



HERESY IN LATE MEDIEVAL GERMANY

The Inquisitor Petrus Zwicker and the Waldensians

REIMA VÄLIMÄKI

Heresy and Inquisition in the Middle Ages
Volume 6

HERESY IN LATE MEDIEVAL GERMANY

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Heresy and Inquisition in the Middle Ages

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and the Waldensians

Reima Välimäki



THE UNIVERSITY *of York*

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To my wife Henna, and to our daughter Aune

Contents

List of Illustrations	ix
Author's Note	x
Acknowledgements	xi
List of Abbreviations	xii
Introduction	1
Earlier research	9
Sources and how to read them	12
1 Petrus Zwicker and the Career of an Inquisitor at the Turn of the Fifteenth Century	22
2 The Inquisitor Writes	38
The <i>Refutatio errorum</i> : a draft-like treatise on Waldensians	39
Different redactions of the <i>Refutatio errorum</i>	41
Structure of the <i>Refutatio errorum</i>	48
On purgatory	50
Boethius and Pseudo-Ezekiel	60
The <i>Cum dormirent homines</i> : polemical biblicism	64
<i>Auctoritas</i> and authorities in late medieval culture	71
New institutions	81
<i>Sicut verba sonant</i> : monastic and scholastic versus literal dissident reading	85
Polemics for the Church in crisis	98
3 The Inquisitor's Practice and his Legacy	104
The texts in the enigmatic collection <i>Processus Petri</i>	106
Waldensians and how to interrogate them	116
<i>De vita et conversacione</i>	119
<i>Articuli Waldensium</i>	125
The remains of Zwicker's manual in Austria	138
The transformation of the inquisitor's manual	149
The last revisions and a priest sentenced after a copying mistake	164
4 Communicating Faith	171
Inquisitor as preacher and performer	172
Citations and public penance	184

Contents

From polemics to pastoral theology: Ulrich von Pottenstein	194
Johán of Vodňany: preaching and propaganda against Waldensians in Bohemia	207
5 The Dissidents, the Clergy and the Church	217
Virgin Mary venerated and denigrated	218
The clergy devalued, the clergy elevated	225
The worst priest and the holiest layman	235
The absence of the Schism	243
Epilogue: The Consolation of Inquisition	257
Appendix 1: Manuscript Descriptions	262
Appendix 2: Chapters and Titles of the <i>Cum dormirent homines</i> according to Jacob Gretser (1613/77)	290
Appendix 3: The Circulation of the <i>Processus Petri</i> together with the <i>Cum dormirent homines</i>	292
Appendix 4: Inquisitors' Manuals of St Florian and Linz	293
Appendix 5: Collation of Formularies in St Florian, MS XI 234 and Würzburg, UB MS M. ch. f. 51	295
Bibliography	296
Index	328

Illustrations

Table 1. Redactions of the *Refutatio errorum* 43–44

Table 2. The *Refutatio errorum* with the *Processus Petri* 114

Figure 1. Petrus Zwicker wrote some of the protocols himself. The protocol from Katharina Hagen’s interrogation (16 March 1394) shows Zwicker’s handwriting; the eschatocol is written by an anonymous notary. Herzog August Bibliothek Wolfenbüttel, MS. Guelf. 348 Novi, fol. 37r 137

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Author's Note

A word on nomenclature. As modern convention demands, I have used primarily local forms of place names, with the exception of major cities with conventional English names, such as Munich, Vienna or Prague. Stettin is an exception. Although recent studies have used the Polish name Szczecin,¹ I use the name Stettin for the simple reason that the German-speaking Hanseatic city of Stettin is a different historical entity from the post-war Polish city. There is no hard and fast rule for naming persons whose careers traversed the multi-lingual Central Europe of the late Middle Ages. For the key characters Petrus Zwicker and Martinus of Prague I have used their Latin first names. Otherwise German personal names, such as Ulrich von Pottenstein, are given in their German form. When the use of a local or Latin form would be confusing, I have anglicized the names, as with William of Auvergne or Matthew of Kraków.² For Czech persons I have used local forms, but without attempting to use the Czech genitive: thus we have Jan of Jenštejn (instead of Jan z Jenštejna). The names of deponents, witnesses and other persons known only from trial documents and formularies are given as they are written in the sources, but only one variant of each name is used. In the case of well-known individuals such as Bernard Gui I have used the established forms. My policy has been to translate Latin. I have however left untranslated a few Latin passages where the sole purpose of citation is to help the investigation of authorship and textual dependence.

¹ See e.g. G. Modestin, 'The Anti-Waldensian Treatise *Cum dormirent homines*: Historical Context, Polemical Strategy, and Manuscript Tradition', in *Religious Controversy in Europe, 1378–1536*, ed. M. Van Dussen and P. Soukup (Turnhout, 2013), p. 215.

² Cf. S. Mossman, *Marquard von Lindau and the Challenges of Religious Life in Late Medieval Germany: The Passion, the Eucharist, the Virgin Mary* (Oxford, 2010), p. v.

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List of Abbreviations

BAV	Vatican City, Biblioteca Apostolica Vaticana.
Biller, 'Aspects'	P. Biller, 'Aspects of the Waldenses in the fourteenth Century, Including an Edition of their Correspondence' (unpublished Ph.D. dissertation, University of Oxford, 1974).
Biller, <i>Waldenses</i>	P. Biller, <i>The Waldenses, 1170–1530: Between a Religious Order and a Church</i> , Variorum CS 676 (Aldershot, 2001).
Bivolarov, <i>Inquisitoren- Handbücher</i>	V. Bivolarov, <i>Inquisitoren-Handbücher. Papsturkunden und juristische Gutachten aus dem 13. Jahrhundert mit Edition des Consilium von Guido Fulcodii</i> , MGH Studien und Texte 56 (Wiesbaden, 2014).
BSB	Munich, Bayerische Staatsbibliothek.
BSSV	<i>Bollettino della Società di Studi Valdesi – Bulletin de la Société d'Histoire Vaudoise</i> .
Cameron, <i>Waldenses</i>	E. Cameron, <i>Waldenses: Rejections of Holy Church in Medieval Europe</i> (Oxford, 2000).
DA	<i>Deutsches Archiv für Erforschung des Mittelalters</i> .
Döllinger, <i>Beiträge II</i>	J. J. I. von Döllinger, <i>Beiträge zur Sektengeschichte des Mittelalters. Zweiter theil. Dokumente vornehmlich zur Geschichte der Valdesier und Katharer</i> (Munich, 1890).
FRB	<i>Fontes Rerum Bohemicarum</i> .
Gerson, <i>Œuvres complètes</i>	Jean Gerson, <i>Œuvres complètes</i> , ed. P. Glorieux, 10 vols. (Paris, 1960–73).
HAAB	Weimar, Herzogin Anna Amalia Bibliothek.
HAB	Wolfenbüttel, Herzog August Bibliothek.
Halm, <i>Catalogus codicum</i>	K. Halm, G. Von Laubmann, and W. Meyers. <i>Catalogus codicum latinorum. Catalogus codicum mancriptorum Bibliothecae Regiae Monacensis</i> , vols. III.1–3 and IV.1–4 (vols. III.1–2, 2nd edn) (Munich, 1873–94).
JEH	<i>Journal of Ecclesiastical History</i> .
Kieckhefer, <i>Repression</i>	R. Kieckhefer, <i>Repression of Heresy in Medieval Germany</i> (Liverpool, 1979).

List of Abbreviations

- KMK Prague, Knihovna Metropolitní kapituly (the Metropolitan Chapter Library). Now part of the Presidential archives (Archiv Kanceláře prezidenta republiky).
- Kurze, 'Zur Ketzergeschichte'
D. Kurze, 'Zur Ketzergeschichte der Mark Brandenburg und Pommerns vornehmlich im 14. Jahrhundert: Luziferianer, Putzkeller und Waldenser', *Jahrbuch für die Geschichte Mittel- und Ostdeutschlands* 16/17 (1968), pp. 50–94.
- LLT-A; LLT-B Library of Latin Texts – Series A & Series B; Brepolis, Brepols Publishers, <<http://clt.brepolis.net/llta/Default.aspx>>.
- Martin von Amberg, *Gewissenspiegel*
Martin von Amberg, *Der Gewissenspiegel*, ed. S. N. Werbow (Berlin, 1958).
- Matěj of Janov, *Regulae*
Mathiae de Janov dicti Magister Parisiensis Regulae veteris et novi testamenti, ed. V. Kybal, 5 vols. (Prague, 1907–26).
- MGH Monumenta Germaniae Historica.
- Modestin, *Ketzer in der Stadt*
G. Modestin, *Ketzer in der Stadt: der Prozess gegen die Straßburger Waldenser von 1400*, MGH Studien und Texte 41 (Hanover, 2007).
- Moneta, *Adversus Catharos et Valdenses*
Moneta (Cremonensis), *Monetae Adversus Catharos et Valdenses: libri quinque*, ed. T. A. Ricchini (Rome, 1743).
- Neumann, 'Výbor'
A. A. Neumann, 'Výbor z předhusitských postil', *Archiv literární* 2 (1922), 60–75, 94–102, 121–43, 184–9, 216–22, 233–40, 250–5, 287–90, 319–26, 356–60, 366–76.
- NKCR Národní knihovna České republiky (National Library of the Czech Republic).
- NLM *Neues Lausitzisches Magazin*.
- OÖLA Linz, Oberösterreichisches Landesarchiv.
- OÖLB Linz, Oberösterreichische Landesbibliothek.
- ÖNB Vienna, Österreichische Nationalbibliothek.
- PAN Polska Akademia Nauk Biblioteka.
- Parmeggiani, *Consilia*
R. Parmeggiani, *I consilia procedurali per l'Inquisizione medievale (1235–1330)* (Bologna, 2011).

