Reform and Humanism in the Sermons 
of Richard Fleming at the Council of Constance (1417)

by

Chris Lee Nighman

A thesis submitted in conformity with the requirements for the degree of Doctor of Philosophy
Graduate Department of History
University of Toronto

© Chris Lee Nighman, 1996
The author has granted a non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of this thesis in microform, paper or electronic formats.

The author retains ownership of the copyright in this thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without the author's permission.

L’auteur a accordé une licence non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de cette thèse sous la forme de microfiche/film, de reproduction sur papier ou sur format électronique.

L’auteur conserve la propriété du droit d’auteur qui protège cette thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.
Reform and Humanism in the Sermons of Richard Fleming at the Council of Constance (1417)

Ph.D., 1996, Chris Nighman

Department of History, University of Toronto

The thesis examines six Latin sermons delivered in 1417 at the Council of Constance by Richard Fleming (1385-1431), an Oxford theologian who had been an active proponent of reform and opponent of heresy (Wyclifism/Lollardy) before he went to the council and who later, as bishop of Lincoln (1420-31), founded Lincoln College, Oxford (1427) to train theologians to counter heresy. The reform of clerical abuses is the primary concern in five of these sermons, and in two of them -- his Epiphany sermon and his eulogy for William Corff, his former mentor in the Oxford theology faculty -- Fleming treats the threat of heresy within a discussion of reform, implying that the response to heresy should include the reform of clerical abuses and the improvement of the cura animarum. Although there was a significant movement of orthodox reform in early 15th-century England, there is no other known statement by a reformer that heresy was a motivating factor, presumably because it might seem sympathetic to the criticisms raised by the heretics.

It is argued that Fleming served as a quasi-official spokesman for the English natio during the most critical stage at Constance, when the council was divided into two opposing camps over the issues of reform and papal election, the so-called priority conflict. It has long been known that his
eulogy for Robert Hallum, bishop of Salisbury, served to announce a shift in the English position by proposing a compromise which would end the stalemate occasioned by the priority conflict; the examination of Fleming’s first two sermons reveals that it was Fleming who originally announced the English policy.

Fleming’s last known sermon is a eulogy he gave for Francesco Zabarella, cardinal of Florence and patron of the circle of Italian humanists at Constance. Drawing especially upon Cicero and Macrobius, Fleming argues that Zabarella has defeated death because he will live on in the memory of men for his deeds of public service; this treatment of earthly fame is the earliest known instance of an Englishman expressing the values of Italian humanism.

The thesis includes new editions of four of Fleming’s sermons.
Acknowledgments

My first debt of gratitude is to my thesis supervisor, Professor Joseph Goering of the Department of History and the Centre for Medieval Studies, who has devoted much time and effort in overseeing the research and writing of this thesis. I would also like to thank my thesis advisors -- Professor Kenneth Bartlett of the Department of History and Victoria College, and Professor Alexandra Johnston of the Department of English and Records of Early English Drama; their guidance and encouragement throughout the project have also been much appreciated.

I have also benefitted from conversations and correspondence with many other scholars in the fields of the late medieval English church, the Council of Constance, and renaissance humanism. Foremost among these is Professor Christopher Crowder of Queen’s University, Kingston, Ontario (retired), who has very graciously taken time away from his own pursuits to read drafts and offer invaluable advice and suggestions. Other scholars who have contributed to my research include, in alphabetical order: Jeremy Catto, Simon Forde, Margaret Harvey, Thomas Izbicki, Margaret King, Nicholas Mann, George McClure, John McManamon, John Monfasani, Thomas Morrissey and Phillip Stump. I also owe special thanks to Jack Scarisbrick of the University of Warwick, Coventry, who, nearly a decade ago, piqued my interest in the subject of orthodox reform in the fifteenth-century English church; also deserving of my
gratitude are Jeffrey Burton Russell and C. Warren Hollister, who first inspired in me, as an undergraduate at the University of California at Santa Barbara, a fascination with medieval Europe which continues to guide my professional life.

Parts of the thesis have also undergone the scrutiny of several of my fellow graduate students at the University of Toronto who have offered the kind of insightful criticism and suggestions that can only come from those who are themselves currently involved in the process of writing a doctoral dissertation.

The final product, of course, is my own; I take sole responsibility for all points of interpretation and any errors of fact or omission.

Finally, and most importantly, this thesis would have never seen the light of day had it not been for the constant loving support of my wife, Leanne, and our families. I would like to dedicate this thesis to my late father-in-law, Dale Frederick Davies, whose qualities of personal integrity and patient perseverance in adversity shall always be an example and source of inspiration to me.
# Table of Contents

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abstract</td>
<td>p. i</td>
</tr>
<tr>
<td>Acknowledgments</td>
<td>p. iii</td>
</tr>
<tr>
<td>Table of Contents</td>
<td>p. v</td>
</tr>
<tr>
<td>Foreward</td>
<td>p. vii</td>
</tr>
<tr>
<td>Abbreviations</td>
<td>p. viii</td>
</tr>
<tr>
<td>Chapter 1: Introduction</td>
<td></td>
</tr>
<tr>
<td>Preface</td>
<td>p. 1</td>
</tr>
<tr>
<td>Reform and Heresy in Fifteenth-Century England</td>
<td>p. 2</td>
</tr>
<tr>
<td>Fleming's Career to 1417</td>
<td>p. 19</td>
</tr>
<tr>
<td>Chapter 2: &quot;Rise and shine, Jerusalem&quot;</td>
<td></td>
</tr>
<tr>
<td>Preface</td>
<td>p. 47</td>
</tr>
<tr>
<td>&quot;Surge&quot;</td>
<td>p. 49</td>
</tr>
<tr>
<td>The English Staging of an Epiphany Play</td>
<td>p. 88</td>
</tr>
<tr>
<td>Chapter 3: &quot;Those who are called may receive&quot;</td>
<td></td>
</tr>
<tr>
<td>Preface</td>
<td>p. 94</td>
</tr>
<tr>
<td>&quot;Accipiant&quot;</td>
<td>p. 103</td>
</tr>
<tr>
<td>&quot;Ecce&quot;</td>
<td>p. 131</td>
</tr>
<tr>
<td>Chapter 4: &quot;That he died, he died but once&quot; and &quot;His spirit will be in glory&quot;</td>
<td></td>
</tr>
<tr>
<td>Preface</td>
<td>p. 138</td>
</tr>
<tr>
<td>&quot;Quod&quot;</td>
<td>p. 142</td>
</tr>
<tr>
<td>&quot;Spiritus&quot;</td>
<td>p. 161</td>
</tr>
<tr>
<td>Other English Sermons at Constance in 1417</td>
<td>p. 178</td>
</tr>
<tr>
<td>Chapter 5: &quot;Death has been absorbed in victory&quot;</td>
<td></td>
</tr>
<tr>
<td>Preface</td>
<td>p. 196</td>
</tr>
<tr>
<td>&quot;Absorpta&quot;</td>
<td>p. 208</td>
</tr>
</tbody>
</table>
vi

Was Richard Fleming a Humanist? p. 220

Chapter 6: Fleming’s Career after 1417 p. 238

Bibliography p. 245

Appendix 1: Manuscripts of Fleming’s Sermons p. 258

Appendix 2: Other English Sermons & their Manuscripts p. 260

Appendix 3: Editions

Preface: Statement of Editorial Principles p. 267

"Surge illuminare, Jerusalem" p. 268

"Accipiant, qui vocati sunt" p. 316

"Quod mortuus est, mortuus est semel" p. 376

"Absorpta est mors in victoria" p. 405
Foreword

While scholars of the sermons delivered at the Council of Constance will be forever indebted to the seminal work of Hermann von der Hardt, Christian Walch, Heinrich Finke, Paul Arendt and Johannes Schneyer, surely the best tribute to their contributions is not simply to accept their findings, but to build upon their legacy by questioning, testing and, if the evidence so warrants, rejecting certain aspects of their work. Therefore, while this thesis often points out errors in the research of these scholars, at the same time it must be acknowledged that, to paraphrase Bernard of Chartres, it is only by standing on the shoulders of such giants as these that we may see farther than they did. It is also certain that the contribution made by this thesis, like the work of the currently active scholars whose research is discussed in this thesis, will no doubt be found faulty in some respects by subsequent scholars; it is hoped that the present effort will enable them to see a bit farther still.
Abbreviations

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BI</td>
<td>The Borthwick Institute</td>
</tr>
<tr>
<td>BRUC</td>
<td>Biographical Register of the University of Cambridge. A.B. Emden ed.</td>
</tr>
<tr>
<td>BRUO</td>
<td>Biographical Register of the University of Oxford to 1500. A.B. Emden ed.</td>
</tr>
<tr>
<td>LAO</td>
<td>Lincoln Archives Office</td>
</tr>
<tr>
<td>LPA</td>
<td>Lambeth Palace Archives</td>
</tr>
</tbody>
</table>
Chapter One: Introduction

Preface

On 6 January 1417 an Oxford theologian named Richard Fleming ascended the conciliar pulpit and preached before the general council of the church then assembled in the south German city of Constance. Over the next ten months he would deliver at least five more sermons at that council. While all of these sermons have received some attention in the past, it is clear that none of them has received adequate treatment and the existing scholarship contains many significant errors which this thesis seeks to correct. The shortcomings of previous examinations of Fleming's preaching activities at Constance are partly due to the unreliability or incompleteness of available editions, and partly because they have never been studied as a group, but rather as individual sermons by different scholars. Moreover, they have scarcely been considered with reference to what is known of Fleming's career, either in terms of his student days at Oxford or later as bishop of Lincoln. Finally, the sermon which is perhaps the single most important one Fleming preached at Constance, his reform sermon for Passion Sunday, has been misascribed until now to another preacher at that council.

