acta 1247, 38; Acta 1248, 41). By the end of the 14th century, the Order had established seventeen such institutions (Acta 1378, 447–49). The curriculum at these schools included the study of the Bible and commentaries on the *Sentences* of Peter Lombard, supplemented by readings from the works of Thomas Aquinas (Kielar 1975, 292).

2. Dominican Education in the Czech Lands

The Convent of St Clement in Prague, founded between 1225 and 1227, was the first Dominican monastery established in the Czech lands (Koudelka 1956, 127–60). This convent included a school where classes were conducted by lecturers (Kadlec 1966, 65), as evidenced by records from the general chapter in Trier (Acta 1266, 135).

In 1347, the Prague house of studies attained the status of a general study (Acta 1347, 319). This resolution adopted by the chapter from Bologna was associated with the Emperor's project to found a university in Prague, which necessitated a theological faculty for papal approval (Filip and Černušák 2002, 190). This requirement was mentioned in the papal permission granted on 7 April 1348. In order to ensure a group of qualified lecturers, Charles IV requested Pope Urban IV's support to recruit masters of theology from the Dominican, Cistercian, Augustinian, Franciscan and Carmelite convents in Prague for teaching at the University. The Emperor was committed to maintaining a high standard of lectures at the University. From the outset, there was a close relationship between the University of Prague and the Dominican General Studium of St Clement. This relationship was formalised in 1383 with an agreement signed by Raymond of Capua, the General of the Dominicans, and representatives of the University of Prague. Under this agreement, the Dominican General Studium at the monastery of St Clement was incorporated into the University. Another testament to this close bond is the annex to the agreement signed by Raymond of Capua in 1384, which allowed University representatives to conduct ceremonies in the Dominican church of St Clement if the University chapel could not accommodate all attendees (Filip and Černušák 2002, 191).

Unfortunately, this vibrant connection was short-lived. In 1420, the Hussite rebellion led to the collapse of the St Clement monastery in Prague, along with its flourishing Dominican General Studium (Filip and Černušák 2002, 193).

The acts of the general chapters provide much information about the education of the Dominicans in the Czech province (Acta 1341, 272). During the chapter held in Avignon in 1341, it was decided that Herman, a lector from Prague, would temporarily assume the duties of the provincial of the Czech province following the acceptance of the previous provincial's resignation (Acta 1341, 277). The acts of the general chapter in Bologna in 1347 reveal that, at the request of Charles IV, a general studium was established at the monastery of St Clement in Prague. John of Tambaco, a master of theology from the province of Germany, was appointed lector of the new studium (Acta 1347, 319).

The Dominicans gathered at the chapter in Lyon (1348) assigned a new lector in Prague: "Assignamus lectorem in conventu Pragensi fratrem Leonem Raticensem." (Acta 1348, 325) A year later, this position was held by Friar Martinus Clatoninensis (Acta 1349, 330). It is also recorded that a general chapter of the Dominicans was held in Prague in 1359. Although no specific resolutions concerning the Studium of

the Czech province were passed at this chapter (Acta 1359, 384), records from Valencia (1364) provide information about the appointment of a lector for the general Studium in Prague. The general chapter granted the provincial of Bohemia autonomy in this matter (Acta 1370, 418). The ongoing activity of the general Studium in Prague is further evidenced by the resolutions of the chapter in Carcassonne (1378), which appointed the chief lector, commentator on the *Sentences*, and master of students in the monastery of St Clement in Prague (Acta 1378, 448).

The records of subsequent general chapters do mention representatives of the Dominicans from the Czech province, some of whom held academic titles. However, their influence on the proceedings of these general chapters was negligible. Consequently, resolutions concerning the Czech province are seldom found (Acta 1484, 383, 386).

Conversely, the records of the Dominican general chapters from the 14th to the 16th century reveal the rigidity of the education system within the Order of Preachers. Despite the emergence of new philosophical trends, such as nominalism, and new challenges within the Church, including Hussitism and the Reformation, the Dominican education system remained unchanged. This is confirmed by records from the 15th and 16th centuries, which detail the nominations of brothers assigned to lead commentaries on the *Sentences* (Acta 1571, 138–39). These records indicate the continued presence of the old scholastic system and its associated teaching methods. In the Dominican general studies of this period, in addition to the commentaries on the *Sentences* of Peter Lombard, selected aspects of Thomas Aquinas' doctrine were taught, focusing particularly on speculative and moral issues. This is validated by the records of the general chapter held in Bologna in 1564 (Acta 1564, 63). Subsequent chapters went even further in this direction. For instance, the Dominicans gathered in Barcelona in 1574 decreed that in a speculative exposition of Thomas' doctrine, it was necessary to consider the *Prima Pars*, *Prima Secundae*, or *De Incarnatione* from the *Summa Theologiae*. Moral questions, on the other hand, were to be presented based on the *Secunda Secundae* of Aquinas' work or Book IV of Lombard's *Sentences* (Acta 1574, 161).