List of Abbreviations

- Parmeggiani, *Explicatio* R. Parmeggiani, *Explicatio super officio inquisitionis: origini e sviluppi della manualistica inquisitoriale tra Due e Trecento* (Rome, 2012).
- Patschovsky, *Anfänge* A. Patschovsky, *Die Anfänge einer ständigen Inquisition in Böhmen. Ein Prager Inquisitoren-Handbuch aus der ersten Hälfte des 14. Jahrhunderts*, Beiträge zur Geschichte und Quellenkunde des Mittelalters 3 (Berlin, 1975).
- Peter von Pillichsdorf, *Fragmentum ex Tractatu* 'Fragmentum ex Tractatu Petri de Pilichdorff contra pauperes de Lugduno. Ex M.S.C. Monasterij Tegernseensi', in *Lucae Tvdensis episcopi, Scriptorum aliquot succedanei contra sectam waldensivm*, ed. J. Gretser, in *Maxima bibliotheca veterum patrum et antiquorum scriptorum ecclesiasticorum*, ed. M. de La Bigne, 27 vols (Lyon, 1677), XXV, 299E–302F.
- PL *Patrologia Latina, Patrologiae: cursus completus series Latina*, ed. J.-P. Migne, 221 vols. (Paris, 1844–64). *Corpus Corporum repositorum operum Latinorum apud universitatem Turicensem*. University of Zürich, <<http://www.mlat.uzh.ch/MLS/index.php?lang=0>>.
- Quellen*, ed. Kurze *Quellen zur Ketzergeschichte Brandenburgs und Pommerns*, ed. D. Kurze (Berlin, 1975).
- Quellen*, ed. Modestin *Quellen zur Geschichte der Waldenser von Straßburg (1400–1401)*, ed. G. Modestin, MGH *Quellen zur Geistesgeschichte des Mittelalters* 22 (Hanover, 2007).
- Quellen*, ed. Patschovsky *Quellen zur böhmischen Inquisition im 14. Jahrhundert*, ed. A. Patschovsky, MGH *Quellen zur Geistesgeschichte des Mittelalters* 11 (Weimar, 1979).
- Quellen*, ed. Patschovsky and Selge *Quellen zur Geschichte der Waldenser*, ed. A. Patschovsky and K.-V. Selge (Gütersloh, 1973).
- Quellen*, ed. Utz Tremp *Quellen zur Geschichte der Waldenser von Freiburg im Üchtland (1399–1439)*, ed. K. Utz Tremp, MGH *Quellen zur Geistesgeschichte des Mittelalters* 18 (Hanover, 2000).

List of Abbreviations

- Refutatio*, ed. Gretser ‘Refvtatio Errorvm, Quibus Waldenses distinentur, incerto auctore’, in *Lucae Tvdensis episcopi, Scriptorum aliquot succedanei contra sectam waldensivm*, ed J. Gretser in *Maxima bibliotheca veterum patrum et antiquorum scriptorum ecclesiasticorum*, ed. M. de La Bigne, 27 vols (Lyon, 1677), XXVI, 302G–307F.
- Schmidt, ‘Actenstücke’ C. Schmidt, ‘Actenstücke besonders zur Geschichte der Waldenser’, *Zeitschrift für die historische Theologie* 22 (1852), 238–62.
- Scriptores contra sectam waldensium*, ed. Gretser *Lucae Tvdensis episcopi, Scriptorum aliquot succedanei contra sectam waldensivm*, ed J. Gretser, in *Maxima bibliotheca veterum patrum et antiquorum scriptorum ecclesiasticorum*, ed. M. de La Bigne, 27 vols (Lyon, 1677), XXVI, 252–312.
- TIF *Thesaurus Iuris Franconici Oder Sammlung theils gedruckter theils ungedruckter Abhandlungen, Dissertationen, Programmen, Gutachten, Gesätze, Urkunden etc. etc., welche das Fränkische und besonders Hochfürstlich-Wirzburgische Geistliche, Weltliche, Bürgerliche, Peinliche, Lehen-, Polizey- und Kameralrecht erläutern etc.*, ed. J. M. Schneidt, 12 vols. (Würzburg, 1787–94).
- Utz Tresp, *Von der Häresie zur Hexerei* K. Utz Tresp, *Von der Häresie zur Hexerei: ‘wirkliche’ und imaginäre Sekten im Spätmittelalter*, MGH Schriften 59 (Hanover, 2008).
- Werner, ‘Nachrichten’ E. Werner, ‘Nachrichten über spätmittelalterliche Ketzler aus tschechoslowakischen Archiven und Bibliotheken’, *Wissenschaftliche Zeitschrift der Karl-Marx-Universität Leipzig. Gesellschafts- und sprachwissenschaftliche Reihe* 12 (1963), 215–84.
- Zwicker, *Cum dormirent homines* Zwicker, Petrus, [Cum dormirent homines] ‘[Pseudo]-Petri de Pilichdorf contra Haeresin Waldensium Tractatus’, in *Lucae Tvdensis episcopi, Scriptorum aliquot succedanei contra sectam waldensivm*, ed. J. Gretser, in *Maxima bibliotheca veterum patrum et antiquorum scriptorum ecclesiasticorum*, ed. M. de La Bigne, 27 vols (Lyon, 1677), XXV, 277F–299G.

Introduction

On 13 February 1393, Peter Beyer from Bernwalde, accused of Waldensian heresy, was interrogated by the inquisitor Petrus Zwicker in the Pomeranian town of Stettin. During his detailed deposition Peter Beyer provided a small but revealing detail about how laymen sympathetic to Waldensian beliefs experienced their situation in the 1390s. Beyer was apparently a sort of trustee of the Waldensian Brethren, who as itinerant lay confessors and preachers formed the intellectual and spiritual nucleus of the Waldensian movement. Peter Beyer hosted the Brethren and donated money to them, and also took care of some cash on their behalf. However, some time before his interrogation he had improvised with some of the funds actually intended for the Brethren. Peter Beyer ‘had given four marks to the poor – for God – after he had heard that there was disruption among the sectaries’.¹

The disruption or destruction Beyer referred to was caused by the intensification of proceedings against the Waldensians in German-speaking Europe. After being declared heretics in 1184, mainly because of their disobedience to ordained clergy rather than for doctrinal divergence, the Waldensians had been persecuted to a greater or lesser degree throughout the High Middle Ages. Over the years the Waldensian groups had developed into a distinct religious movement, characterized by lay preaching and confession, literal imitation of apostolic life and disapproval of clerical hierarchy and the Church’s material possessions.² Until the late fourteenth century the Waldensians had enjoyed a relative lack of attention and persecution in many

¹ ‘4, postquam audiverit, disturbacionem fieri inter sectarios, dederit pauperibus propter deum’; *Quellen*, ed. Kurze, p. 172. On the financial arrangements of the Waldensians, see Biller, *Waldenses*, ch. VII.

² For overviews of medieval Waldensianism, see Cameron, *Waldenses*; G. Audisio, *The Waldensian Dissent: Persecution and Survival, c. 1170–c. 1570* (Cambridge, 1999); J. Gonnet and A. Molnár, *Les Vaudois au Moyen Âge* (Turin, 1974). Various aspects of medieval Waldensians’ lifestyle and doctrine are covered in the collection of articles, Biller, *Waldenses*. The forthcoming Brill *Companion to the Waldenses*, ed. M. Benedetti and E. Cameron, will include several chapters on medieval Waldensianism.

German regions, but this came to an end with the inception of an unprecedented series of inquisitions and other proceedings against them.³

The persecution had devastating effects on the Waldensian communities, and it also reshaped how heresy was perceived, refuted and repressed. Previous studies have demonstrated that the *inquisitio heretice pravitatis* (inquisition of heretical wickedness) was not a static power structure controlling deviance in medieval Christendom.⁴ It was a reflective discourse, a changing set of laws and rules, practices and instructions, technologies of speech, theology and bureaucracy. In addition, the self-understanding of its representatives, the inquisitors, developed over time. Christine Caldwell Ames has studied how churchmen – and particularly Dominicans – came to understand the inquisition as a pious enterprise, as a fulfilment of Christ’s promise to bring a sword. She has shown how this understanding was forged not as arid academic theology but through negotiation by men who were themselves conducting very real repression, or were at least personally connected to those who were persecutors of dissidence.⁵ Some years before Ames, John H. Arnold had already demonstrated how over the course of the late thirteenth and early fourteenth centuries the focus of the interrogations in the southern French inquisitions shifted from actions that proved deponents’ heresy, such as donating money or adoring a heretic, to an emphasis on individuals’ faith and confession about themselves and their personal transgressions.⁶

³ For an overview of the persecution of German Waldensians at the end of the fourteenth century, see Modestin, *Ketzer in der Stadt*, pp. 1–12; J. M. Kolpacoff, ‘Papal Schism, Archiepiscopal Politics and Waldensian Persecution (1378–1396): The Ecclesio-Political Landscape of Late Fourteenth-Century Mainz’ (unpublished Ph.D. dissertation, Northwestern University, 2000), pp. 247–61. Kieckhefer, *Repression*, pp. 53–73, is a classic but now outdated. See also a recent but unpublished dissertation: E. Smelyansky, ‘Self-Styled Inquisitors: Heresy, Mobility, and Anti-Waldensian Persecutions in Germany, 1390–1404’ (unpublished Ph.D. dissertation, University of California, Irvine, 2015).