In preparing this thesis I have compiled new critical editions of four of Fleming's sermons whose previous editions are incomplete or significantly flawed. Working from these improved texts I have attempted to examine each sermon much more closely than has been done in the past and to consider the group as a whole in trying to determine Fleming's views and his role within
the English delegation to Constance. The other two sermons -- Fleming's Trinity Sunday sermon and his eulogy for Robert Hallum -- have not, for reasons explained below, been edited for this thesis; both of these sermons are briefly treated on the basis of published editions which are adequate for the purposes of this study.

Before discussing the texts of Fleming's sermons and the context in which they were delivered, it is necessary to provide some background information on Fleming and the environment from which he came. This introductory chapter consists of two parts: the first considers the contentious issue of the state of the English church during this period, and the second provides an overview of Fleming's career before he arrived at the Council of Constance.

**Heresy and Reform in Fifteenth-Century England**

Until about twenty years ago the prevailing interpretation of the English Reformation had been the traditional "Whig" view in which the religious changes in sixteenth-century England were portrayed as the victory of vigorous, modern Protestantism over moribund, medieval Catholicism, and an inevitable step in the progress of English society.¹ Since then, historians such as

¹ This historiographical tradition has its roots in the Reformation itself, especially in the Protestant martyrologists Bale and Foxe. It gained added strength during the late eighteenth and nineteenth centuries under the influence of philosophical positivism and political Liberalism. The most important modern expression of this perspective, with only slight modifications to its basic argument but supported with impressive
J.J. Scarisbrick, Eamon Duffy and Christopher Haigh have marshalled considerable evidence in arguing that the English Church at the beginning of the sixteenth century was not an institution in decline, nor was there widespread lay disaffection with traditional patterns of worship or, by implication, with their theological foundations. The success of such revisionist scholarship in forcing a reevaluation of the nature of the English Reformation is reflected in a review of Haigh's book in which Patrick Collinson declares that this latest revisionist offering amounts to "flogging dead horses".

This reexamination of English religious life just before and during the Reformation has also prompted a reevaluation of the topic during the late fourteenth and fifteenth centuries. Some of this research has focused on the quality of the episcopacy and the efficacy of its pastoral leadership, leading to a rejection of the traditional judgment against the late medieval English bishops as little more than royal civil servants, with minimal scholarship, is A.G. Dickens, The English Reformation (London: Batsford, 1964).


commitment to the spiritual duties of their office. This view presupposed that the kings of England in this period cynically used the English episcopacy as a source for the maintenance of clients who were drawn primarily from the younger sons of the nobility and who had little formal learning and even less concern for the quality of religious life. In his reappraisal of this question, R.G. Davies has argued that, while there were some English bishops in this period who were essentially secular bureaucrats rather than spiritual leaders devoted to their pastoral office, such persons were fairly few and unrepresentative, and they were generally limited to short tenures and dioceses of relatively small incomes, such as those in Wales. Yet these instances of abuse have been the foundation for what Davies sees as an unfair historical

invective against the later medieval episcopate, handed down by contemporary critics and Protestant apologists,


...[which treats] the episcopate still as something of a generic term for...officers of the Crown."

Davies and J.T. Rosenthal have studied extensively the men who held English sees in this period and have formulated a very different perspective on the late medieval English episcopacy. Rosenthal studied the pre-episcopal careers of the seventy-nine men who became bishops between 1399 and 1485, considering such variables as their social background, education, and the ecclesiastical and secular service which preceded their episcopal appointments. In terms of their social origins, he found that seventeen of the bishops were from the aristocracy, twenty-one were from the gentry or burgher class, and twenty-nine were "presumably" of humble birth; "the episcopacy would seem to have lived up to its reputation of being open to talent. We know that many men of obscure background did make the grade."²

Davies concentrated almost entirely on the issue of education in studying a slightly earlier and larger sample than Rosenthal's, and he confirms his predecessor's appraisal that a university education had become virtually a sine qua non for episcopal preferment by the early fifteenth century. Davies' study demonstrates that between 1375 and 1461 there was a steady improvement of the educational level of the English episcopacy as

² J.T. Rosenthal, The Training of an Elite Group, Transactions of the American Philosophical Society, n.s. 60, pt. 5, (1970): 9-12. They were "presumably" of humble birth because nothing is known of their family background.
a growing percentage held advanced university degrees. A There was also a shift in the type of training which typified the episcopacy as the number of theologians began to increase over graduates in civil and canon law. The bishops in Rosenthal's study group comprised thirty-three theologians compared to thirty lawyers, a statistic which "stands as a qualification of the accepted view of a wholly service-oriented episcopate, reading canon and civil law almost from the cradle so as best to serve king, country, and pope."10 Davies noted that it was in the latter half of the century, between 1450 and 1485, that the number of theologians who became bishops surpassed that of civil and canon lawyers.11

What is missing in these reappraisals of the bishops of fifteenth-century England is an adequate explanation for this change in the quality of the episcopacy. Rosenthal saw the higher level of education among English bishops as merely "the logical conclusion of a process which had been developing for some time".12 But another explanation for this change, and perhaps also for the shift towards theologians over legists, may be found in a consideration of the unique pastoral environment of early fifteenth-century England.

In a course he taught several years ago, J.J. Scarisbrick, the

---

9 Davies, "Episcopate," 53.
10 Rosenthal, Training, 14.
12 Rosenthal, Training, 12.
eminent Tudor historian at the University of Warwick, proposed a particularly interesting and provocative theory regarding the importance of John Wyclif and the Lollard movement for the coming of the English Reformation. In opposition to the traditional view that Wyclif and the Lollards prepared the ground for the ready reception of Protestantism in England, Scarisbrick suggested that they may have had the reverse effect by unwittingly "inoculating" English Catholicism during the fifteenth century. Noting that the church in England at the beginning of the sixteenth century seems to have been generally less troubled by ecclesiastical abuses than it was in most other parts of Christendom (Spain being the most notable exception), he postulated that one effect of these proto-Protestants may have been to inspire a sort of proto-Catholic Reformation in fifteenth-century England which strengthened the traditional church and made English society more "resistant" to the Reformation than it might otherwise have been.\(^\text{13}\) While Scarisbrick's conception of "inoculation" should perhaps be avoided as perpetuating the polemical treatment of medieval heresy and Protestantism as a contagio of the body ecclesiastic, his theory does have much merit. Authorities surely did react to the heretical threat with repression, but it would be reasonable to expect to find that some of them, at least, also responded to

\(^{13}\) Professor Scarisbrick proposed these ideas in a lecture given in July 1987 at the University of Warwick for his course "English religion from Chaucer to Shakespeare". He admitted that he knew of no one working on this question and stated that he had no intention of pursuing it himself.
the challenge posed by heresy with reform of the ecclesiastical hierarchy and efforts to improve the cura animarum.

That officials in fifteenth-century England responded to the perceived threat of Lollardy with repression is without question. The purge of the Oxford Wyclifites, the promulgation of the ordinance "De haeritico comburendo" in 1401 and the ensuing prosecution of heresy (an action without precedent in England), the suppression of vernacular religious texts by Archbishop Arundel's Oxford Convocation of 1407, the fate of Oldcastle and his followers, and the hierarchy's treatment of Bishop Pecock, all bear witness to the repressive reaction of Crown and Church against Lollardy and, in Pecock's case, against an orthodox apologist who drew fire for his writings against heresy primarily because they were written in the vernacular. Until quite recently, historical accounts of the official response to Lollardy and Wyclifism -- following a historiographical tradition which stretches back to such Protestant apologists as the Elizabethans Bale and Foxe and the Commonwealth's Milton --


16 Anne Hudson, The Premature Reformation (Oxford: Clarendon Press, 1988), notes that these terms were used synonymously by such contemporaries as Thomas Netter, the only distinction being "that Lollard was the clearer mark of opprobrium" (p. 3). Other scholars have tended to distinguish between "intellectual" Wyclifism and "popular" Lollardy.
have dwelt exclusively upon these negative aspects of official repression and have denied outright or minimalized any positive response of reform.  According to this view, the extreme nature of the Lollard threat precluded the enactment of any positive reforms by the leaders of the English Church. As K.B. McFarlane put it,

Wycliffe, in fact, did more than any [other] man in Catholic England -- though admittedly that was not his intention -- to discredit even moderate reform with the political class which alone had the power to carry it out.... His excesses and, still more, those of his disciples made reform disreputable and prepared the way for the easy triumph of reaction.  