Simultaneously, it is important to note that the general chapters imposed severe disciplinary sanctions on Dominicans who deviated from the doctrine of Aquinas by introducing novelties contrary to it (Acta 1564, 59). These decisions reflect the Order's alignment with Thomas Aquinas' teachings and, conversely, a lack of openness to the new trends emerging in Europe at that time. The observed rigidity and ossification of Dominican theology from the 14th to the 16th century suggest an inherent resistance to altering their stance on the Immaculate Conception of the Blessed Virgin Mary.

3. Nicolaus Biceps and His Work

In this context, it is pertinent to examine the contributions of Nicolaus Biceps, a Dominican friar from the Czech province. He was born between 1353 and 1355 (Zega 2002, 22), and details regarding his entry into the Dominican Order and his early education in philosophy remain uncertain (Zega 2002, 30). It is likely that he pursued his theological studies in Prague (Zega 2002, 29). By approximately 1380, Biceps was engaged in commenting on the *Sentences* of Peter Lombard at the Dominican Studium in Prague (Zega 2002, 56–59). He may have been awarded the title of Master of Theology at the general chapter of 1385 (Zega 2002, 28). Additionally, Raymond of Capua, the General of the Order of Friars Preachers, entrusted Nicolaus with the mission of religious reform in the Czech lands (Zega 2002, 38). However, this task was cut short by Biceps' untimely death in 1390 or 1391 (Zega 2002, 20, 46–47).

The Dominican friar left behind a significant work, the *Commentary on the Sentences (Quaestiones Sententiarum)*, which he produced during his academic tenure in Prague (Zega 2002, 14). Analysis of eleven manuscripts preserved in various libraries and archives reveals that there are two editions of this work. The first edition (A), found in manuscripts from the Chapter Library and the National Library in Prague (Biceps, Sent., P; Biceps, Sent., P3) includes commentaries on Books II–IV of the *Sentences* (Zega 2002, 48–51). The second edition (B), which contains commentaries on all four books, is transmitted through several manuscripts, including one held in the Marienbibliothek in Halle (Biceps, Sent., H). The first edition (A) was created between 1379 and 1381, while the second edition (B) dates from 1386 to 1388 (Zega 2002, 51, 62–65).

The issue that is the subject of our analysis, *Utrum beata Virgo concepta fuit in originali peccato?* [Was the Blessed Virgin conceived in original sin?], appears in Book III of the commentary edited in Prague (Biceps, Sent., III, d. 3, q. 1, P, 91vb–92va; H, 104rb–106ra; Zega 2002, 14, 70). As this work has not been published, our study relied on the working version of the text from both editions prepared by Włodzimierz Zega.

4. Marian Lecture by a Dominican

Biceps begins his commentary by stating three conclusions around which he develops his reflection.

In the first conclusion, he asserts that the opinion that the Blessed Virgin Mary was not conceived in sin is contrary to the teaching of authorities whose examples of life and doctrine have been approved by the Church.

The second conclusion is the hypothesis that the Blessed Virgin Mary was not conceived in original sin. This does not directly contradict either Scripture or reason, and if God had willed it, it would have been appropriate.

The third conclusion is that preachers and teachers should not teach that the Blessed Virgin was not conceived in original sin, as such innovations have not been approved by the authority of the Church (Biceps, Sent., P, 91vb; H, 104rb).

It should be noted that the above-mentioned statement has been interpreted in various ways by modern researchers, resulting in differing conclusions.

For the Dominican Koudelka, Nicolaus Biceps was a supporter of the Immaculate Conception. He based his opinion on a statement found in the Prague manuscript P3 of the commentary: “Predicatores et doctores non habent predicare B. Virginem non esse conceptam in originali peccato, quamvis de facto ita esset, quod concepta esset sine originali peccato” (Koudelka 1957, 149).³

Wolf presented a different perspective in his monograph. Analyzing the Prague manuscript P (ff. 91rb–92rb), he concluded that, according to Nicolaus Biceps, the Blessed Virgin was conceived in original sin (Wolf 2005, 43).