⁴ On criticism of the concept of the medieval inquisition as an institution or judicial body, see especially Kieckhefer, *Repression*, pp. 3–10; E. Peters, *Inquisition* (New York, 1988), pp. 67–71; R. Kieckhefer, ‘The Office of Inquisition and Medieval Heresy: The Transaction from Personal to Institutional Jurisdiction’, *JEH* 46 (1995), 36–61. H. A. Kelly has pointed out that it is a common misconception that the judicial process *inquisitio* was developed especially to prosecute heresy, or that it was especially fitting for it; see H. A. Kelly, ‘Inquisition and the Prosecution of Heresy: Misconceptions and Abuses’, *Church History* 58 (1989), 439–51; H. A. Kelly, ‘Inquisitorial Due Process and the Status of Secret Crimes’, in *Inquisitions and Other Trial Procedures in the Medieval West* (Aldershot, 2001), pp. 407–27.

⁵ C. C. Ames, *Righteous Persecution: Inquisition, Dominicans, and Christianity in the Middle Ages* (Philadelphia, 2009), pp. 3–5 and passim.

⁶ J. H. Arnold, *Inquisition and Power: Catharism and the Confessing Subject in Medieval Languedoc* (Philadelphia, 2001), pp. 98–107; J. H. Arnold, ‘Inquisition, Texts and Discourse’, in *Texts and the Repression of Medieval Heresy*, ed. C. Bruschi and P. Biller (York, 2003), pp. 63–80.

This book explores how inquisition into heresy was once again reshaped in a very particular setting: the repression and conversion of the Waldensian heresy in German-speaking Europe at the turn of the fifteenth century. It reveals the ways in which the manuals, formularies and polemical treatises of inquisitors of heresy from the previous century and half were deployed and revised. It also looks at the effects of this process, how it redefined both heretics and good Christians in late medieval Europe. This process featured the application of old tools in a new setting as well as genuine innovations, and the phenomenon was characteristically both pastoral and doctrinal.

The central figure in this process was the Celestine provincial Petrus Zwicker, and it is around his career and literary works that this study has been structured. Zwicker took up the office of inquisitor of heresy in several German dioceses between 1391 and 1404, interrogating and converting hundreds, probably thousands of Waldensians. In 1395 he composed a thorough polemical treatise against the Waldensian heresy, known as the *Cum dormirent homines*, 'When men were asleep'. Through his extensive inquisitions Zwicker was one of the main forces in the persecution of German Waldensians in the 1390s,⁷ and his treatise, which is still extant in approximately fifty manuscript copies, is undoubtedly the most influential and important late medieval text on the Waldensian heresy.⁸

Like so many medieval agents and writers, however, Zwicker should be understood as inseparable from his inquisitorial *familia* (household): co-inquisitors, notaries, commissaries and servants. Caterina Bruschi has warned us not to forget the importance of the inquisitors' *familia*, who did much of the background work, even if it is the person of the inquisitor that fascinates us.⁹ Her warning is applicable to Zwicker and his entourage. For example, during his career Zwicker cooperated and interacted with another important inquisitor of heresy, Martinus of Amberg (or Prague),¹⁰ to such a

⁷ Kieckhefer, *Repression*, pp. 55–6; Kurze, 'Zur Ketzergeschichte', pp. 69–70; Cameron, *Waldenses*, pp. 139–40; G. Modestin, 'Peter Zwicker (gest. nach dem 7. Juni 1404)', in *Schlesische Lebensbilder* 10, ed. F. Andreae (Breslau, 2010), pp. 25–34; Modestin, *Ketzer in der Stadt*, p. 3; Utz Tresp, *Von der Häresie zur Hexerei*, p. 141.

⁸ Biller, *Waldenses*, p. 237; G. Modestin, 'The Anti-Waldensian Treatise *Cum dormirent homines*: Historical Context, Polemical Strategy, and Manuscript Tradition', in *Religious Controversy in Europe, 1378–1536*, ed. M. Van Dussen and P. Soukup (Turnhout, 2013), pp. 211–29 (p. 211).

⁹ C. Bruschi, 'Familia inquisitionis: A Study on the Inquisitors' Entourage (XIII–XIV Centuries)', *Mélanges de l'École française de Rome – Moyen Âge* 125 (2013). Bruschi has studied French and Italian papal inquisitors, who could have dozens of *familiares*, resources that far exceed those Zwicker or other contemporary German inquisitors had at their disposal. Nevertheless, her general remark about the importance of the *familia* applies.

¹⁰ Although S. Werbow, the editor of Martin von Amberg's German penitential manual *Der Gewissenspiegel*, was cautious about identifying the author with the inquisitor Martinus, they are generally considered to be one and the same person.

degree that it is impossible to distinguish who first composed certain pieces in the compilation of inquisitorial formulas transmitted under Petrus Zwicker's authorship.¹¹ In Stettin Zwicker was assisted by Nikolaus von Wartenberch, a Celestine monk described as his sub-delegate, and at least two public notaries, as well as the lay servants Paulus de Ens and Peter de Tuntorp.¹² In the diocese of Passau Zwicker worked with his commissary Fridericus, a monk at Garsten and parish priest of Steyr, as well as a notary, Stephanus Lamp, who later became an inquisitor of heresy himself. These local associates very probably participated in compiling texts on heresy and assisted in the dissemination of Zwicker's works. As these works spread, the circle of actors that must be taken into account also increases to include copyists, compilers and translators and others who adapted his texts. The most important of these were the Austrian canon and writer of pastoral theology, Ulrich von Pottenstein, who translated Zwicker's treatise into German vernacular, as well as Johlín of Vodňany, a priest who preached against the Waldensians in early fifteenth-century Prague. Rather than looking only at Zwicker, I shall investigate the ways in which a whole group of people – Zwicker and the circle of other actors around him or influenced by him – reshaped the battle against dissent, and in so doing brought Waldensian heresy onto the public stage and gave it a prominent role in the religious-political debates of the later Middle Ages.

The circumstances in which Zwicker and his colleagues and companions operated were extraordinary and they produced an equally extraordinary response. The circumstances included: inside information provided through the conversion of leading members of the Waldensian movement, amounting to a remarkable breakthrough in knowledge; the febrile and polemical spiritual atmosphere of the Great Western Schism (1378–1417); the nascent reform movement; religious controversies in Prague; and the rise of new normative theological literature with a pastoral emphasis. Out of the coincidence, collision and coalescence of all these things there emerged a new definition and understanding of heresy and inquisition. Waldensian heresy came to be seen as a set of errors that attacked virtually every aspect of late medieval Catholic Christianity, errors that could be refuted through theological polemic and minute inquiry into individual heretics, their instruction and conversion.

See S. N. Werbow, 'Einleitung', in *Der Gewissenspiegel*, ed. S. N. Werbow (Berlin, 1958), pp. 9–31 (p. 12); S. N. Werbow, 'Martin von Amberg', in *Verfasserlexikon* 6, pp. 143–50; R. E. Lerner, *The Heresy of the Free Spirit in the Later Middle Ages* (Berkeley, 1972), p. 101; A. Patschovsky, 'Straßburger Beginnenverfolgungen im 14. Jahrhundert', *DA* 30 (1974), 56–198 (p. 91); Kieckhefer, *Repression*, p. 133, n. 13.

¹¹ On this so-called *Processus Petri* collection, see Chapter 3.

¹² See *Quellen*, ed. Kurze, pp. 235, 250, 257, and the discussion in Kurze, 'Zur Ketzergeschichte', pp. 72–4. On the notaries, see D. Kurze, 'Bemerkungen zu einzelnen Autoren und Quellen', in *Quellen*, ed. Kurze, pp. 12–56 (pp. 23–5).

This view acquired literary expression in Petrus Zwicker's polemical writing in the 1390s. The first to be on the receiving end of the stick were the Waldensian communities scattered around Central Europe, as the inquisitors – above all Petrus Zwicker and Martinus of Prague, men equipped with extensive and precise descriptions of heresy and equally detailed interrogatories – inquired into the beliefs of laymen with a depth and attention to minute particulars that were unprecedented in the Empire. Then there were further effects and ramifications, as the anti-heretical messages of Zwicker's treatises and the shorter texts produced in the course of the persecution were translated, rearranged and preached at the turn of the fifteenth century. Waldensian heresy became a tool to discern, label and blacken other radical and critical movements and persons, above all those attacking the clergy.

The structure of the book is as follows. It does not follow a strict chronological path, because the processes it deals with were simultaneous, overlapping and recurrent, and as a consequence it has to zig-zag back and forth between c. 1380 and 1410. Chapter 1 discusses Petrus Zwicker's life and career, and provides an outline of the persecution. Chapter 2 concentrates on polemical writing, above all how Zwicker revived and at the same time revolutionized the type of polemics that had prevailed in the thirteenth century, doing this in the light of the late fourteenth-century emphasis on the authority of the Scriptures. Chapter 3 explores how Petrus Zwicker and Martinus of Prague reformed the mode of interrogation, and at the same time inquisitorial manuals. Chapter 4 turns to the public dissemination of the anti-heretical message, first through the inquisitors' own actions and then in translations and sermons carried out and delivered by others. Finally, Chapter 5 describes how the revised perception of Waldensianism was used to survey and label dissident beliefs and the grey area between heresy and orthodoxy, and how repression of heresy functioned as a way of handling the trauma caused by the Great Schism.