Similarly, A.G. Dickens asserted that fifteenth-century Lollardy helped to exclude the possibility of Catholic reforms by hardening the minds of the English bishops and their officials into a sterile, negative and rigid attitude towards all criticism and towards the English scriptures.

The reassessment of the late medieval English bishops by Rosenthal and Davies casts some doubt on the validity of these claims; yet neither scholar considered the possibly ameliorative influence that the threat of heresy may have had on the episcopacy. Davies even argued that "the menace of Lollardy...

---


19 Dickens, Reformation, 36.
provoked no change in policy in the matter of appointments,″20 but it is clear from the context of this statement that he meant that the Lollard threat had no negative effect on the episcopacy. Yet the evidence which he and Rosenthal have found suggests that there was a significant positive change in the quality of the bishops which may have been, at least partly, in response to the challenge of Lollardy. This conclusion naturally follows from Davies’ remarks on the character and policies of these highly-educated and experienced bishops who were especially well-equipped to meet that challenge:

they were by no means small-minded or unconstructive. And, by word and deed, the episcopate played a notable part, and sometimes one more positive, certainly less blindly repressive, than has generally been allowed.21

In an earlier study Davies had remarked on that "more positive" response to Lollardy in Archbishop Thomas Arundel, the man whom the chronicler Walsingham approvingly dubbed the "Hammer of the Lollards". Davies asks whether, despite the repressive nature of some of his policies, one can

write off the lengths to which Arundel went to avoid sending John Badby and William Sawtry to the flames? Was it not he also who walked and talked with Margery Kempe when other bishops were by turns baffled and contemptuous?... There was surely a more thoughtful, discerning side [to him] which was appreciated by neither public friend nor foe. To those not facing the problem, heresy was heresy in whatever its forms. To Arundel and the more perceptive of the other bishops

20 Davies, "Episcopate," 54.

21 Davies, "Episcopate," 53. Rosenthal’s position is not so overtly revisionist and he concludes that his findings only qualify the traditional interpretation of the late medieval bishops, rather than overturning it.
the problem was not so simple.\textsuperscript{22}

In drawing attention to this "more perceptive" approach, Davies substantiates his conscious challenge to the interpretations of historians such as McFarlane and Dickens by questioning the well-enshrined..."fact" that the ecclesiastical authorities responded with indignation, prohibition and persecution to the criticisms and ideas of the Lollards in particular, rather than by measured discussion and programmes for education or reform....\textsuperscript{23}

This suggestion that the challenge of Lollardy did inspire orthodox reform has been supported by findings presented by Jeremy Catto in a short article on religious policies during the reign of Henry V. Catto identified a "confident, coherent religious leadership" around the king which was comprised of Bishop Robert Hallum of Salisbury, Archbishop Henry Chichele of Canterbury, Bishop Nicholas Bubwith of Bath and Wells, and other ecclesiastical officials including Thomas Brouns, William Lyndwood, and Richard Ullerston. Based in the episcopal courts of Salisbury and Canterbury, they developed

a response to the challenge of the Lollards which was primarily neither theoretical nor repressive, but [which] drew its strength from the positive aspects of


\textsuperscript{23} Davies, "Episcopate," 67-8.

The fruits of their reform activities, according to Catto, consisted of "more ceremonies, the introduction of new feasts and cults, more elaborate music and emphasis on public processions".\footnote{Catto, "Change," 109.} Such liturgical innovations doubtless did make a positive contribution to the vitality of the orthodox faith by infusing public worship with a tangible freshness, and Catto's recognition of these changes surely constitutes an important contribution in showing that the Church's response to Lollardy in the early fifteenth century had a positive aspect which has previously gone unnoticed.

However, it seems unlikely that the liturgical reforms Catto discusses would have had the kind of significant and long-term effect on the quality of English religious life that would substantiate Scarisbrick's theory. If the challenge of heresy did inspire orthodox reforms with enduring results, they would have been in those areas of pastoral care which involve the religious and moral instruction of the laity, both through preaching and by example. Such a response did apparently occur at the lower levels of the clergy in the pastoral manuals and
sermon cycle of John Mirk\textsuperscript{26} and in at least one of the religious plays of the period.\textsuperscript{27}

There is also evidence for a pastoral response to Lollardy at the top of the hierarchy, most notably in the episcopal career of Philip Repindon of Lincoln (1405-19), a man who virtually personifies the improved quality of the episcopacy in the fifteenth century which Rosenthal and Davies perceived: a man of humble origins, a doctor of theology and, as the record of his tenure attests, a bishop thoroughly dedicated to his pastoral office. His promotion to the largest non-archiepiscopal see in England is among the most telling comments on the attitude of the


\textsuperscript{27} Cecilia Cutts, "The Croxton Play: An Anti-Lollard Piece," \textit{Modern Language Quarterly} 5, no. 1 (March 1944): 45-60. Cutts suggests that this play is only one example of a much broader pastoral response to Lollardy: "The Church used every conceivable means of combatting the heresy.... These were of two types: those intended to frighten and coerce people into orthodoxy and those which aimed to instruct and persuade.... Under the latter heading fall such persuasive measures as...the providing for the laity of approved Catholic books in English,...the presentation of religious plays, and perhaps also the establishment of Corpus Christi guilds" (pp. 52-3). Perhaps the most important example of this approach is seen in Nicholas Love's vernacular devotional text, which was approved by Arundel in 1410 and probably actively promoted by the archbishop as a counterweight to the vernacular Wyclifite Bible; see above, p. 11, n. 22. This text, which survives in over forty manuscripts, is regarded by some scholars as a major source for the English mystery plays. On the text see Elizabeth Salter, Nicholas Love's "Myrrour of the Blessed Lyf of Jesu Christ", Analecta Cartusiana 10 (Salzburg, 1974); for the connection to drama see David L. Jeffrey, "Franciscan Spirituality and the Rise of Early English Drama," \textit{Mosaic} 8 (1975): 17-46 at p. 22; and Gail MacMurray Gibson, \textit{The Theater of Devotion} (Chicago, Univ. of Chicago Press, 1990): 10.
Crown and the ecclesiastical hierarchy towards moderate reforms, for this former Oxford Wyclifite was surely assimilated into a position of authority so that he could promote pastoral care while also rooting out heresy in his huge diocese. The fact of Repingdon’s own flirtation with heresy as a student at Oxford was apparently no bar to his advancement to so high a post. What Henry IV, to whom Repingdon served for a time as confessor, and Arundel and other prelates saw in this candidate was not just a reformed heretic, but a man of great learning and ability whose reforming zeal, as evidenced in his tenure as chancellor of Oxford (1400-3) and as abbot of the Augustinian priory at Leicester (1394-1404), was as important a trait as his orthodoxy.

Pointing to his record as bishop of Lincoln, Peter Heath placed Repingdon among the "moderate Wyclifites" who had recanted just after the condemnation of many of Wyclif’s teachings at the Blackfriar’s Council of 1382, an action which "suggests that his message was largely that of moralistic Wyclifism rather than doctrinal or eucharistic in its focus". And Richard Swanson has remarked that Repingdon’s "reincorporation into the ecclesiastical hierarchy...can be too conveniently interpreted as [a] Lollard seeing the error of [his] ways, masking the need to

---

consider [him] as [an] individual thinker". According to Margaret Archer, the editor of part of his episcopal register, the official record of Repingdon's actions "during his career as the most orthodox of bishops" provides extensive evidence of the qualities which distinguished his youth.... The same qualities which had made him a zealous supporter of Wyclif were later brought to the service of the Church. His consistent aim was to strengthen religious life among both clergy and laity.30

She goes on to note how Repingdon's pastoral approach sought both to combat disciplinary abuses and improve pastoral care while also countering heresy:

One of Repingdon's principal aims was to ensure the proper provision of regular services in all parts of the diocese by resident clergy of a fair degree of education.... Some of [his] earliest and most forceful mandates were directed against clerical negligence, immorality, irreverence, slothfulness and other abuses.... It was, however, with Lollardy that Repingdon was primarily concerned.... One of [his] first acts as bishop was to direct the abbot of Notley and the official of the archdeacon of Huntingdon to arrest false preachers who were disseminating heretical opinions....31

Repingdon's eager promotion of pastoral reform in his diocese while also rooting out Lollardy suggests that his desire for reform may indeed have been motivated by the threat of heresy. Yet it is impossible to determine to what extent reform

---


31 Archer, *Register i.*, pp. xxviii, xxxii, xxxiv.
activities were pursued as a direct response to heresy or were simply part of ongoing efforts to improve pastoral care. Moreover, as Archer and others have pointed out, the case of Repingdon suggests that his interest in reform was itself derived from his earlier Wyclifism; thus, the oppositional view of reform as a reaction to heresy has to be balanced against the possibility that certain reformist aspects of Wyclif's thought continued to influence orthodox circles long after many of his doctrinal views had been condemned.