The Prague manuscript contains the following variant of the text: “Tertia conclusio, quod praedicatores et doctores non habent praedicare beatam Virginem non esse conceptam in originali peccato, quamvis de facto ita est [in the manuscript P3: esset], quod concepta esset sine originali peccato” (Biceps, Sent., III, d. 3, q. 1, P, 91vb; P3, 147ra).⁴

However, the Halle manuscript records the following text: “Tertia conclusio: Praedicatores et doctores sanctae matris Ecclesiae modernis temporibus, salva gravitate sua, non habent dicere beatam Virginem sine originali peccato conceptam, quamvis de facto sic esset concepta” (Biceps, Sent., III, d. 3, q. 1, H, 104rb).⁵

Both versions of the text convey a clear position: despite the initial directive to preachers and teachers not to assert that Mary was not conceived in original sin, there is a statement in the unreal subjunctive mood concerning the Immaculate Conception of Mary. This suggests that Nicolaus Biceps was not a supporter of this Marian privilege. A definitive answer to this question will require a thorough analysis of the broader context in which the Czech Dominican articulated his views.

After presenting the above-mentioned conclusions, the Dominican proceeds to elaborate each point in detail.

³ In English: “Preachers and doctors are not to preach that the Blessed Virgin was not conceived in original sin, even if [according to Koudelka: although] in fact it was so, that she was conceived without original sin.”

⁴ “The third conclusion is that preachers and doctors are not to preach that the Blessed Virgin was not conceived in original sin, even if in fact it is so [according to the manuscript P3: it was so], that she was conceived without original sin.”

⁵ “Third conclusion: Preachers and doctors of the Holy Mother Church in modern times, save their seriousness, are not to say that the Blessed Virgin was conceived without original sin, even if in fact she was so conceived.”

The first statement – that the Blessed Virgin Mary was not conceived in original sin – contradicts established Church teaching. The Dominican supports this view by citing St Augustine’s doctrine on the universal transmission of original sin at the moment of human conception (Biceps, Sent., III, d. 3, q. 1, P, 92ra; H, 104va). Consequently, since the Blessed Virgin was conceived through the marital act of her parents, she would, by this doctrine, have been affected by original sin. The Dominican substantiates his position by referencing an extensive list of theologians who upheld a similar doctrine, including Gregory the Great, Bernard of Clairvaux, Anselm of Canterbury, Thomas Aquinas, Albert the Great, Durandus of Saint Pourçain, Hervéus Natalis, Peter of Tarentaise, William of Godino, John of Paris, Giles of Rome, as well as Franciscan theologians such as St Bonaventure and Richard of Middleton, and Carmelite theologians like Guido (Biceps, Sent., III, d. 3, q. 1, P, 92ra–92rb; H, 104va–105va).

The conclusion to be drawn from Biceps’ reflections is as follows: all who deny the universal dimension of original sin are rejecting a fundamental truth that is affirmed in Holy Scripture.

Biceps, in furthering his argument, referenced the views of St Bonaventure, who argued that while the Blessed Virgin Mary was conceived in original sin, the Feast of the Conception of Mary could be celebrated, not for the act of her conception itself, but for her sanctification, which occurred after the union of her soul and body (Biceps, Sent., III, d. 3, q. 1, P, 92rb–va; H, 105va). Additionally, he cited Thomas Aquinas, who, drawing upon Bernard of Clairvaux, supported the idea of celebrating the liturgical feast of the Conception of the Blessed Virgin Mary, provided that this celebration acknowledged her subsequent sanctification, which purified her of original sin (Biceps, Sent., III, d. 3, q. 1, P, 92rb–va; H, 105va).

The solution proposed by Nicolaus Biceps represents a conciliatory position. He interpreted the doctrine of Mary’s conception within the framework of Aristotelian-Thomistic anthropology, emphasising the role of God’s sanctifying grace following the formation of the human being.

The Czech Dominican also addressed the timing of Mary’s sanctification. Drawing on the views of Peter of Tarentaise, he observed that Mary was sanctified on the same day or hour, but not at the exact moment of her conception (Biceps, Sent., III, d. 3, q. 1, 92rb; H, 105vb). Consequently, the feast should not be celebrated as the conception but rather as the sanctification of Mary, which occurred after the union of the soul with the body, specifically on the 80th day following the appearance of the embryo. In Dominican tradition, the term *conceptio* implied the absence of a rational soul, which precluded the possibility of divine grace at that stage, as God can bestow grace only upon a rational being.