As a whole, this study maps out a remarkable development which is most easily grasped through use of the phrase 'the pastoralization of heresy'. This was a process whereby Catholic perception of the Waldensian heresy and responses to the problems posed by the existence of heretics were redefined at the turn of the fifteenth century. It was manifested in the polemical treatises, judicial proceedings, inquisitorial formulas and questionnaires, sermons, and the condemnations, penances and absolutions written and performed in German-speaking Europe during this period. In addition to being an object of canon-legal inquiry, Waldensian heresy increasingly came to be perceived and treated as a pastoral problem. As much as in the courtroom, the battlefield against heresy was in the preacher's pulpit, at the writer's desk or at the altar of the church. Heretics could and should be converted. Priests should be better informed and prepared. And laymen should be warned against the danger of heresy, so that the enemy of faith would not triumph 'while good Christians were asleep', *cum dormirent homines*.

Pastoralization happened in three forums, each dealt with in Chapters 2–5 below. In the anti-heretical polemics written by Petrus Zwicker, pastoralization manifested itself through the revival of the doctrinal and debating polemical style of the early and mid-thirteenth century,¹³ but in an updated form that engaged with contemporary questions of authority and biblical interpretation. In the inquisitions of heresy it meant a shift from action-oriented, legal inquiry towards penitential confessions of the deponents' beliefs and correction of their transgressions. This is similar to the development John H. Arnold, and more recently Irene Bueno, have identified as happening in the southern French inquisitions by the early fourteenth century,¹⁴ but I argue that in German-Bohemian inquisitions the change happened later. Though Petrus Zwicker and Martinus of Prague were crucial in this, similar tendencies are visible in inquiries carried out by others. Finally, pastoralization meant a spillover of the anti-heretical message from inquisitors' texts and polemical treatises into pastoral theological genres: catechetical treatise and postil. Each of these phenomena had its own chronology and history, and none of them on their own would justify the claim that is being made here about 'pastoralization'. But their interaction, overlapping and mutual reinforcement does, and the consequent transformation of how heresy was perceived and treated – its pastoralization – make late medieval Germany a time and place of extraordinary significance in the history of medieval heresy.

Pointing out such a development implies that there was a preceding period when heresy was not seen primarily as pastoral or doctrinal problem. I see this as having happened in the shift from persuasion, public debate and polemical intellectual engagement between Catholics and dissidents to violent coercion that first occurred in the Albigensian Crusade (1209–29), and then to legal inquiry as the judicial procedure of inquisition was implemented through heresy trials and the apparatus of penances and punishments was set in place.¹⁵ The will to persuade and convert heretics never disappeared, of course, and inquisitors almost always preferred a penitent convert to an obstinate martyr. Nevertheless, heretics and their punishment were increasingly seen through the legal and theoretical framework created for and by the

¹³ L. J. Sackville, *Heresy and Heretics in the Thirteenth Century: The Textual Representations* (York, 2011), pp. 13–40.

¹⁴ Arnold, *Inquisition and Power*, pp. 98–107; I. Bueno, *Defining Heresy: Inquisition, Theology, and Papal Policy in the Time of Jacques Fournier*, trans. I. Bolognese, T. Brophy and S. Rolfe Prodan (Leiden, 2015), pp. 104–18.

¹⁵ Cf. J. K. Deane, *A History of Medieval Heresy and Inquisition* (Lanham, 2011), pp. 30, 53, 90, 101, 111. On the first stages of inquisition of heresy, see the collection of articles *Die Anfänge der Inquisition im Mittelalter. Mit einem Ausblick auf das 20. Jahrhundert und einem Beitrag über religiöse Intoleranz im nichtchristlichen Bereich*, ed. P. Segl (Cologne, 1993); W. Trusen, 'Der Inquisitionsprozess. Seine historischen Grundlagen und frühen Formen', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 105 (1988), 168–230.

inquisitors of heresy. The heretics were dealt with predominantly in judicial terms, with reliance on an ever-increasing body of legislation and procedural commentaries for inquisitors of heresy.¹⁶

In addition to legal guidelines, this inquisitorial framework gradually standardized the assessment of what it meant to be involved in heresy, including thereafter not only the public advocates of heresy but also its supporters and sympathizers. This went side by side with the corresponding penitential and punitive measures, such as public and private penance, imprisonment and the confiscation of property. Inquisitors, partly restrained by the requirements of the legal process, increasingly employed concrete action against the suspected heretic instead of engaging in detailed discussion of matters of faith.¹⁷

There were also changes within anti-heretical literature: polemical treatises gave way to systematic and technical inquisitors' manuals. The great majority of the polemical treatises discussing heresy from a learned and doctrinal perspective originate from the turn of the twelfth and thirteenth centuries and from northern Italy between 1230 and 1250. After that the disputational style becomes rarer and the descriptions of heresy and its refutation are incorporated into manuals or compilations, the most important in German-speaking Europe being the large composite work by the so-called Anonymous of Passau, written in the 1260s.¹⁸ Sometimes descriptions of heresy were incorporated into general theological works, such as Martinus of Krems's (d. 1338) *Expositio misse*. Nevertheless, Paul Ubl is forced to sum up his survey of refutations of heresy by Austrian theologians in the thirteenth and early

¹⁶ The emergence, growth and organization of canon law on heresy, its commentaries and legal consultations and their compilation in inquisitors' manuals in the thirteenth and early fourteenth century have been covered in several recent and thorough studies. See Bivolarov, *Inquisitoren-Handbücher*; Parmeggiani, *Explicatio*; Parmeggiani, *Consilia*; R. Parmeggiani, 'La manualistica inquisitoriale (1230–1330): alcuni percorsi di lettura', *Quaderni del Mediae Aetatis Sodalitium* 6 (2003), 7–25; L. Paolini, 'Inquisizioni medievali: il modello italiano nella manualistica inquisitoriale (XIII–XIV secolo)', in *Negotium Fidei. Miscellanea di studi offerti a Mariano d'Alatri in occasione del suo 80 compleanno*, ed. P. Maranesi (Rome, 2002), pp. 177–98. On secular law and heresy, see S. Ragg, *Ketzer und Recht: die weltliche Ketzergesetzgebung des Hochmittelalters unter dem Einfluss des römischen und kanonischen Rechts* (Hanover, 2006).

¹⁷ Arnold, *Inquisition and Power*, p. 19–47 and passim; see also T. Lentjes and T. Scharff, 'Schriftlichkeit und Disziplinierung. Die Beispiele Inquisition und Frömmigkeit', *Frühmittelalterliche Studien* 31 (1997), 233–52 (p. 249).

¹⁸ Sackville, *Heresy and Heretics*, pp. 13–14, 39–40, 138; *Heresies of the High Middle Ages*, ed. W. L. Wakefield and A. P. Evans (New York, 1991), pp. 59–62, 633–8; A. Patschovsky, *Der Passauer Anonymus: ein Sammelwerk über Ketzer, Juden, Antichrist aus der Mitte des 13. Jahrhunderts*, MGH Schriften 22 (Stuttgart, 1968); M. Nickson, 'The "Pseudo-Reinerius" Treatise, the Final Stage of a Thirteenth-Century Work on Heresy from the Diocese of Passau', *Archives d'histoire doctrinale et littéraire du moyen âge* 42 (1967), 255–314.

fourteenth century by concluding that all in all heresy appears very seldom in their theological texts, despite the reputation of Austria as a hotbed of heresy – until Zwicker's treatise changes the situation.¹⁹ It seems therefore that although many of the polemical authors of the mid-thirteenth century, such as the Dominicans Moneta of Cremona and Peter of Verona, were also inquisitors,²⁰ the establishment of inquisition in fact brought an end to the debating and disputational polemical treatise – until the late fourteenth-century invigoration of anti-Waldensian polemic in Germany.

The timing was not accidental. The reinvention of a particular polemical style was connected to the atmosphere of crisis and reform in the period of the Great Western Schism. The battle against heresy was a reaction to the insecurity created by the division of Christendom, and the texts written against Waldensians formed one aspect of fundamental debates about authority, Church and salvation. The refutation of an established heresy offered an arena for reflection on issues such as the dignity of the priesthood and the Scriptures as the basis of Catholic cult. The office of inquisitor with its related preaching and the performance of public penance made it possible to disseminate these reflections to the level of parish churches and individual believers.

The doctrinal and pastoral emphasis in Zwicker's texts toned down anti-heretical rhetoric: heretics were no longer accused, for example, of worshipping Lucifer and having sex orgies, a common suggestion in many fourteenth-century texts, as also in some later French and Italian trials.²¹

¹⁹ K. Ubl, 'Die Österreichischen Ketzler aus der Sicht zeitgenössischer Theologen', in *Handschriften, Historiographie und Recht: Winfried Stelzer zum 60. Geburtstag*, ed. W. Stelzer and G. Pfeifer (Munich, 2002), pp. 190–224 (pp. 210–20).

²⁰ Sackville, *Heresy and Heretics*, pp. 14, 17; cf. P. Biller, 'Moneta's Confutation of Heresies and the Valdenses', *BSSV* 219 (2016), 27–42 (p. 29); Biller points out that information about Moneta as inquisitor is late and anecdotal. In a later article Sackville mentions Moneta's participation in the early years of the Dominican inquisition in Lombardy, but stresses that at the time preaching and debate characterized anti-heretical activity in northern Italy: see L. J. Sackville, 'The Textbook Heretic: Moneta of Cremona's Cathars', in *Cathars in Question*, ed. A. Sennis (York, 2016), pp. 185–207 (pp. 223–4).