Finally, the coincidence of reform and anti-Lollard policies does not necessarily mean that Repingdon regarded these as related issues. The difficulty in demonstrating that reform activities were indeed stimulated by the threat of heresy is that the evidence is generally circumstantial; there is no known clear statement by a reformer in this period that heresy is a motivating factor in the reform of pastoral care. Nor is this surprising: if reform efforts were indeed prompted by the threat of Lollardy, orthodox reformers would have been understandably reluctant to admit that connection lest such a statement should be construed as implying that the heretics' criticisms of the church had any merit, a concern which would especially apply to Repingdon and other former Oxford Wyclifites.32 In fact, it is rare to find mention of both reform and heresy in the same context. There is certainly no reference to heresy in the most

32 In this limited sense McFarlane was correct in stating that Wyclif had made moderate reform disreputable.
significant reform document of the era, Ullerston's *Petitiones*, which was composed in 1408 at Hallum's request for use at the Council of Pisa. And while the reform proposals drafted by Oxford University in 1414 on the eve of the Council of Constance, which owe much to Ullerston's work, do mention heresy, it is only in terms of enforcing its suppression. Likewise, the subject of clerical reform does not appear in any of the period's anti-heretical legislation, such as Archbishop Arundel's constitutions of 1409. Thomas Gascoigne, a chancellor of Oxford whose

33 "Petitiones quoad reformationem ecclesiae militantis" in Hermann von der Hardt ed., *Magnum oecumenicum Constantiense concilium i.* (Frankfurt and Leipzig, 1696): 1126-71; actually Ullerston does use the word "heresyn", but only in reference to the practice of simony, not with regard to the doctrinal heresies associated with Wyclif and Hus. The best analysis of Ullerston's proposals is still that of Margaret Harvey, "English Views on the Reforms to be Undertaken in the General Councils, with Special Reference to the Proposals Made by Richard Ullerston," Oxford University D.Phil. thesis (1964): 62-118 and passim; see p. 76 for Ullerston's identification of simony with heresy.

34 See D. Wilkins ed., *Concilia magnae Britanniae et Hiberniae,* (London, 1737) iii., 360-5. The dedicatory preface to Henry V (p. 360) praises the king's recent victory over the Lollard rebellion led by Oldcastle ("vestra fortitudo satellitum antichristi proditoriam malitiam christianissima victoria castigasset") and then goes on to note how the king must now turn to the problem of church reform ("hinc ut de regno gemiscentis ecclesiae scandalæ penitus extirpentur"). There is no suggestion in this text that the threat of heresy and need for reforms are at all related. And among the forty-six proposals which follow, articles 43 and 44 call for the deposition of bishops who fail to suppress heresy in their dioceses and the confiscation of new theological works in English; see Harvey, "Views," 177-8. It is not known who the authors of this document were; but it seems likely that Fleming, who had served on the committee of twelve censors charged with compiling a list of Wyclif's errors (see below, p. 26) and would later preach for reform at Constance, was involved in drafting the Oxford proposals.

35 Wilkins, *Concilia* iii., 315-19.
"dictionary of theology" shows him to have been both an outspoken advocate of reform and opponent of heresy, discusses both issues at great length, but not together; he never suggests that clerical abuses have in any way caused or furthered heresy or that pastoral reform is a viable response to Lollardy.\footnote{Thomas Gascoigne, \textit{Loci e libro veritatum}, J.E.T. Rogers ed. (Oxford: Clarendon Press, 1881). At one point Gascoigne describes the "\textit{tres causas praecipuas haeresium et errorum}" (pp. 28-30) with no reference to the failings of pastoral care, but elsewhere he is very critical of clerical abuses and strident in his call for reform. It should be pointed out, however, that Rogers' edition includes only about 30\% of Gascoigne's \textit{Dictionarium theologicum}; a full edition that was to be published through the Oxford Historical Society by Winifred Pronger was apparently never finished; see Pronger, "Thomas Gascoigne," \textit{English Historical Review} 53 (1938): 606-26; and 54 (1939): 20-37. Rogers presumably would have included any such discussion of reform and heresy had he found it among Gascoigne's writings.}

The only known statement from this period that links the spread of heresy with pastoral failings in calling for reform came not from within the church, but from the state, specifically from the House of Commons. In 1416 the matter of the promotion of university graduates to benefices, a major concern of the English at Constance, gave rise to a statement blaming the growth of heresy on the failure of many graduates to obtain benefices with cure of souls and petitioning the king to rectify the situation.\footnote{\textit{Rotuli parliamentorum} iv., 81-2.}

Such a discussion of both reform and heresy is also found in two sermons which were delivered by Richard Fleming at the Council of Constance, and the issue of reform is the primary
concern of all but one of Fleming’s six known sermons from this council. As the following account will show, Fleming was a protégé of Repingdon who had shown himself to be both an opponent of heresy and an agent for clerical reform before he went to Constance. The concluding chapter will briefly describe how Fleming’s career after Constance, especially following his appointment as Repingdon’s successor as bishop of Lincoln in 1421, continued to be guided by an interest in promoting reform and combatting heresy. The examination of his sermons at Constance, which occupies the intervening chapters, will discuss Fleming’s views on reform and consider to what extent he regarded reform and heresy as related issues.

Fleming’s Career to 1417

Richard Fleming was born in about 1385.38 There are two traditions for the place of his birth. According to Anthony Wood, he was born in Crofton,39 a village about ten miles north of Wath-on-Dearne, a manor in the West Riding of Yorkshire that

38 On 18 May 1403 he received a papal dispensation, on reaching the age of eighteen, to hold a benefice with care of souls; see W.H. Bliss and J.A. Tremlow eds. Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters (London: H.M.S.O, 1894-1989): v. 528. This information was first noticed by H.B. Workman, John Wyclif: A Study of the English Medieval Church (Oxford: Clarendon Press, 1926): ii., 362. However, most scholars continue to use the traditional date of c. 1378 for Fleming’s birth because Emden did not notice Workman’s correction until after the second volume of BRUO had gone to press. The year of his birth was changed to c. 1385 in the addenda to that volume (p. xviii), but many have overlooked it.

had been held by his family since the mid-twelfth century." But Thomas Tanner states that Fleming was born in Croston, Yorkshire; while there is no known place in Yorkshire by that name, the family did hold a manor called Croston in Lancashire. Fleming's ecclesiastical career began on 22 December 1403 when he took minor orders and was appointed rector of Slaidburn in Yorkshire. On 29 July 1404 he was appointed rector of Gosberton, Lincolnshire, on the presentation of Robert Waterton; in the record of this promotion he is referred to as a clericus. Fleming's first appearance in the records of Oxford University is seen in the bursars' accounts where it is recorded that in 1405 he rented a room from University College which he retained for the next four years. On 23 August 1406 he was appointed a canon of York Minster with the prebend of South Newbald. The beginning of his teaching career is probably indicated by his rental of a schoolroom from Exeter

" C.T. Clay, Early Yorkshire Charters 7 (Yorkshire Archaeological Society Record Series, e.s. 5, 1947): 193-202; see also The Place-Names of the West Riding of Yorkshire (English Place-Name Society): 30, pt. 1, p. 118 (Wath); and 31, pt. 2, p. 113 (Crofton).

See Thomas Tanner, Bibliotheca britannico-hibernica, (1748): 286; and Workman, Wyclif ii., 362.

LAO, epis. reg. xiii (Beaufort), f. 112v.

See below, p. 24, n. 57.

LAO, epis. reg. xiii. (Beaufort), f. 169v (51v).

Emden, BRUO ii., 697.

BI Reg. 5A (Sede vacante reg.), f. 271.
College in 1407. It was also in that year that he was appointed Northern Proctor of the university, in which capacity he ordered a new copy of the statutes and privileges of the university which survives as the "Junior Proctor's Book" or "Registrum C". Fleming's association with Repingdon is first seen the following year when on 27 November 1408 he resigned his benefice at Gosberton and was appointed rector of Boston, Lincolnshire. Although he was referred to as a "presbyter" in the record of this collation, he did not actually become a priest until 18 December when he was ordained by Nicholas Bubwith, then bishop of London, acting on behalf of the bishop of Worcester. A few weeks later, on 8 January 1409, his possession of the temporalities of Boston church was ratified by royal letters patent. It was probably at about this time that Fleming began his formal studies in theology.

---

47 C.W. Boase ed., Registrum collegii Exoniensis, (Oxford Historical Society 27, 1894): p. lxvii. Workman (p. 362) refers to this record (though he dates it to 1408) in suggesting that Fleming hired the room for his final determination for his arts degree.

48 H.E. Salter ed., Snappe's Formulary and other Records, (Oxford Historical Society 80, 1924): 332-3. Salter (p. 95) concluded that Fleming "must have taken his M.A. degree about 1402, for a proctor was generally a Master of Arts of five or six years standing." But other records suggest that Fleming completed his arts course not long before his appointment as Northern Proctor; his nomination to this post is therefore a remarkable one.