In Nicolaus Biceps’ commentary, he also addresses the opposing views of Duns Scotus, which he criticises for lacking support from the authority of the saints or rational arguments, and instead being based solely on the author’s personal will.

Additionally, Biceps references opinions from the commentaries on the *Sentences* by Franciscan scholars Gwarro and Peter of Candia. Peter of Candia, who commented on Book III of the *Sentences* at the University of Paris between 1378 and 1380 (Zega 2002, 56), supported his views based on his personal devotion to the Virgin Mary. He cited an anecdote involving Saint Bernard, who, according to tradition, appeared to a Cistercian monk after his death, revealing a mark on his chest as a consequence of his criticism of the feast of the Conception of Mary celebrated by the canons of Lyon (Biceps, Sent., III, d. 3, q. 1, P, 92va; H, 106ra). However, Biceps, adhering to Dominican prudence, dismissed this account as a fictional tale, arguing that saints in heavenly glory could not bear any imperfections (Biceps, Sent., III, d. 3, q. 1, P, 92va; H, 106ra; Zega 2002, 55–56).

He justified his rejection of these views by referring to the official teaching of the Church, emphasising that in matters of faith, one should adhere to the doctrine of the Holy Mother Church. Consequently, he argued against endorsing the notion that the Blessed Virgin Mary was conceived free from original sin, given that the Church had not sanctioned this belief (Koudelka 1957, 149).

In conclusion, the Dominican observed that proponents of the Immaculate Conception rely solely on philosophical arguments, which lack support from the holy Doctors whose teachings have been endorsed by the Church (Biceps, Sent., III, d. 3, q. 1, P, 91vb–92va; P3, 147ra–vb; H, 104rb–106ra).

5. Comparison of the Two Editions of Nicolaus Biceps' Commentary on the *Sentences*

Both editions of Biceps' commentary (A and B), preserved in manuscripts P and H, exhibit a similar structure and method of argumentation. As Włodzimierz Zega observed, “[t]he issues addressed in both editorial versions are largely the same or similar, as evidenced by the list of topics. This indicates a close relationship between the two versions.” (Zega 2002, 49)

The differences observed pertain to the content of the editions. The later editorial version, B, was produced by either condensing or expanding certain aspects and incorporating additional quotations to illustrate the theses presented. Consequently, editorial version B is “more systematic and elaborate,” although it is also “more schematic and impersonal” compared to version A (Zega 2002, 49).

In developing his initial claim regarding the universal consequences of original sin, Biceps appended several quotations from St Augustine's *Contra Julianum*. Among these, he included a passage that enumerates Eastern and Western Christian writers of antiquity who endorsed the same truth, namely Irenaeus, Cyprian, Hilary of Poitiers, Ambrose, Gregory, Basil, and Jerome (Biceps, Sent., III, d. 3, q.

1, H, 104va). Drawing on St Augustine's argument, the Dominican strongly emphasized that sin entered the world through one man and, consequently, all humanity is implicated in this sin.

In his reflection on the universal consequences of original sin, Biceps also highlighted the unique manner in which Christ entered the world. Unlike all other individuals born through the marital act, who are tainted by original sin, Christ, who was conceived by the Holy Spirit and the Virgin Mary, was free from any stain of sin. In support of this assertion, he referenced passages from the writings of St Gregory the Great and St Bernard of Clairvaux (Biceps, Sent., III, d. 3, q. 1, P, 92ra; H, 104vb–105ra).

After discussing the exceptional conception of Christ, Nicolaus Biceps addressed the birth of the Blessed Virgin Mary according to St Anselm of Canterbury. Drawing from *Cur Deus Homo*, he underscored that Mary was conceived in original sin. He also referenced *De Conceptu Virginali* to highlight the contrast between the natural process of human conception and the miraculous conception of Christ. Additionally, in the *Oratio*, he emphasised that Mary was purified from original corruption and sanctified while still in her mother's womb (Biceps, Sent., III, d. 3, q. 1, H, 105ra).