²¹ Kurze, 'Zur Ketzergeschichte', pp. 52–66; A. Patschovsky, 'Waldenserverfolgung in Schweidnitz 1315', *DA* 36 (1980), 137–76; A. Patschovsky, 'Der Ketzler als Teufelsdiener', in *Papsttum, Kirche und Recht im Mittelalter. Festschrift für Horst Fuhrmann zum 65. Geburtstag*, ed. H. Mordek (Tübingen, 1991), pp. 317–34; N. Cohn, *Europe's Inner Demons: The Demonization of Christians in Medieval Christendom* (London, 2000), pp. 51–61; P. Biller, 'Why no Food? Waldensian Followers in Bernard Gui's *Practica inquisitionis and culpe*', in *Texts and the Repression of Medieval Heresy*, ed. C. Bruschi and P. Biller (York, 2003), pp. 127–46 (pp. 143–4); P. Biller, 'Bernard Gui, Sex and Luciferanism', in *Praedicatores, inquisitores I. The Dominicans and the Medieval Inquisition. Acts of the 1st International Seminar on the Dominicans and the Inquisition, 23–25 February 2002*, ed. A. B. Palacios (Rome, 2004), pp. 455–70; Utz Tremp, *Von der Häresie zur Hexerei*, pp. 275–353.

Introduction

However, this did not mean greater tolerance – this dilution of heresy into problems such as anticlericalism or denying the validity of indulgences and papal power had the potential to bring more people under the scrutiny of the inquisitors.

Even more importantly, the representation of the Waldensian heresy as a complete, coherent sect opposing nearly every aspect of the Catholic faith served to strengthen the Church, which by the end of the fourteenth century was being criticised even by its loyal sons. For example, in the mid-1390s, when Zwicker was putting all his effort into defending the legitimacy of indulgences, another perfectly orthodox cleric, the Dominican master Heinrich von Bitterfeld, was preaching in Prague against the sumptuous indulgences granted by the Roman pontiff Boniface IX.²² In this time of crisis the Waldensian heresy functioned as a necessary adversary of and counterpart to the Catholic Church; exhaustive and minutely detailed refutation of Waldensian doctrine was an opportunity to parade the fundamental orthodoxy of the Catholic faith, which remained incorruptible even if some representatives of the Church at times failed to live up to the ideal. The texts demonstrating that criticism of (for example) indulgences or sacramentals was Waldensian and therefore heretical and corrupt functioned at the same time to stabilise and reinforce the holiness of these Catholic practices, which were at times doubted by far larger groups of believers than those sympathetic to the Waldensians.

Earlier research

Although less well-known outside specialist circles than the battle against the Cathars in southern France, the series of trials of German Waldensians at the turn of the fifteenth century belongs to the major episodes of repression of dissidents in the Middle Ages. The foundations of scholarship on this subject were laid in the studies and publications of sources by late nineteenth-century German medievalists.²³ In the 1960s and 70s several studies on sources of

²² F. Machilek, 'Beweggründe, Inhalte und Probleme kirchlicher Reformen des 14./15. Jahrhunderts (mit besonderer Berücksichtigung der Verhältnisse im östlichen Mitteleuropa)', in *Kirchliche Reformimpulse des 14./15. Jahrhunderts in Ostmitteleuropa*, ed. W. Eberhard and F. Machilek (Cologne, 2006), pp. 1–121 (p. 45); V. J. Koudelka, 'Heinrich von Bitterfeld OP (†. c. 1405), Professor an der Universität Prag', *Archivum Fratrum Praedicatorum* 23 (1953), 5–65 (pp. 12, 44–8).

²³ Especially W. Wattenbach, 'Über Ketzergeschichte in Pommern und der Mark Brandenburg', *Sitzungsberichte der Preussischen Akademie der Wissenschaften, philos.-histor. Klasse* 1 (1886), 47–58; H. Haupt, 'Ein Beghardenprozess in Eichstädt vom Jahre 1381', *Zeitschrift für Kirchengeschichte* 5 (1882), 487–98; H. Haupt, *Der Waldensische Ursprung des Codex Teplensis* (Würzburg, 1886); H. Haupt, 'Waldenserthum und Inquisition im südöstlichen Deutschland seit der Mitte des 14. Jahrhunderts',

German and Bohemian Waldensians and their persecution were published, the most important being Dietrich Kurze's discovery of additional protocols from the inquisitions in Stettin 1392–4, and the subsequent edition.²⁴ At the end of the 1970s Richard Kieckhefer finished his influential overview, the *Repression of Heresy in Medieval Germany*.²⁵

Peter Biller's dissertation from 1974 not only treated its actual topic, the correspondence between the converted Austrian Waldensians and the Lombard Brethren, but also established Petrus Zwicker's authorship of the *Cum dormirent homines*.²⁶ However, many of Biller's results became available, in updated form, to the scholarly community only with the publication of his collected essays in 2001.²⁷ Biller's conclusions about the sources, manuscript tradition and structure of the *Cum dormirent homines* are fundamental to the topic. Biller also established that Zwicker possessed an extraordinary insight into the Waldensianism of his day, that his treatise is one of central sources on late medieval German Waldensians and, despite its polemical approach, that it informs us about the heretics, not only the views of their persecutors.²⁸ This book is, however, the first comprehensive study on all the known texts from Zwicker's circle, as well as the underlying principles and guidelines that directed the genesis of these works.

The scholarship of the past two decades has disentangled the outlines of the persecution of Waldensians at the turn of the fifteenth century. The repression of Waldensians in Mainz (1390–3), Fribourg (1399) and Strasbourg (1400) have all received thorough studies with accompanying editions of sources, by Jennifer Kolpacoff Deane,²⁹ Kathrin Utz Tremp³⁰ and Georg Modestin³¹ respectively. Thorough case studies have established the variety

Deutsche Zeitschrift für Geschichtswissenschaft 3 (1890), 337–411; W. Preger, *Beiträge zur Geschichte der Waldesier im Mittelalter* (Munich, 1877); Döllinger, *Beiträge II*.

²⁴ Kurze, 'Zur Ketzergeschichte'; *Quellen*, ed. Kurze; G. Gonnet, 'I Valdesi d'Austria nella seconda metà del secolo XIV', *BSSV* 111 (1962), 5–41; A. Molnár, 'Les 32 errores Valdensium', *BSSV* 115 (1964), 3–4; A. Molnár, 'Les Vaudois en Bohême avant la Révolution hussite', *BSSV* 116 (1964), 3–17; A. Molnár, 'La Valdensium regula du manuscrit de Prague', *BSSV* 123 (1968), 3–6; Werner, 'Nachrichten'; Patschovsky, *Anfänge; Quellen*, ed. Patschovsky.

²⁵ Kieckhefer, *Repression*.

²⁶ Biller, 'Aspects'.

²⁷ Biller, *Waldenses*.

²⁸ *Ibid.*, ch. XVI.

²⁹ Kolpacoff, 'Papal Schism'; J. K. Deane, 'Archiepiscopal Inquisitions in the Middle Rhine: Urban Anticlericalism and Waldensianism in Late Fourteenth-Century Mainz', *Catholic Historical Review* 92 (2006), 197–224.

³⁰ K. Utz Tremp, *Waldenser, Wiedergänger, Hexen und Rebellen. Biographien zu den Waldenserprozessen von Freiburg im Üchtland (1399 und 1430)* (Fribourg, 1999); *Quellen*, ed. Utz Tremp.

³¹ Modestin, *Ketzer in der Stadt; Quellen*, ed. Modestin.

of motives behind individual trials,³² and several articles have shed new light on Bohemian pre-Hussite heresy.³³

There has been a recent revival of interest in Petrus Zwicker. Peter Segl has studied Austrian Waldensians around 1400 based on Zwicker's inquisitions,³⁴ and Modestin has published both a biographical article and an essay on the *Cum dormirent homines*.³⁵ In the field of Latin philology Adam Poznański has explored Zwicker's treatise from the point of view of rhetorical theory.³⁶ There is also a recent but so far unpublished dissertation on the so-called itinerant inquisitors Martinus of Prague, Heinrich Angermeyer and Petrus Zwicker, and their interaction with different authorities.³⁷ A forthcoming *Companion to the Waldenses* will include a chapter by Peter Biller on Waldensians in Brandenburg and Pomerania, offering an up-to-date overview on the people Zwicker interrogated in 1392–4.³⁸

What has been lacking is an exploration of the worldview that lay behind

³² L. Schnurrer, 'Der Fall Hans Wern. Ein spätmittelalterlicher Elitenkonflikt in der Reichstadt Rothenburg ob der Tauber', *Jahrbuch für fränkische Landesforschung* 61 (2001), 9–53; G. Modestin, 'Der Augsburger Waldenserprozess und sein Straßburger Nachspiel (1393–1400)', *Zeitschrift des Historischen Vereins für Schwaben* 103 (2011), 43–68; E. Smelyansky, 'Urban Order and Urban Other: Anti-Waldensian Inquisition in Augsburg, 1393', *German History* 34:1 (2016), pp. 1–20.