49 LAO, epis. reg. xiv (Repingdon), ff. 29v-30r.


51 Calendar of Patent Rolls, 1408-13, 2.
In late 1409 Fleming was involved in an episode which has given rise to speculation that he was a Wyclifite, or at least had sympathies in that direction. Although historians of the University of Oxford have long known of this case, its basic facts were not understood until seventy years ago, when H.E. Salter edited several documents from two British Library manuscripts -- Cotton Faust. C.VII and Royal 10.B.IX -- from which he reconstructed the following account. In October or November of 1409 Fleming delivered a proposition in a public disputation which was accused of being sympathetic to the teachings of Wyclif. The matter was considered by the committee of twelve theologians charged with examining such cases, of which Fleming was himself a member. Six members of the committee found his position to be false. Rather than recant, he appealed the decision to the university authorities, and upon their refusal to act he personally petitioned Henry IV who ordered that Fleming’s appeal be heard by the congregation of the university’s regents and non-regents. The university officials then wrote back to the king asking to be excused from this duty. They probably also wrote to Arundel, arguing that, because the committee of twelve censors had been mandated by the archbishop’s convocation, the university had no jurisdiction in hearing appeals of its

---

52 Salter, Formulary, 96-8. Editions of the relevant documents follow on pp. 121-8. Some of these had been edited by Wilkins, Concilia iii., 1737; but, as Salter points out, Wilkins’ editions are not very reliable. For earlier accounts of this episode see Maxwell Lyte, History of the University of Oxford (London: Macmillan, 1886): 280-5; and R.L. Poole’s entry on Fleming in The Dictionary of National Biography 7, (1908): 282-3.
decisions, even though its members had been elected by the university. Arundel responded with a letter forbidding the appeal and ferociously attacking Fleming for his presumption in upholding heretical and erroneous doctrines. The king then revoked his earlier directive and instead ordered that the case be turned over to a bipartisan tribunal composed of four theologians representing Fleming's detractors and the same number chosen by Fleming. Although the outcome of the case is unknown, Fleming must have either renounced his alleged error or he was exonerated by the tribunal, for in March 1411 he was still sitting on the committee of twelve when it submitted a list of Wyclif's errors to the archbishop and Convocation.

Anthony Wood, who probably knew of this incident only through secondary sources, assumed that it reveals Fleming as an avowed Wyclifite who only abjured his opinions in order to advance his career. Salter rejected Wood's explanation and proposed a very different interpretation of these events:

It is not difficult to guess what had happened. In a theological disputation, if the opener was given the orthodox side, the respondent must either submit to defeat or become unorthodox.... Fleming, rather than submit to defeat, had sailed too near to Wickliffism, and the seniors were probably not sorry to trip up one who annoyed them by his success and aggressiveness.

While Salter's reconstruction of these events does seem to be

---

53 See below, p. 33.

54 Wood, History, 234. Wood asserted that "had [Fleming's] mouth not been stopped with preferment the business would then have proved pernicious."

55 Salter, Formulary, 98.
accurate given the available documents, he is surely mistaken in explaining the entire episode simply in terms of Fleming's academic hubris and the resentment of his elders, although a clash of personalities may indeed have played some part in it. Arundel's particularly harsh attack against Fleming, in a letter described by Salter as "more full of fulmination than of dignity," suggests that this may not have been the first time Fleming had proved troublesome to the archbishop. According to Jeremy Catto, Fleming's requisition of a new register of the university's statutes and privileges in 1407, soon after his election as Northern Proctor, and at the very time that Arundel was seeking to extend his authority in university affairs, "goes far in explaining the contemptuous tone of Arundel's reference to him in 1409." In supporting this assertion Catto notes that the title page of the Junior Proctor's Book is "ostentatiously decorated" with the coat of arms and name of Sir Robert Waterton, who was Fleming's relative and, though a close associate of Henry IV, apparently an enemy of Arundel; in late 1406 Waterton had given his protection to William Taylor, a notorious Lollard preacher, and one of Waterton's squires had publicly insulted a preacher who had the support of Arundel." However, Catto's

---

56 Salter, Formulary, p. 97. Salter also notes how Arundel spoke disparagingly of Fleming "as if he was a boy". It is now known that he was, in fact, only about twenty-four at the time, rather than over thirty, as Salter believed; see above, p. 19, n. 38.

appraisal of the Junior Proctor's Book may go too far in seeing is as a conscious challenge to Arundel. Oddly, Fleming's proctorial register does not contain a copy of Boniface IX's bull of 1395 which exempted Oxford from external interference;\textsuperscript{58} as Catto himself points out, the earliest surviving copy of this "notorious" bull was made about 1410, "in the heat of Arundel's visitation" of the university, and is found in the university statute book Registrum CC, which was probably compiled between 1409 and 1411 for the southern, or senior proctor.\textsuperscript{59} It is of course possible that Boniface's bull was originally included in Fleming's book as well; if so, its supposed excision may have

\begin{quote}
the influence of Waterton, who was then Henry IV's Master of the Horse. Note that it was Waterton who had named Fleming rector to Gosberton; see above, p. 20, n. 43. Catto also states that Fleming and Waterton were cousins, but the relationship was probably one of marriage rather than blood. In 1409 Waterton had married Cecily Fleming (Richard's aunt?) and his possession of the advowson of Wath-on-Dearne presumably came as part of her dowry. In 1414 Richard served as "family trustee" in guaranteeing a deed held by Waterton at Methley, Yorkshire; see H.A. Hall, "Some notes on the personal and family history of Robert Waterton," \textit{Thoresby Society} 15 (1909): 81-102 at pp. 83-5; and J.W. Walker, "The Burghs of Cambridgeshire and Yorkshire and the Watertons of Lincolnshire and Yorkshire," \textit{The Yorkshire Archaeological Journal} 30 (1934): 311-418 at pp. 368-83. The continuing alliance between these families is seen in the 1459 will of Robert Fleming, esquire, who named as his executors Robert Fleming (dean of Lincoln and Richard's nephew) and Dame Beatrice Waterton, née Clifford, who was married to Sir Robert Waterton, grandson of Richard Fleming's benefactor; see Hall, "Notes," 96, and \textit{Testamenta Eboracensia: A Selection of Wills from the Registry at York ii.} (Surtees Society 30, 1855): 229-30. Also, Dean Fleming was the rector of Methley church, in which Robert and Cecily Waterton were buried, from 1443 to 1451; see Emden, \textit{BRUO} ii., p. 699.
\end{quote}

\textsuperscript{58} Oxford University Archives, NEP/supra/register C.

\textsuperscript{59} Catto, "Wycliffism," 232, n. 186.
resulted from his troubles at the end of 1409. But even if the Junior Procter's Book never contained this contentious document, the connection with Waterton still supports Catto's point; and when the committee of twelve was finally formed in early 1409, in belated compliance with the Oxford Convocation's anti-heretical constitutions of 1407, Arundel was probably displeased with the election of Fleming to that body, as well as several others who would later support Fleming when he was charged with defending a heretical proposition in a disputation.

Although Arundel's letter against Fleming is a key document in attempting to discover the circumstances of this case, it is clear that it has not been carefully studied before. For while Salter and Catto treat it as an attack on Fleming alone, the tenor of Arundel's letter makes it clear that Fleming was the most obnoxious member, and probably the leader, of a group of young graduates that had been making trouble at Oxford for some time (iampridem). Arundel charged these "inarticulate boys" (elingues pueri), of whom Fleming is the only one named in the letter, with upholding certain unspecified conclusions of Wyclif which had previously been condemned by the committee of twelve, "or at least by a majority of them" (seu saltem maiorem partem earundem). These young hotheads, he claims, "are so puffed up with ambition that they have been unafraid to assert publicly certain of the said condemned conclusions and to hold them

60 Salter, Formulary, 99.
conclusively and to defend them damnably in the schools".⁶¹

The identity of some of Fleming’s allies is probably revealed in another letter, also dated December 1409, which immediately follows the letter against Fleming in the archbishop’s register.⁶² Here Arundel cites four "masters of arts, or rather disciples of errors" (magistri arcium quin potius errorum discipuli) -- John Kexby, John Luke, Rowland Byres and Robert Burton -- who had spoken out against his provincial constitutions.⁶³ One of these, John Luke, was also a member of the committee of censors and was no doubt one of the five who had supported Fleming when the committee considered his case. Catto points out that Luke was "a prominent theologian" who had recently returned from the Council of Pisa where he had been an associate of Robert Hallum, bishop of Salisbury.⁶⁴ Of the others named by Arundel in this letter, the most interesting is Robert Burton who, according to Gascoigne, attended the Council of Constance and left a book about the Councils of Pisa and

---

⁶¹ "...tanta ambitione tuescant quod certas dictarum conclusionum damnatarum publice asserere et velut conclusionaliter in scolis tenere et defendere damnabiliter non verentur": Salter, Formulary, 121. The wordplay on conclusionum/conclusionaliter and damnatarum/damnabiliter is typical of Arundel’s rhetorical approach in this letter. He later plays on his own and Fleming’s names in affirming that he is not a "reed frightened by a flame" ("arundinem flamine agitatam"): p. 122.


⁶³ Salter, Formulary, 123.