Nicolaus Biceps then invoked the authority of St Bonaventure to remind proponents of the Immaculate Conception that no one had ever been heard to claim that the Blessed Virgin was conceived free from original sin (Biceps, Sent., III, d. 3, q. 1, P, 92rb; H, 105ra). He argued that this approach was both rational and prudent, as it relied on the authority of the saints who, acknowledging the universal consequences of original sin, recognised Christ as the only one who entered the world free from any sin. Conversely, there was no precedent for regarding the Virgin Mary as free from original sin. This aligns with piety; while the Mother is to be honoured, the Son – who is the sole Redeemer of all humanity – deserves far greater reverence.

Referring to liturgical arguments, the Dominican compared the positions of St Bonaventure and Thomas Aquinas (Biceps, Sent., III, d. 3, q. 1, P3, 147va; H, 105va). The Angelic Doctor, citing Bernard of Clairvaux, maintained that the Blessed Virgin was conceived in original sin and, consequently, that her conception should not be celebrated. He noted, however, that some churches do celebrate this feast in honour of her sanctification. Biceps augmented this discussion with similar views expressed by Richard of Middleton and Peter of Tarentaise.

Finally, both editions of Nicolaus Biceps' commentary include opinions that contradict the previously held views, particularly regarding the Immaculate Conception. It should be noted, however, that edition B is supplemented with quotations from texts that are abbreviated in the Prague manuscript. In this edition, the Dominican provides a summary of the views of Duns Scotus, Gwarro, and Peter of Candia (Biceps, Sent., III, d.3, q. 1, P3, 147vb; H, 105va–106ra). Duns Scotus, in particular, posited that if grace had been conferred upon the soul from the moment of its creation, it would never have been deprived of original justice. This privilege, he argued,

is not a result of the soul's own merit, but is granted through the merits of another. Consequently, humanity would have been conceived in original sin had it not been prevented by this external act of healing.

The views of Peter of Candia are presented in two distinct ways. Version A of Biceps' commentary cites the legend of St Bernard of Clairvaux. However, in the later revision, version B, only Nicolaus Biceps' commentary is included. According to Biceps, Peter of Candia openly challenged the authorities that were based on common law rather than privilege. In contrast, Peter of Candia upheld the privilege of the Immaculate Conception of Mary due to his devotion and reverence for the Mother of God.

In conclusion, the Dominican argued that the supporters of this extraordinary privilege for Mary lack a foundation in Holy Scripture and thus contradict the authority of the saints, who have consistently grounded their reflections in biblical evidence.

6. Fundamental Issues Addressed in the Commentary on the *Sentences*

The Universal Dimension of Original Sin

In his commentary on Book II of the *Sentences*, Nicolaus Biceps, drawing on the authority of Thomas Aquinas, asserts that all individuals born *per viam coitus* inherit original sin (Biceps, Sent., II, d. 31, q. 2, P, 78va). This principle is further reinforced in his commentary on Book III, where Biceps consistently invokes the doctrine of St Augustine. He interprets the marital act as the mechanism for transmitting original sin and underscores its universal application (Biceps, Sent., III, d. 3, q. 1, P, 92ra). According to this view, the Blessed Virgin Mary would also have been tainted by original sin at the moment of her conception (Biceps, Sent., III, d. 3, q. 1, P, 92ra). Only Christ, conceived by the Holy Spirit and the Virgin Mary, was exempt from this original sin.

The Dominican, in affirming the universal nature of original sin as transmitted by the first parents, highlights its foundation in Tradition, as reflected in the writings of the early Church Fathers (Biceps, Sent., III, d. 3, q. 1, H, 104va).

Transmission of Original Sin

In his commentary on Book II of the *Sentences*, Nicolaus Biceps employed the Augustinian concept of the transmission of original sin, which posits that this sin is passed through sexual intercourse. He supported this view by citing the authority of St Thomas Aquinas (Biceps, Sent., II, d. 31–32, q. 2, P, 78va; H, 90va).

This concept, which intricately associates original sin with human corporeality, facilitated the defence of the unique and immaculate nature of the earthly beginning of Jesus Christ, who was conceived by the Holy Spirit and the Virgin Mary (*STh* III, q. 15 a. 1).