³³ I. Hlaváček, 'Zur böhmischen Inquisition und Häresiebekämpfung um das Jahr 1400', in *Häresie und vorzeitige Reformation im Spätmittelalter*, ed. F. Šmahel (Munich, 1998), pp. 109–31; P. Soukup, 'Die Waldenser in Böhmen und Mähren im 14. Jahrhundert', in *Friedrich Reiser und die 'waldensisch-hussitische Internationale' im 15. Jahrhundert*, ed. A. de Lange and K. Utz Tremp (Heidelberg, 2006), pp. 131–60; E. Doležalová, 'The Inquisitions in Medieval Bohemia: National and International Contexts', in *Heresy and the Making of European Culture: Medieval and Modern Perspectives*, ed. A. P. Roach and J. R. Simpson (Aldershot, 2013), pp. 299–311.

³⁴ P. Segl, 'Die Waldenser in Österreich um 1400: Lehren, Organisationsform, Verbreitung und Bekämpfung', in *Friedrich Reiser und die 'waldensisch-hussitische Internationale' im 15. Jahrhundert*, ed. A. de Lange and K. Utz Tremp (Heidelberg, 2006), pp. 161–88.

³⁵ Modestin, 'Zwicker'; Modestin, 'The Anti-Waldensian Treatise'.

³⁶ A. Poznański, 'Traktat Piotra Zwickera Cum dormirent homines – uwagi wstępne', in *Fortunniejszy był język, bo ten i dziś miły*, ed. I. Bogumil and Z. Glombiowska (Gdańsk, 2010), pp. 98–105; A. Poznański, 'Ad retorquendum erroneos articulos: środki retoryczne w późnośredniowiecznych pismach antyheretyckich', in *Kultura pisma w średniowieczu: znane problemy nowe metody*, ed. A. Adamska and P. Kras (Lublin, 2013); A. Poznański, 'Reakcja Kościoła na kryzys ortodoksji w średniowieczu Piotra Zwickera traktat Cum dormirent homines', in *Ecclesia semper reformanda: kryzysy i reformy średniowiecznego Kościoła*, ed. T. Gałuszka, T. Graffand and G. Ryś (Kraków, 2013), pp. 195–210. These are unfortunately available only in Polish, which has prevented their wider reception by the scholarly community.

³⁷ Smelyansky, 'Self-Styled Inquisitors'. I wish to thank Dr. Eugene Smelyansky for kindly providing access to his work. The chapter treating the trials at Augsburg in 1393 has been published: see Smelyansky, 'Urban Order and Urban Other'.

³⁸ P. Biller, 'Waldensians by the Baltic', forthcoming in *Companion to the Waldenses*, ed. M. Benedetti and E. Cameron (Leiden, forthcoming).

the persecutions, and that is what is provided in this book. It describes and explains this worldview and its transformation: how the spiritual geography of the late medieval Church, facing schism, crisis and nascent reform, facilitated and we could even say required the persecution of dissidents, and how this persecution in turn rearranged the spiritual geography, where worldly and otherworldly concerns, political motives and spiritual salvation overlapped.³⁹ This is underpinned by work on and exploitation of little-used or hitherto unknown manuscripts, beginning in the following chapters with the demonstration that Petrus Zwicker was the author of the treatise the *Refutatio errorum* (*Refutation of Errors*) – regarded until now as anonymous – and the redating of Zwicker’s inquisitions in Upper Austria.

Sources and how to read them

The sources of this study consist primarily of the materials written for the repression of the Waldensian heresy in German-speaking Europe in the last years of the fourteenth and the first years of the fifteenth century, as well as earlier texts that functioned as their model, sources and inspiration. These are examined in the light of other contemporary works such as general theological and pastoral treatises, sermons and canon law. The form and length of the texts ranges from single sentence remarks in the margins of manuscripts to the catechetic encyclopaedia by Ulrich von Pottenstein, which if ever published would easily fill 2,500 modern pages. Some of the sources, such as the documents from the Strasbourg inquisition in 1400,⁴⁰ are available in critical scholarly editions that satisfy the requirements of the most demanding scholar. Others are accessible only in unedited manuscripts, including an important inquisitorial formulary compiled by Zwicker in Upper Austria after 1395,⁴¹ or sentences of inquisition in Regensburg in 1395.⁴² Many circulate in early modern or nineteenth- and early twentieth-century printings of varying quality. Often the version in print is neither the closest to the original nor the most widely circulated redaction, as is the case with the treatise *Refutatio errorum* explored below in Chapter 2.

Here, I shall briefly explain the crucial issues in the long reception and edition history of texts Zwicker wrote and used as his sources. The central

³⁹ The term ‘spiritual geography’ is adopted from Ames, *Righteous Persecution*, pp. 3–5, 13, 145 and passim.

⁴⁰ *Quellen*, ed. Modestin.

⁴¹ St Florian, Stift St Florian, MS XI 234, fols. 88ra–90vb.

⁴² Vienna, Österreichische Nationalbibliothek, MS 3748, fols. 145r–155v. Kieckhefer provided transcripts of these documents in his dissertation, but never published them. See R. Kieckhefer, ‘Repression of Heresy in Germany, 1348–1520’ (unpublished Ph.D. dissertation, University of Texas at Austin, 1972), pp. 433–76; he kindly provided a copy when I was finishing this book.

source for the whole study is Zwicker's treatise against Waldensians written in 1395. It is undeniably the most important anti-heretical text of the period – in terms of length and popularity as well as the expertise of its author. The treatise is usually known today as the *Cum dormirent homines*, after its initial quotation from the Gospel of Matthew (13:25). It became one of the most popular anti-heretical treatises of the Middle Ages, with around fifty manuscripts containing Zwicker's *Cum dormirent homines* or parts of it still extant.⁴³ Because of a mistake by the seventeenth-century editor of the work, Jesuit Jacob Gretser, for over three centuries the *Cum dormirent homines* was attributed to Peter von Pillichsdorf, a Viennese university professor and theologian contemporary with Zwicker. Although the attribution had been doubted since the late nineteenth century,⁴⁴ it was Peter Biller who showed in his dissertation (1974) and subsequent publications, through both external and internal evidence, that it was Zwicker, not Pillichsdorf, who wrote the treatise.⁴⁵

There is no modern edition of the text. As Gretser's edition corresponds closely to the main manuscript tradition of the *Cum dormirent homines*, the references are primarily to the most easily accessible printed edition, a reprint of Gretser's edition in the series *Maxima Bibliotheca Veterum Patrum*.⁴⁶ When a variation relevant to my analysis occurs, I will refer to the manuscripts in question. The manuscripts produced in Zwicker's lifetime or immediately afterwards have provided the most important reference point, but unfortunately they are all of relatively poor textual quality with obvious scribal mistakes.⁴⁷ Descriptions of the manuscripts used in this study are provided in Appendix 1.

There is another treatise, the *Refutatio errorum*, which clearly is a representative of the same era and state of knowledge as the *Cum dormirent homines*, although the text itself does not contain an indication of the date of composition. It was also edited by Gretser,⁴⁸ and thus far has mostly been treated as the work of an anonymous author, except by Peter Segl,

⁴³ Most of these manuscripts are listed in Biller, *Waldenses*, pp. 264–9. For an updated description of manuscripts, see Appendix 1.

⁴⁴ Preger, *Beiträge*, pp. 188–9; Kurze, 'Bemerkungen zu einzelnen Autoren und Quellen', pp. 31–2; P. Uiblein, 'Die ersten Österreicher als Professoren and der Wiener Theologischen Fakultät (1384–1389)', *Wiener Beiträge zur Theologie* 52 (1976), 85–101 (p. 101, n. 91); P. Burkhart, *Die lateinischen und deutschen Handschriften der Universitäts-Bibliothek Leipzig. Band 2, Die theologischen Handschriften; Teil 1 (MS. 501–625)*, Katalog der Handschriften der Universitätsbibliothek zu Leipzig 5 (Wiesbaden, 1999), p. 252.

⁴⁵ Biller, 'Aspects', pp. 354–62; Biller, *Waldenses*, ch. XV.

⁴⁶ Zwicker, *Cum dormirent homines*.

⁴⁷ Seitenstetten, Stift Seitenstetten, MS 213, fols. 108v–133r; St Florian MS XI 234, fols. 93ra–112rb; Gdańsk, Polska Akademia Nauk Biblioteka, MS Mar. F. 295, fols. 191ra–211ra.

⁴⁸ *Refutatio*, ed. Gretser.

who tentatively proposed Zwicker's authorship and encouraged further study on the subject.⁴⁹ The text bears many similarities to the *Cum dormirent homines* and they are often preserved in the same manuscripts.⁵⁰ The edition by Gretser is incomplete, which has discouraged the study of the *Refutatio*. The printed version has ten chapters, but stops abruptly in the middle of the tenth chapter.⁵¹ The complete text comprises twelve chapters, in four different redactions, and the version that has the most extensive manuscript circulation differs significantly from the printed edition. In Chapter 2 I propose that the similarities in style, contents and composition of the *Refutatio errorum* and the *Cum dormirent homines* are so remarkable that Petrus Zwicker can be confirmed as the author of both texts. Where possible, I follow the same policy as with *Cum dormirent homines* and refer to the printed edition when the quoted texts can be found there. When referring to unedited parts, I use the best available exemplar of each redaction.⁵²

The best glimpse into Zwicker's work as inquisitor and his interaction with the interrogated is provided by the protocols of the Stettin inquisition of 1392, now preserved in Herzog August Bibliothek Wolfenbüttel.⁵³ These protocols have been available since 1975 in a scholarly edition by Dietrich Kurze, although mostly in summarized form. A total of 195 protocols of the more than 450 original ones have been preserved, some of them in fragments.⁵⁴ The protocols are a valuable source, since at times they include reflections on the inquisitor's office and the expectations of the intellectual capacities and theological understanding of those accused of heresy. Kurze's decision to edit the protocols selectively, leaving out the inquisitorial formula and often the repeated answers from most of the depositions, has serious shortcomings,⁵⁵ and where there is obscurity I have resorted to the manuscripts. The references are primarily to Kurze's edition, and when referring to original protocols both manuscript folio and the corresponding passage in the edition are provided.