Constance to the library of Durham College, but unfortunately it has not been located.65 In 1420 Byres and another cleric who was probably Kexby would together be issued preaching licenses by Bishop Fleming.66

Thus, the incident which Wood took to be evidence of Fleming’s shallow Wyclifism and Salter dismissed as no more than a clash of academic egos is surely indicative of something much more important: the political situation in the theology faculty which had developed in response to Arundel’s efforts to purge Oxford of any vestiges of Wyclifism. The archbishop’s constitutions, which originally had been promulgated in the Convocation at St. Frideswide’s, Oxford in 1407, were reissued at St. Paul’s in


66 "Eiusdem die et loco fuit consimilis licencia concessa magistro Iohanni Kyrkeby in artibus magistro et Roulandis Byris eiusdem archidiaconis et cetera ut in forma": LAO epis. reg. xvi (Fleming), f. 214r; (the previous entry notes a preaching license issued on 14 Dec. 1420 "quamdiu sibi placuit"). Emden’s register for Oxford has several entries for men named John Kirkeby (BRUO ii., 1054-5) or Kyrkby (BRUO ii., 1078-9), but their dates are either too early or too late for Fleming’s preacher. There are two men by that name with the right dates in Emden, A Biographical Register of the University of Cambridge (Cambridge, Cambridge Univ. Press, 1963): 338, 345; but none of the other twenty-one preaching licenses in Fleming’s register went to a Cambridge scholar; see below, p. 243, n. 20. Also, according to Emden (BRUO ii., 1044) Kexby was still alive in 1420 and had not yet incepted beyond the M.A. These facts, plus the coincidence of Byres’ name in both Arundel’s letter and Fleming’s licence, suggest that "Kyrkeby" is probably a misspelling of "Kexby".
January 1409 with the new requirement that the censors compile a list of the heresies in Wyclif’s books. Catto argues that the reason these measures were resented by many at Oxford was not so much because of their "inhibitions on the conduct of theological instruction"; rather, the resistance was due to Arundel’s determination to follow his initiative up, through a committee of theologians astutely designed to force the masters to take sides and abandon the comfortable indeterminacy of their attitude to [Wyclif] and his followers.67

In a similar vein, Anne Hudson perceived that in the early decades of the fifteenth century there was still a "grey area" that existed between clear orthodoxy and outright Lollardy. This was an area that Arundel, Chichele, and their like hoped to eliminate by legislation and by lists of questions that appeared to offer clear choices of belief, but which continued, in however attenuated a form, to be inhabited.68

Without knowing the precise issue on which Fleming was taken to task in this matter, and the surviving documents provide no hint as to the substance of his alleged error, it is impossible to determine to what extent he did in fact "sail too close" to

67 Catto, "Wycliffism," 244-5.

68 Hudson, Reformation, 23. Hudson herself found remarkable evidence for that "grey area" in a tract defending vernacular translations of the Bible which had previously been regarded as the work of an anonymous Wyclifite. She discovered a fragment of this tract that includes a colophon which states that it was written at Oxford in 1401 by Richard Ullerston. Ullerston, who was never charged with Wyclifism, was a close associate of Bishop Hallum for whom he later composed the reform proposals presented by the English delegation at the Council of Pisa; see above, p. 17, n. 33. He also wrote another work defending endowments to the church against the complaints of the Lollards; see Hudson, "The Debate on Bible Translation, Oxford 1401," English Historical Review 90 (1975): 1-14.
Wyclifism. Nevertheless, this episode does suggest that, while the committee was in the process of compiling its list of Wyclif’s errors, Fleming and his allies were aggressively trying to retain for the orthodox camp as much of the "grey area" as possible while their opponents took a more conservative, exclusionist approach. Fleming and probably John Luke had gotten into trouble because they had made a public stance against certain unknown determinations of heresy reached by the panel of censors to which they themselves belonged. Clearly, Fleming’s actual position lay somewhere between the extremes proposed by Wood and Salter; as Catto suggests, Fleming was probably "sympathetic to some at least of [Wyclif’s] opinions".  

Another interesting fact which emerges from Salter’s investigation of this issue is found in his edition of Henry IV’s letter in which the king ordered that Fleming’s case be heard by an ad hoc tribunal. 70 This letter contains two significantly different accounts of the committee’s condemnation of Fleming’s...  

---

69 Catto, "Wycliffism," 243. Another perspective is seen in C.M.D. Crowder’s doctoral thesis where, in an overview of Fleming’s career before Constance, this episode is summed up as follows: Fleming "was no Wyclifite, but...he upheld his right to conduct an academic discussion in the schools without fear of being pursued with charges of heresy on every speculative idea": "Some Aspects of the English ‘Nation’ at the Council of Constance to the Election of Martin V, 1414-17," Univ. of Oxford D.Phil. thesis (1953): 155. This view of Fleming as a defender of academic freedom is an attractive possibility which aligns with Arundel’s apparently personal antagonism towards him, but it does not take into account the latter’s charge that Fleming knowingly defended a position which had already been officially determined to be heretical.  

70 Salter, Formulary, 126-8.
proposition. Salter drew attention to this discrepancy without offering an adequate explanation for it:

According to Flemming's version six of the committee declared [his] proposition to be false, one of the six adding that it was not absolutely false, but only if the terms were used in the common sense. According to the statement of the University authorities, which they put forward subsequently, no one condemned Flemming's proposition absolutely, but they said it was false "ad communem sensum..." and that the committee only made the observation for the good of Flemming.\(^7\)

The fact that Fleming reported the committee's verdict against him to be more severe than the committee itself stated was the case is very suggestive. The divergence between these accounts can be explained in two ways: either Fleming exaggerated the committee's condemnation of his alleged error in order to strengthen his argument that the decision should be reviewed, or the committee softened its judgment against Fleming in order to quash his attempt to appeal the case to congregation. In either case, this evidence strongly suggests that Fleming had engineered this incident, perhaps in order to force a review of the committee by the congregation of the university which had elected it; he surely knew what he was doing when he upheld a proposition which a majority of his own committee had already deemed to be heretical. Fleming presumably would not have pursued such a course unless he sensed that the opinions of the university masters tended more towards his views than those of the majority of the censors whom he hoped to discredit and undermine in this way. But this plan would have been foiled when the university

\(^{71}\) Salter, Formulary, 96-7.
officials refused to hear his appeal of the committee’s decision and Arundel intervened to forbid it, forcing the king to alter his position and order that the appeal be heard by an ad hoc tribunal whose determination, if it ever reached one, has been lost. What might have become a quite notorious case was thus relegated to relative obscurity.

The most important facts of this case deserve reiteration: first, Fleming was a member of the very body which condemned his conclusion and, second, his proposition was, according to Arundel, one which a majority of the committee had previously determined to be heretical. Clearly, the very body which Arundel had mandated to root out heresy at Oxford had itself become a forum in which the process of defining what was heretical in Wyclif’s writings revealed a significant divergence of opinions. Thus, this episode reveals an internal struggle within the committee of twelve censors which no doubt reflected significant divisions within the theology faculty and, indeed, within the university as a whole.

The contemporary documents for this incident which were edited by Salter obviously raise more questions than they answer, and the meagre facts which they do provide leave much room for speculation. But later commentators on this episode can shed further light on it, and they hold out the possibility that another contemporary source may yet be found which would reveal more details of the case. Fleming’s defense of allegedly heretical propositions apparently continued to be something of a
cause célèbre at Oxford for quite some time,\textsuperscript{72} for the story appears in two sixteenth-century sources that were overlooked by both Salter and Catto, but which were noticed by H.B. Workman and briefly mentioned in his study of Wyclif.\textsuperscript{73} The earlier of these sources is John Leland's \textit{Commentarii de scriptoribus Britannicis}, compiled in the 1520's and 30's, which remained in manuscript form until its publication in the early eighteenth century. Leland noted that a certain Nicholas Pontius, a fellow of Merton College, had engaged in a public dispute with Richard Fleming, who supported the Wyclifite cause, in which Pontius emerged victorious and related his triumph in a certain book.\textsuperscript{74} John Bale appropriated this story directly from the account given by the Catholic Leland,\textsuperscript{75} infused it with a pronounced Protestant slant, and added that Pontius' story of his victory over Fleming is found in two books he cited as "Contra

\textsuperscript{72} Salter suggests that the incident was probably soon forgotten, noting that Stoon, the Carthusian monk who composed a poem extolling Fleming, "had never heard the least suggestion that Flemming's orthodoxy or accuracy was defective" (\textit{Formulary}, 98). But surely Stoon would not have mentioned such a notorious episode in eulogizing Fleming, and its absence hardly indicates Stoon's ignorance of the event.

\textsuperscript{73} Workman, \textit{Wyclif ii.}, 362-3. It is likely that Anthony Wood's knowledge of this incident was derived from these later sources.