Embryology

Nicolaus Biceps' commentary presents the perspective of Peter of Tarentaise, who argued that Mary could have been sanctified on the same day or even at the same hour, but not at the moment of her conception. This view reflects the anthropological concept of Aristotle, as adopted by Thomas Aquinas and subsequently by Nicolaus Biceps. According to this theory, the male seed plays an active role by transforming the matter provided by the woman into an embryo (*STh* I–II, q. 81 a. 5). Once the embryo achieves the appropriate form, it is then ready to unite with the rational soul, which is created by God *ex nihilo* (Gibellini 1960, 31). Consequently, as noted by Peter of Tarentaise, the notion of holiness and grace pertains only to rational creatures. Thus, considering Mary's sanctity before her existence seems incongruent. For the Dominicans, the term 'conception' referred to the embryonic stage, awaiting the union with a rational soul, rather than to the existence of a person.

Unlike the Dominicans, Franciscan theologians, following the solution of Duns Scotus, identified the moment of conception with the moment of animation (Söll 1981, 289). This led to the adoption of the theory of direct animation, which emphasises the union of the soul and body at the moment of conception (Caspar 1991, 4). Nicolaus Biceps' commentary briefly references this position held by Duns Scotus (Biceps, Sent., III, d. 3, q. 1, H, 105vb).

The theory of indirect animation, as adopted by Thomas Aquinas and subsequent generations of Dominicans, posed challenges in reconciling it with the doctrine of the Immaculate Conception of Mary. For the Angelic Doctor, *conceptio* referred to the formation of an embryo without a rational soul, whereas for the Franciscans, it denoted the beginning of the existence of a human person, who was a recipient of God's grace. Consequently, for the Dominicans, it was problematic to celebrate the feast of the *Conceptio Mariae*, as Mary had not yet come into being at the moment of conception.

Nicolaus Biceps' commentary offers a conciliatory approach. By referencing the views of St Bonaventure and St Thomas, he suggests that the feast of the *Conceptio Mariae* should not be celebrated in recognition of the conception itself, but rather in honour of the purification and sanctification that occurred after the conception.

The Concept of Redemption

Nicolaus Biceps embraced the classical concept of Redemption, which, based on Revelation, highlights the existence of sin and the subsequent liberation of humanity achieved through Christ's death on Calvary (*STh* III, q. 14, a. 1). In his commentary, the Czech Dominican contrasts this traditional view with the proposal of Duns Scotus, who framed the saving activity of Christ as preservation from sin (*redemptio praeservativa*) (Biceps, Sent., III, d. 3, q. 1, H, 105vb). According to Duns Scotus, Christ was not only the Redeemer but also the most perfect Mediator between God and humanity. He asserted that "the most perfect mediator corresponds to the most perfect act of mediation on behalf of the person" for whom it is performed. Duns Scotus proposed that Christ's mediation, at its highest level of perfection, was specifically directed towards Mary, preserving her from original sin (Krupa 2013, 109).

This notion of preserving Mary from the sin of her first parents introduces a novel concept of redemption, termed *redemptio praeservativa*. Given that this proposal, which finds scant support in Holy Scripture, diverged from traditional views, it was met with criticism by Dominican theologians, including Nicolaus Biceps.

The Omnipotence of God

Nicolaus Biceps also addressed an important argument used by supporters of the Immaculate Conception, which he unfortunately did not elaborate upon in his discourse: the will of God (*si Deus hoc facere voluisset*).

Franciscan theologians frequently invoked the triad describing the power of God, as formulated by Anselm of Canterbury: *potuit, decuit, fecit*.⁶ In his treatise *De Conceptione Beatae Mariae Virginis* (1314), the Franciscan Peter Aureolus distinguished between *potentia absoluta* and *potentia ordinata*. The former encompasses a range of possibilities, one of which is actualised in the world through *potentia ordinata*. Thus, if God had wished to preserve Mary from original sin, according to Peter Aureolus, he could have done so through *potentia ordinata* (Krupa 2013, 119).

In contrast, St Thomas Aquinas argued that the distinction between *potentia absoluta* and *potentia ordinata* does not apply to God (Krupa 2013, 120), as God's power, considered in itself, is absolute. He posited that "the power of God is ordered by the wisdom of God, and each of His actions is both absolute and ordinary (*absolutum, ordinatum*)."