Besides the inquisitions of Stettin, none of Petrus Zwicker's depositions or

⁴⁹ Segl, 'Die Waldenser in Österreich', p. 185, n. 102.

⁵⁰ Biller, *Waldenses*, pp. 252–3, 263–9; Biller, 'Aspects', pp. 354–6.

⁵¹ Gretser evidently noticed this, as the end of the text is marked with the words 'Hactenus manuscriptum exemplar' ('The manuscript exemplar [goes up] to this point'); see *Refutatio*, ed. Gretser, p. 307G.

⁵² Redaction 1: Gdańsk, PAN MS Mar. F. 295; Redaction 2: Augsburg, Staats- und Stadtbibliothek, MS 2° Cod 185; Redaction 3: Prague, NKCR MS XIII. E. 7; Redaction 4: Augsburg, StaSB, MS 2° Cod 338.

⁵³ Wolfenbüttel, HAB MS Guelf. 403 Helmst; and MS. Guelf. 348 Novi.

⁵⁴ *Quellen*, ed. Kurze, pp. 73–261.

⁵⁵ See the contemporary review of the edition by A. Patschovsky, '[Review:] Quellen zur Ketzergeschichte Brandenburgs und Pommerns. Gesammelt, herausgeben und eingeleitet von Dietrich Kurze', *DA* 34 (1978), 589–90; P. Biller, 'Editions of Trials and Lost Texts', in *Valdesi medievali. Bilanci e prospettive di ricerca*, ed. M. Benedetti (Turin, 2009), pp. 23–36 (p. 29).

other original court room documents have been preserved.⁵⁶ The information about trials in the diocese of Passau and elsewhere in Austria and Hungary comes from the compilation of documents providing guidelines to the inquisition of the Waldensians. This compilation, or rather group of different compilations, usually included questionnaires (interrogatories), copies of sentences and lists of Waldensian errors. In nineteen manuscripts, the compilation has been copied jointly with the *Cum dormirent homines*, and Peter Biller, from whom I have adopted the name *Processus Petri* (*Peter's Procedures*) for the compilation, used the shared manuscript tradition of the texts as a proof of Zwicker's authorship of the *Cum dormirent homines*.⁵⁷ The history of different texts in the compilation and the different versions of the *Processus Petri* will be analysed in Chapter 3. Among other things, I will propose that the manuscript XI 234 from Stift St Florian includes a copy of a manual used by Zwicker or his commissary at the inquisitions in the diocese of Passau in 1390s, and for the first time the contents of this manual will be properly analysed. Parts of the *Processus Petri* have been printed since the seventeenth century, usually based on a single manuscript. References are always to the best generally available edition, singled out in Chapter 3 in relation to each component of the compilation.

As my purpose is to track down changes in inquisitorial practice in texts that were revised, compiled, separated and recompiled, I have chosen a method that stresses the textual history: the Überlieferungsgeschichtliche Methode,⁵⁸ practised in German scholarship when analysing the production and distribution of medieval literature as well as the editions of texts. The intent is to make the different historical layers of the text (*Textgeschichte*) clearly visible.⁵⁹ Whereas another influential method, new or material philology,⁶⁰ is

⁵⁶ With the possible exception of extant fragments from the inquisition in Trnava, 1400. These small fragments, preserved in a fifteenth-century book binding from Zwicker's home monastery of Oybin, do not allow us to establish whether or not they are from an original trial deposition or later copies. See NKCR, MS VII. A. 16/4. Edited in J. Truhlář, 'Inkvisice Waldenských v Trnavě r. 1400', *Česky časopis historický* 9 (1903), 196–8.

⁵⁷ Biller, *Waldenses*, pp. 233, 253–4, 263–9, 271, 286; Biller, 'Aspects', pp. 354–6, 360–1.

⁵⁸ Driscoll translates it as 'history of transmission', but the term is best left untranslated as *terminus technicus*; see M. J. Driscoll, 'The Words on the Page: Thoughts on Philology, Old and New', in *Creating the Medieval Saga: Versions, Variability, and Editorial Interpretations of Old Norse Saga Literature*, ed. J. Quinn and E. Lethbridge (Odense, 2010), pp. 85–102 (p. 93).

⁵⁹ The method of Überlieferungsgeschichte and its relation to the new philology have been discussed in W. Williams-Krapp, 'Die überlieferungsgeschichtliche Methode. Rückblick und Ausblick', *Internationales Archiv für Sozialgeschichte der Deutschen Literatur* 25 (2000), 1–21; R. L. R. Garber, *Feminine Figurae: Representations of Gender in Religious Texts by Medieval German Women Writers, 1100–1475* (New York, 2003), pp. 6–7, offers an English overview of the method.

⁶⁰ For a relatively recent and accessible overview of the new philology programme, see Driscoll, 'Thoughts on Philology', pp. 90–1.

based on the concept that every version of a text is an independent work, the Überlieferungsgeschichtliche Methode with its emphasis on *Geschichte*, history, traces textual history and aims to document it in editions. However, this book is not philological and the goal is not an edition: I study the mutation of the *Processus Petri* in the course of its reception in order to understand how and why it acquired the form it did, and how the text was possibly interpreted by contemporaries.

To grasp the effects of Zwicker's works one has to move beyond the history of transmission and revisions, into *Wirkungsgeschichte*, the history of reception. An important part of the pastoralization of heresy was dissemination of the anti-heretical message outside inquisitorial manuals and polemical treatises. Here the most important and the least studied evidence is the translation of the *Cum dormirent homines* in the catechetical work by Ulrich von Pottenstein, written in the first decade of the fifteenth century. The connection between the *Cum dormirent homines* and Ulrich von Pottenstein's *oeuvre* was pointed out by Hermann Menhardt long ago, in 1953, although he accepted the false attribution of the *Cum dormirent homines* to Peter von Pillichsdorf.⁶¹ Menhardt's work has not been further developed, even though Peter Segl suggested this in an article.⁶² The language and the reception of Ulrich's work have been studied by Gabriele Baptist-Hlawatsch,⁶³ while Baptist-Hlawatsch has edited the first chapter of the *Decalogue* and Gerold Hayer the *Pater noster* (Our Father) part.⁶⁴ However, most of the chapters concerning heresy are in unedited parts, above all in expositions of the Creed and Decalogue. Probably because of its enormous size, over 1,200 manuscript leaves, Ulrich's treatise never existed in a single manuscript. For the same reason it will probably never be edited in its entirety. The sections discussing heresy have been the topic of a dissertation project that terminated unfinished at the beginning of the 2000s. I am very grateful to the former project leader, Professor Dieter Harmening, with whose permission I was able to consult the transcripts

⁶¹ H. Menhardt, 'Funde zu Ulrich von Pottenstein (etwa 1360–1420)', in *Festschrift für Wolfgang Stammer: zu seinem 65. Geburtstag dargebracht von Freunden und Schülern* (Berlin, 1953), pp. 146–71 (pp. 159–70); see also G. Baptist-Hlawatsch, *Das katechetische Werk Ulrichs von Pottenstein: Sprachliche und rezeptionsgeschichtliche Untersuchungen* (Tübingen, 1980), p. 6; D. Schmidtke, 'U. v. Pottenstein', in *Lexikon des Mittelalters VIII* (Munich, 1997), pp. 1200–1.

⁶² Segl, 'Die Waldenser in Österreich', pp. 186–8.

⁶³ Baptist-Hlawatsch, *Das katechetische Werk*.

⁶⁴ U. von Pottenstein, *Dekalog-Auslegung: das erste Gebot: Text und Quellen*, ed. G. Baptist-Hlawatsch (Tübingen, 1995); G. Hayer, 'Paternoster-Auslegung: nach der Handschrift a X 13 des Erzstiftes St. Peter zu Salzburg kritisch herausgegeben und eingeleitet. 1, I. und III. Teil' (unpublished Ph.D. dissertation, University of Salzburg, 1972); G. Hayer, 'Paternoster-Auslegung: nach der Handschrift a X 13 des Erzstiftes St. Peter zu Salzburg kritisch herausgegeben und eingeleitet. 2, II. Teil' (unpublished Ph.D. dissertation, University of Salzburg, 1972).

prepared by Christine Wolf from Vienna, Österreichische Nationalbibliothek, MS 3050.⁶⁵

Alongside the works written in the end of the fourteenth century, one must also take into account treatises written in the previous century that were still in active use and which were also later copied, together with fourteenth-century texts. These treatises were very probably used by Petrus Zwicker himself.⁶⁶ The first is a compilation against the enemies of the Church (heretics, Jews and the Antichrist) by an unknown author, who was probably a Dominican writing in the Austro-Bavarian diocese of Passau in the 1260s. Today the author is commonly referred to as the Anonymous of Passau. Both the manuscript and edition history of the treatise of the Anonymous of Passau are complex and confusing, and it is often difficult to know what version each edition represents.⁶⁷ Another widely circulating treatise was the *De inquisitione hereticorum* (*On the Inquisition of Heretics*) that Wilhelm Preger attributed to the German Franciscan David of Augsburg, an attribution considered to be very doubtful. The text is difficult to date, but Lucy Sackville gives a *terminus post quem* of 1253.⁶⁸

The third treatise, far more uncommon in the late-fourteenth-century German or Austrian monastic libraries than the previous two, was the lengthy refutation of Cathar and Waldensian heresies written by Dominican Moneta of Cremona in 1240s, entitled *Adversus Catharos et Valdenses* (*Against the Cathars and Waldensians*).⁶⁹ Peter Biller has suggested that Zwicker probably used a copy of Moneta's treatise, accessible to him in the library of the Benedictine monastery of Garsten in Austria, Zwicker's base of operation in the mid-1390s.⁷⁰ In Chapter 2, I will demonstrate that this manuscript, nowadays Linz, Oberösterreichische Landesbibliothek, MS 296, was indeed the one Zwicker resorted to, not only when he was at Garsten but earlier, when composing the *Refutatio errorum* (or, alternatively, that Zwicker also wrote the *Refutatio* while at Garsten).