\textsuperscript{75} The phrasing is much too close to be coincidental. In fact, Bale inadvertently retained Leland's usage of the verb "\textit{illexerat}" (\textit{illicere}), which usually carries the connotation of seduction, in describing the activities of the Oxford Wyclifites.
Vuicleuistas" and "Determinationes quoq[ue]".\textsuperscript{76}

Very little is known of Pontius, or Pounter as Emden preferred to call him.\textsuperscript{77} He was a fellow of Merton in 1407 and rented rooms from University College from 1409 until late 1411 when he died at the age of about twenty-four, without having received an advanced degree; it is probable that he was a scholar of theology when he clashed with Fleming, for otherwise he would have been in violation of Arundel's prohibition against disputations on theological points by those outside of the theology faculty.\textsuperscript{78}

The only other known incident involving Pounter occurred in September 1411, shortly before his death, when he testified in an inquisition at Oriel College against several fellows who were charged with violent mischief and with flouting Arundel's authority following the archbishop's visitation of the college.

\textsuperscript{76} John Bale, \textit{Scriptorum illustrium maioris Britanniae catalogus} i. (Basle, 1557): 533. Bale also briefly mentions this incident in his entry for Fleming (p. 575) where he notes that their disputation was "over a certain matter of the Gospel, which they then called Wyclifite.... But I still do not know why the matter from that disputation was later brought [to the tribunal]" ("...in quadam Euangelij causa, quam Vuicleuristicam tunc nominaba[n]t.... At quo tandem ex ea disputatione deducta res sit, nescio"). Thus, Bale surely did not see the two books he mentioned. No further information is provided in Bale's \textit{Index Britanniae scriptorum}, R.L. Poole and Mary Bateson eds. (Oxford, 1902) which has no entry for Pontius; the entry for Fleming notes only that he had an argument (\textit{litum}) with Nicolas Pontius (p. 346). Bale's account was repeated by John Pits in his \textit{Relationum historicarum de rebus Anglicis} (Paris, 1619): 588.

\textsuperscript{77} BRUO iii., 1509. He is variously referred to in documents as Pontius, Pont, and Punt. Citing Workman, Emden notes his dispute with Fleming in this entry, but it is not found in his entry for Fleming in the second volume, nor in the \textit{addenda} of either volume.

\textsuperscript{78} Catto, "Wycliffism," 244.
"super heretice pravitate" a month before." His testimony against Arundel's enemies at Oriel suggests that Pounter may have been a client of the archbishop; however, his name does not appear in the lists of ordinations in Arundel's register, and until evidence to the contrary is found, perhaps when that register is edited, it is probably safer to assume that there was no connection between Pounter and Arundel.

Unfortunately, Pounter's books which were seen by Leland are not currently among the Merton College manuscripts, nor is there any evidence that they ever were. Nor are they among the manuscripts Leland obtained for Henry VIII which are now in the British Library. Unless they, or some other, similar source are discovered, the actual issue which Fleming and Pounter debated will never be known. Still, what is clear from the evidence in hand is that Fleming identified himself in this incident, probably by his own design, as an opponent of the more conservative clique of Oxford theologians while still maintaining a reputation as an orthodox foe of Lollardy by participating in the compilation of the official list of Wyclif's errors. He had thus publicly defined himself as a moderate, indeed as a leader of the moderate faction at Oxford.

Following the episode in late 1409, Fleming's next appearance

---

79 Salter, Formulary, 194-6, 206-7.
80 LPA, reg. archiepisc. Arundel i., ff. 324r-343v; ii., ff. 95r-101v.
in the surviving records is dated 15 November 1410 when he, as rector of Boston, and his chaplains were granted permission by Repingdon to hear confessions in reserved cases; in this licence he is referred to as "magister". A few months later, on 17 March 1411, the committee of twelve presented its list of two hundred sixty-seven errors in Wyclif's writings to the Southern Convocation meeting at St. Paul's; according to the preface to that document, Fleming was still a studens in theologia at that time. Nothing further is known of Fleming's activities until almost two years later when he and William Barrow, the future chancellor of the university, were together given two separate commissions by Repingdon to act on the bishop's behalf. The first of these commissions is dated 7 February 1413 and relates to the granting of a dispensation to an Oxford M.A. who wished to begin studies in medicine; Fleming and Barrow were directed to examine the petitioner and grant the dispensation in Repingdon's name if they believed him to be suitable. Their performance of this task must have met with the bishop's approval, for a few

---

82 Archer, Register i., 192.

83 Salter, Formulary, 130.

84 For Barrow, see BRUO i., 118-19; he also attended the Council of Constance. He and Fleming later clashed, as bishops of Carlyle and Lincoln respectively, at the Council of Siena when Barrow supported Abbot Whethamstede's successful defense against Fleming's attempt to overturn the exemption of St. Albans from episcopal visitation; see Johannes Amundsham, Annales monasterii sancti Albani, H.T. Riley ed. (London: Longmans, Green, 1870-71): i., 78-9.

85 Archer, Register ii., 291-2.
weeks later, on 3 March 1413, they were both again commissioned to act as Repingdon's agents at Oxford. This time Repingdon entrusted them with a much more important task: the examination of Oxford scholars presenting themselves for preaching licenses. If they were judged to be fit to preach the Scriptures, Barrow and Fleming were empowered to issue licences to preach in Lincoln diocese under Repingdon's authority.

Margaret Archer suggested that Repingdon's efforts to license preachers probably had some connection to Lollardy:

Himself a preacher of repute and the author of model sermons and homilies, Repingdon consistently supported the promotion of able preachers,...most of [whom] held the degree of bachelor or master of arts,...and issued a large number of preaching licences, some for the diocese as a whole and some for particular districts. The distribution of these licences is interesting; the majority were issued for the archdeaconry of Oxford, the next highest number for the archdeaconries of Buckingham and Northampton, where the Lollard movement had many supporters.86

Although Repingdon makes no reference to heresy in his commission to Fleming and Barrow, it seems likely that he did expect that this project would both promote pastoral care and counter Lollardy. Moreover, it is clear that he felt this could best be accomplished through an evangelical approach which would meet the Lollards on their own ground.87

---

86 Archer, Register i., p. xxviii.

87 Repingdon's sermons have been studied by Simon Forde who suggests that Repingdon's approach to preaching had much in common with that of the Lollards. This is most apparent in his sermons for Ascension Thursday and Sexagesima in which Repingdon outlines the evangelical qualities of a good preacher and an effective sermon; see Simon Forde, "Writings of a Reformer: A Look at Sermon Studies and Bible Studies through Repyngdon's
Barrow, Repingdon emphasized not only the learning and orthodoxy of candidates for his pastoral mission, but also their moral character: "By their lifestyle, reputation, morals and knowledge you will discover those who are fit to preach the Word of God so that the flock of the Lord may be nourished with the food of his Word." 88

Their commission was to last "minime" until the next feast of St. Michael (29 September). Of the forty-seven preaching licences recorded in Repingdon's register, only two fall between 3 March and 29 September 1413, those for Peter Partrich (20 March) and John Plummer (15 August). 89 But the commission of Fleming and Barrow may well have been extended, possibly for three years, until 26 November 1416 when a similar commission was issued to John Castell and William Filham for three years. 90

---

88 "Conversacione fama moribus et sciencia ad predicandum verbum dei ydoneos esse reperieritis ad pascendum gregem domini eiusdem verbi pabulo": Archer, Register ii., 293.

89 Partrich later became chancellor of Lincoln Cathedral in 1424 during Fleming's episcopate, and in 1427 he received a papal dispensation allowing him to be absent from Lincoln and to reside at Biddenden where he intended "to recreate his parishioners with preaching": CPL vii., 497. He also attended the Council of Constance in 1417, and may have been involved in Wyclifism as a student at Oxford; see A.H. Thompson, Visitations of Religious Houses in the Diocese of Lincoln (Canterbury and York Society 7, 1915): 175; and BRUO iii., 1430-1. Plummer was a theologian and vicar of St. Mary's Oxford from 1405-22; see BRUO iii., 1487.

90 Archer, Register iii., 152-3. The career of Castell is closely linked to Fleming's. Also a Yorkshireman and fellow of University College, he was the Northern Proctor of the university in 1405-6, immediately before Fleming's tenure, and was studying theology at the same time as Fleming, receiving his B.Th. degree
Seventeen licences to preach in Lincoln diocese are recorded in Repingdon’s register between 29 September 1413 and 26 November 1416. Of course, Fleming and Barrow may not have sent to Repingdon’s registrar copies of all of the licences which they issued at Oxford; and when they did, it was perhaps only sporadically, sending several at once. This may be what occurred on 18 March and 6 April 1416 when preaching licences for several individuals were recorded as a single entry in the register.

Repingdon’s second commission to Barrow and Fleming was not the bishop’s first attempt to launch a preaching mission in his diocese. On 24 April 1405, soon after his consecration as bishop of Lincoln, Repingdon had visited Oxford where he issued a general licence to preach. Referring to an earlier letter in which he had granted authority to preach to all professors of theology and doctors of both laws, Repingdon now extended his licence to include all inceptors and bachelors in theology, masters of arts, and other graduates. This general licence quickly proved to be disastrous, for just a few weeks later, on 1413; see BRUO i., 367-9. In 1421 Bishop Fleming commissioned Castell, by then chancellor of Oxford, and William Berford "ad eligendum predicatorum et...ad predicandum per precinctum universitatis Oxoniense": LAO epis. reg. xvi (Fleming), f. 221v; (Emden mentions only the preaching license, not the commission to select preachers). In 1424 Castell became chancellor of Lincoln Cathedral, though a year later he exchanged this post with Peter Partrich for the prebend of Carlton Kyme. Filham, also a theologian, was also licensed to preach in Oxford by Fleming in 1420; see LAO epis. reg. xvi (Fleming), f. 214r; and BRUO ii., 735-6.