This comparison of interpretations leads to the following conclusions:

Both the Franciscans and Dominicans acknowledged a singular divine power. However, for the Franciscans, the principle that ordered God's power was his will, while for the Dominicans, it was his wisdom. This distinction highlights

⁶ In English translation: "He could, He had to, He did."

a fundamental divergence in their interpretations of the Immaculate Conception (Krupa 2013, 121). “For the Dominicans, the belief that Mary was conceived in original sin and subsequently purified was entirely consistent with divine wisdom. Conversely, for the Franciscans, the notion that God willed to preserve the future Mother of His Son from original sin was considered a necessity for such preservation.” (Krupa 2013, 121)

Auctoritates

Nicolaus Biceps’ commentary on the *Sentences* highlights the significant concept of *auctoritas*. For medieval theologians, this term was inseparably linked with truth, underscoring the authenticity of the work. The notions of *auctoritas* and *authenticitas* were considered inseparable.

In this context, Holy Scripture, as the revelation of God’s Truth, possessed absolute *auctoritas*. Biceps’ commentary reflects the common belief among theologians of the era that Holy Scripture is inspired and, therefore, contains God’s truth (Biceps, Sent., II, d. 31, q. 2, H, 90va). Moreover, this work reveals the different approaches of the Dominicans and Franciscans to the interpretation of Holy Scripture as regards the Immaculate Conception of Mary. For the Dominicans, this issue appeared to contradict the Bible. Conversely, for the theologians of the Order of St Francis, the absence of references to the Immaculate Conception in Holy Scripture did not automatically negate the Immaculate Conception of Mary (Biceps, Sent., III, d. 3, q. 1, H, 104rb).

The concept of *auctoritas* not only referred to Holy Scriptures as the source of Divine Truth but also to the individuals who transmitted it. According to John of Damascus, the Holy Spirit spoke not only through the Law and the Prophets but also through the evangelists, shepherds, and doctors (Johannes Damascenus, *De fide orthodoxa*; PG 94, 1176). Therefore, the holiness of their lives was a guarantee that the writings they produced were influenced by the same Spirit that inspired the Holy Scriptures. For this reason, the writings of the Church Fathers were highly valued, copied, and disseminated. Biceps’ commentary confirms that the opinions of the Fathers held considerable authority. At the same time, he notes that the claim that the Virgin Mary was conceived without original sin opposed the authority of the saints (*auctoritas sanctorum*) (Biceps, Sent., III, d. 3, q. 1, H, 104rb). The Czech Dominican referred to the authority of St Augustine, Gregory the Great (Biceps, Sent., III, d. 3, q. 1, P, 92ra; H, 104va), as well as two medieval writers: St Bernard of Clairvaux and St Anselm of Canterbury (Biceps, Sent., III, d. 3, q. 1, P, 92ra; H, 105ra).

In this context, the question of the authority of private revelations arises. Medieval theologians did not adopt a uniform stance on this issue.

From the twelfth century onwards, to bolster the credibility of the belief in the Immaculate Conception of Mary, the legend of the Abbot Helsin, based on a private

revelation, was disseminated (Lamy 2000, 63). However, not all theologians accepted this story uncritically. For instance, Pseudo-Abelard questioned the authenticity of the narrative, asserting that it should not be used as a theological argument (Pseudo-Abelardus, *Tractatus de Conceptione Virginis Mariae*, 138). Peter of Celle took a similar stance, humorously dismissing the dreams and fantasies experienced by the English in a letter to Nicholas of St Albans (Petrus Cellensis, *Epistula 171* [PL 202, 614]).

Despite their critical attitude towards private revelations, theologians had to address the question of their *auctoritas*. In the 13th century, a story circulated among supporters of the Immaculate Conception about St Bernard of Clairvaux appearing in the heavenly glory with a stain on his Cistercian habit. This story was included in a commentary by the Franciscan Peter of Candia, and subsequently critiqued by Nicolaus Biceps, who unequivocally opposed the opinion of the Church Fathers (Biceps, Sent., III, d. 3, q. 1, P, 92va). Biceps described such narratives in one word: *fabula* (Biceps, Sent., III, d. 3, q. 1, P, 92va).

Liturgy

In the sermons of medieval preachers, fragments of liturgical texts were often quoted to lend credibility to the feast being celebrated, especially when there was a lack of strong biblical texts. This approach was exemplified in the Dominican sermons on the Assumption of the Mother of God. A similar method was applied in relation to the Immaculate Conception of Mary. Nicolaus Biceps, drawing on the opinion of St Bonaventure, noted that the feast of her conception should be celebrated not because of the conception itself, but because of the consecration that followed it (Biceps, Sent., III, d. 3, q. 1, P, 92rb).