Further texts probably familiar to Zwicker were works by the Waldensians themselves. *Liber electorum* (the *Book of the Elect*) describes Waldensian history

⁶⁵ I am also grateful to the Digitisation Project of Kindred Languages of the Finnish National Library, which kindly provided OCR and OCR user interface for the early New High German text of Wolf's transcript, which I would otherwise have been forced to retranscribe manually.

⁶⁶ Biller, *Waldenses*, pp. 256–61, 272–3.

⁶⁷ Patschovsky, *Der Passauer Anonymus*; Nickson, 'The "Pseudo-Reinerius" Treatise'; Sackville, *Heresy and Heretics*, p. 138.

⁶⁸ Sackville, *Heresy and Heretics*, p. 139; I have resorted to the edition of the long redaction: 'Der Tractat des David von Augsburg über die Waldesier', ed. W. Preger, *Abhandlungen der historischen Classe der königlich bayrischen Akademie der Wissenschaften* 14 (1879), 203–35.

⁶⁹ The text is available in an eighteenth-century edition; see Moneta, *Adversus Catharos et Valdenses*.

⁷⁰ Biller, *Waldenses*, pp. 259–61.

from their own point of view and was very likely written in Italy between c. 1335 and the 1350s.⁷¹ In addition to the *Liber electorum*, we have polemical correspondence between the Austrian Waldensian Brethren converted to Catholicism and the Lombardian Brethren. Peter Biller has dated this correspondence to the late 1360s and pointed out that a copy of it was available to Zwicker at Garsten.⁷² These texts have been edited by Peter Biller in his unpublished dissertation.⁷³ Somewhat later an unknown author composed a short treatise, the *Attendite a falsis prophetis* (*Beware of False Prophets*), probably written in the 1370s and at the latest c. 1390, which also influenced the *Cum dormirent homines*.⁷⁴

How is the cultural historian to interpret theological polemics and other texts written by an inquisitor? The study of medieval polemical treatises has been strongly influenced by the idea that the use of literary archetypes, *topoi*, was often haphazard, repetitive and routine-like, and that the descriptions of heresy are first and foremost literary constructions of the inquisitors and other Catholic authors.⁷⁵ While I wholeheartedly share the view that

⁷¹ On the work, see *ibid.*, ch. XII.

⁷² *Ibid.*, p. 256.

⁷³ Biller, 'Aspects', pp. 264–353.

⁷⁴ R. Cegna has edited the text, but wrongly attributed it to the Dominican Johannes of Gliwice and wrongly dated it to 1399; see his 'La condizione del valdismo secondo l'inedito "Tractatus bonus contra haereticos" del 1399, attribuibile all'inquisitore della Silesia Giovanni di Gliwice', in *I Valdesi e l'Europa* (Torre Pellice, 1982), pp. 39–66. Patschovsky has commented that there are no grounds whatsoever for either the attribution or the dating; see A. Patschovsky, 'Ablaßkritik auf dem Basler Konzil: der Widerruf Siegfried Wanners aus Nördlingen', in *Husitství – Reformace – Renaissance. Sborník k 60. narozeninám Františka Šmahela*, ed. J. Pánek, M. Polívka and N. Rejchrtová (Prague, 1994), pp. 537–48 (n. 15). F. M. Bartoš, 'Husitika a bohemika několika knihoven německých a švýcarských', *Vestník královské české společnosti nauk. Trída filosoficko-historicko-jazykozpytná* 5 (1932), 1–92 (pp. 32–3) and, following him, A. Molnár have attributed the work to Konrad Waldhauser, a German reform preacher active in Prague in the mid-fourteenth century; see A. Molnár, *Storia dei valdesi 1. Dalle origini all'adesione alla Riforma (1176–1532)*, 2nd edn (Turin, 1989), p. 158, n. 29. I have been unable to confirm this attribution. This would date the treatise to the 1360s, which seems improbable in the light of its contents and manuscript circulation. It is likely that there is confusion between the treatise and Waldhauser's sermon on the same bible verse; cf. *Quellen*, ed. Patschovsky, pp. 125–6. Biller pointed out the similarity of topics treated in *Attendite a falsis prophetis* and *Cum dormirent homines*; see Biller, 'Aspects', pp. 261, 365; Biller, *Waldenses*, p. 290. Biller regards the treatise as anonymous. The references are to my own transcript from St Florian MS XI 152, fols. 48v–50v.

⁷⁵ To my knowledge this tradition began with the classic essay by Herbert Grundmann, published in 1927 and republished in H. Grundmann, 'Der Typus des Ketzers in mittelalterlicher Anschauung', in *Ausgewählte Aufsätze* (Stuttgart, 1976), pp. 313–27. Peter Biller in particular has argued that the inquisitorial literature is a valuable source on heresy if read carefully, and that deconstruction of these sources has gone too far. Biller's article also summarizes much of the discussion on the topic.

polemical texts on heresy are above all literary compositions corresponding to the expectations of erudite, orthodox clergy, I suggest it is a mistake to regard – and therefore overlook – what was attributed to heresy and heretics as mere rhetoric. Rather, I endorse a more pliant understanding of the medieval concepts of *topos* or *locus*, as proposed, for example, by Teemu Immonen. The *topos* should not be thought of as a textual convention that self-evidently obscures historical facts. Rather, in a very concrete way *topos/locus* is a place: a jumping-off point to various, perhaps even contradictory, interpretations and explanations of a concept. ‘A place – *topos*, *locus* – was where the plurality of meanings of a certain concept was situated in the forest of meanings.’⁷⁶ In the case of anti-heretical literature this means that an author could pick from a variety of metaphors, some of which could lead to several different interpretations in the minds of contemporary readers. Thus a careful reading of the metaphors can reveal what aspects of heresy were stressed by certain authors or during certain periods, and consequently what the function of heresy was in contemporary culture. This view resembles Lucy Sackville’s on reading descriptions of heresy: instead of a static *topos*, she has tracked the layering and accumulation of certain elements in thirteenth-century literature, as well as the adaptation of these elements to the purposes of the text.⁷⁷ As my intention is to explore both the changes in approaches to heresy and the effects these changes had on the Church that initiated the persecution as well as those it persecuted, it is necessary to perceive *topoi* as tools to discern and categorize, and eventually to reshape the reality, not as something that veils and distorts it.

See his ‘Goodbye to Waldensianism?’, *Past and Present* 192 (2006), pp. 3–33. An important collection of essays arguing for the invention of heresy by Catholic authors is *Inventer l’hérésie? Discours polémiques et pouvoirs avant l’Inquisition*, ed. M. Zerner (Nice, 1998). In recent years Mark G. Pegg and R. I. Moore have provided the most influential critical reading of this type, which considers the dualist heresy in Languedoc to be a polemical literary construction. See esp. M. G. Pegg, ‘On Cathars, Albigenses, and Good Men of Languedoc’, *Journal of Medieval History* 27 (2001), 81–95; M. G. Pegg, *The Corruption of Angels: The Great Inquisition of 1245–1246* (Princeton, 2001); R. I. Moore, *The War on Heresy* (London, 2012); R. I. Moore, ‘The Cathar Middle Ages as an Historiographical Problem’, in *Christianity and Culture in the Middle Ages: Essays in Honor John Van Engen*, ed. D. C. Mengel and L. Wolvertson (Notre Dame, 2014), pp. 58–86. For an opposing interpretation and evidence, see esp. C. Bruschi, *The Wandering Heretics of Languedoc* (Cambridge, 2009); C. Taylor, ‘Evidence for Dualism in Inquisitorial Registers of the 1240s: A Contribution to a Debate’, *History* 98 (2013), 319–45; C. Sparks, *Heresy, Inquisition and Life-Cycle in Medieval Languedoc* (York, 2014). The recent anthology *Cathars in Question*, ed. A. Sennis (York, 2016), contains essays by the most important proponents of the debate on Catharism, but without resulting in a synthesis of views.

⁷⁶ T. Immonen, ‘Building the Cassinese Monastic Identity: A Reconstruction of the Fresco Program of the Desiderian Basilica (1071)’ (unpublished Ph.D. dissertation, University of Helsinki, 2012), p. 15.

⁷⁷ Sackville, *Heresy and Heretics*, pp. 9, 175, 177 and *passim*.