The decrees of the Dominican General Chapter of Rodez (1388) cannot be overlooked (Acta 1388, 30). The participants emphasised that Mary, as the Mother of Christ and Protectress of the Order of Preachers, deserves special honour. Citing the authority of St Thomas Aquinas, they noted that ‘the Mother of Christ, on the eightieth day from her conception, on which her soul was united with her body, after a short lapse of time, was sanctified more abundantly than the other saints’ (Acta 1388, 30). Although some tried to honour her conception, the participants of the chapter, emphasising her innocence and sanctification, ordered the introduction of the Feast of the Sanctification of the Blessed Virgin Mary (*De sanctificatione Beatae Mariae Virginis*) with the rank of *totum duplex*. For the liturgical celebration of this new feast, the office of the Birth of Mary was to be used, substituting the term *nativitas* with *sanctificatio* (Acta 1388, 30).

The introduction of the Feast of *Sanctificatio Mariae* into the Dominican liturgy is further confirmed by the acts of the general chapter in Le Mans (Acta 1491).

The chapters’ resolutions regarding the new Marian feast were implemented, as confirmed by the preserved liturgical books. The Dominican missal from the first

half of the 14th century, housed in the National Library in Prague, lists four Marian feasts: *Purificatio*, *Annuntiatio*, *Assumptio*, and *Nativitas Mariae* (*Missale incompletum Ordinis Praedicatorum*).

However, the formula for the mass *Sanctificatio S. Mariae* is notably absent from these earlier texts. It appears in later printed editions of Dominican liturgical books from the 15th century, which include the rubric that interests us (*Missale Ordinis Praedicatorum* 1484; *Missale Ordinis Praedicatorum* 1500).

Church

For Nicolaus Biceps, the Roman Church represented the ultimate *auctoritas*. Its magisterial function served as a point of reference for all the faithful. Biceps' commentary underscored the authority of the Church, which introduces and approves teachings that are universally recognised as truth (Biceps, *Sent.*, III, d. 3, q. 1, P, 92ra). Conversely, the proclamation of views and innovations not approved by the Magisterium of the Church was considered inappropriate. The role of the Church as the final arbiter in matters of faith was comprehensively emphasised.

Conclusion

The analysis of Nicolaus Biceps' commentary on the *Sentences*, specifically regarding the conception of the Blessed Virgin Mary, in light of the findings of the general chapters of the Order of Preachers, confirms the decisive influence of the Dominican education system on his negative stance towards the Immaculate Conception of Mary. Since the doctrine of St Thomas Aquinas played a significant role in the intellectual formation of the Dominicans, gradually becoming a mandatory subject of study, it is not surprising that Dominicans influenced by it adopted a negative position on the Immaculate Conception of Mary.

This stance was further reinforced by the Dominican liturgy, which, in implementing the recommendations of the general chapters, introduced the feast of the Sanctification of Mary (*Sanctificatio Mariae*), interpreting this celebration in a Thomistic context.

In this light, the position of the Czech Dominican is unsurprising. His commentary on the *Sentences* reflects the typical Dominican perspective on the original sin contracted by Mary and her subsequent sanctification. The work of the Czech Dominican reveals a solid education, highlighting the quality of the studies in Prague. The author was well-versed not only in the opinions of the Church Fathers but also in those of contemporary theologians, including proponents of the Immaculate Conception.

Nicolaus Biceps' commentary highlights the theological issues that concerned the scholars of his period. The Dominicans, committed to the Holy Scripture, emphasised the universal effects of original sin. At the same time, influenced by St Thomas Aquinas' concept of embryological conception, they felt compelled to accept the sanctification of the Virgin Mary. However, the chronological concept of the simultaneous conception, infusion of the soul, and purification of Mary introduced by Duns Scotus remained foreign to the Dominicans.

Similarly, the concept of conservative redemption (*redemptio praeservativa*) proposed by Duns Scotus, which was neither grounded in Holy Scripture nor in the Tradition of the Church, was negatively received by the Dominicans.

Biceps' commentary reflects another significant issue in the theology of that time: the question of *auctoritates*, or authoritative sources, upon which theologians should base their reflections. Educated at the Dominican Studium in Prague, Nicolaus Biceps relied on primary sources: Holy Scripture, the Church Fathers, and the liturgy. He also emphasised the role of the official teaching of the Roman Church, demonstrating respect for its rulings. By building on these solid foundations, Biceps argued that the positions held by proponents of the Immaculate Conception were not firmly supported.

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