For another explanation see Forde, "Writings" i., 295-9.

Archer, Register i., 21-2.
31 May 1405, in a formal preaching licence issued to one John Crouche, Repingdon made reference to his earlier action and admitted that it had inadvertantly allowed false preachers, wolves in sheep's clothing, to be unleashed upon his flock.93

It is not surprising, then, to find that Arundel's Oxford constitutions issued two years later required the formal licencing of all preachers by the bishops, and that Repingdon's commission to Fleming and Barrow four years after that makes explicit reference to that injunction, making it clear that they were empowered to act with episcopal authority on his behalf. What does seem unusual, considering the embarassing results of his general licence for preaching of 1405, is Repingdon's selection of Fleming, who had once been charged by the sitting archbishop with upholding erroneous propositions, to act as the bishop's agent in this project. Moreover, the commission clearly states that both men were to have equal authority to issue licences either jointly or separately; 94 thus, Barrow had not been appointed to oversee Fleming. It is also interesting to note that Fleming was the theologian on the team, Barrow being a canon lawyer, and that he, unlike Barrow, was a relatively young (about 27) and not very high-ranking figure at Oxford. This last point is supported by a letter to Repingdon from Barrow, by then

93 "...sub alamide vestis omne lupos pseudo scilicet predicatores...": Archer, Register i., 22-3.

94 Repingdon authorized them to examine anyone who presented himself "to both or one of you" (vobis aut uno vestrum) and to licence him if he was deemed worthy; Archer, Register ii., 293.
the chancellor of the university, which is dated March 1414. This document acknowledges the bishop’s impending visitation of the university to inquire into cases of heresy; Barrow appended a list of those who had been cited to be present at St. Mary’s Church to receive him. This list includes nine doctores in sacra theologia who outranked Fleming, listed here as a bachelor of theology.95 This is the earliest indication that Fleming had incepted beyond the M.A.; and although Barrow placed him at the top of the list of ten bachelors, Fleming’s promotion may have been fairly recent because in both of Repingdon’s commissions of the previous year he was referred to only as "canonicus Eboracensis", while Barrow was addressed as "in decretis licenciatus".96 Thus, when Fleming was appointed to recruit preachers at Oxford he was probably only a student of theology, or had only recently advanced to the rank of bachelor.

These observations beg the question of why Repingdon selected Fleming for this position over higher-ranking, and less controversial theologians. He must have been aware of Fleming’s reputation as a brilliant scholar;97 but Repingdon probably also trusted that Fleming shared his desire to improve the quality of pastoral care in the diocese by enlisting learned, orthodox preachers of good moral character to deliver evangelical sermones ad populum, and he surely believed that both Fleming and Barrow

95 Salter, Formulary, 183–6
96 Archer, Register ii., 291, 293.
97 See below, p. 45.
possessed such qualities themselves, and so would be able to discern them in others. But underlying these observations is the likelihood that Repingdon regarded Fleming, who would be his eventual successor as bishop of Lincoln, as something of a kindred spirit.\textsuperscript{98} As Heath, Swanson and Archer have pointed out, Repingdon’s episcopal career continued to show the same concern for effective pastoral care and evangelism that had probably attracted him to Wyclifism as a student.\textsuperscript{99} Ironically, it was these very traits which probably informed one aspect of Repingdon’s efforts to counter Lollardy: robbing the heretics of their appeal by providing the orthodox side with a pastoral approach which had much in common with that of the Lollard movement. Thus, Repingdon’s policies in running his diocese are consistent with his patronage of the bright young theologian from Yorkshire who had gotten himself into trouble at Oxford in 1409. Both he and Fleming were moderates, opposed to Wyclifism in its doctrinal heterodoxy, but not in its pastoral approach. They both continued to occupy part of that "grey area" between what was clearly orthodox and what was clearly not; and their interest in pastoral reform comprised both a reaction against and a continuation of the ideas of Wyclif. For this reason, Fleming’s

\begin{flushright}
\textsuperscript{98} Because Repingdon retired, rather than dying in office, it is entirely possible that he exercised some influence in the appointment of Fleming as his successor. However, there is apparently no evidence to support this theory; Fleming’s promotion was officially an act of papal provision, confirmed by Henry V.

\end{flushright}
earlier difficulties with Arundel and the committee of Oxford censors may not have been an obstacle to his service with Repingdon; indeed, Repingdon may have even regarded Fleming's position in that incident as laudable.

Following Repingdon's visitation of Oxford in 1414, all that is known of Fleming's activities before he went to Constance is a series of further ecclesiastical promotions, some of which seem to have been connected to his involvement in some task of investigation or adjudication. On 20 May 1414 Fleming became rector of St. Michael's church at the South Gate in Oxford, but he soon resigned this benefice. In February of the following year he was one of several persons empowered by John XXIII to inquire into a scandal at Witney Priory in Hampshire. And it was perhaps following this inquiry that he was appointed by papal provision a canon of Lincoln Cathedral with the prebend of Cropredy. Fleming continued to hold his canonry at York, exchanging his prebend of South Newbald for that of Langtoft on 21 August 1415; it is in the record of this translation that he is first referred to as a sacre pagine professor. On 5

100 LAO epis. reg. xiv (Repingdon), f. 402v.
101 CPL vi., 485.
102 CPL vi., 454. This document is dated April 27, but the year could be either 1414 or 1415, and there is no mention of this provision in Repingdon's register which could settle the dating of this letter.
103 BI, reg. episc. xviii (Bowet), f. 53v. This collation is not mentioned in BRUO or any of the other published accounts of Fleming's career; it was noted, however, in John LeNeve, Fasti ecclesiae Anglicanae iii., (London, 1960-7): 199, 205.
December 1415 he witnessed the confirmation of an arbitration concerning a dispute between Croyland Abbey and a group of townsmen.\textsuperscript{104} The arbitration no doubt favoured the former party, for the following April Fleming was appointed rector of Fishtoft on the presentation of the abbot and convent of Croyland.\textsuperscript{105} This is Fleming's last known appearance in surviving records before his journey to the Council of Constance, which probably began in the late summer of 1416.\textsuperscript{106}

In addition to the documentary sources which have served to illuminate Fleming's career to this point, there is another contemporary source which should also be considered before turning to Fleming's sermons at Constance. Shortly after Fleming's death in 1431 an otherwise unknown Carthusian monk named Stoon (Stone) composed a "metrificatio...super versus Ricardi Flemmyng quondam episcopi Lincolniensis" consisting of rhyming couplets that integrate the lines from Fleming's epitaph, which he presumably composed himself.\textsuperscript{107} Salter, who edited

\textsuperscript{104} CPR, 1413-6, 375. A.H. Thompson (Visitations, p. xiv) mistakenly reported the date of this document as 5 December 1416, which would have required Fleming to travel very quickly to reach Constance by 6 January 1417, the date of his first sermon.

\textsuperscript{105} LAO, epis. reg. xiv (Reepingdon), f. 79v.

\textsuperscript{106} See below, p. 91, n. 66.

\textsuperscript{107} Because the brass plaque upon which these lines were engraved was taken from Fleming's tomb in Lincoln Cathedral and destroyed sometime before 1640 (according to Anthony Wood), Stone's poem, with Fleming's lines rubricated, is the only source for his epitaph. The poem is in Oxford, Bodley 496 (sc 2159), ff. 225r-227r; this was presumably Wood's source for Fleming's epitaph in History, 235.
this poem, determined from Stone's description of Fleming's academic career that Fleming was no less than "the most brilliant scholar of his time". To Fleming's own description of himself as "a clever lad studying the arts at Oxford" (artes Oxonie discens puer ingeniosus), Stoon appended the following summation of what "every clerk there shall give as testimony" (totus ibi clerus testimonium perhibebit):

This Fleming was often called an angelic Anglo, / a great grammarian, a good and approved poet, / a rhetorician equally distinguished in writing and in speaking, / a subtle logician, and there he graduated at first. / Later the master of arts becomes more accomplished; / he celebrated the solemn acts there twice thrice. / To put it succinctly, all seven sciences / shone in his mind, with the clouds dispelled. / He was the proctor, and after this for philosophy / he did not have a care, but all for theology.  

Although a panegyric is of course laudatory by definition and as such must be used cautiously as a historical source, this praise of Fleming's mastery of academic subjects by someone who presumably knew him at Oxford does correspond to what is known of Fleming from the documentary sources: his rapid rise through

\[108\] Salter, Formulary, 95; the edition is on pp. 138-44.

\[109\] See below, p. 231.

\[110\] "Anglicus angelicus erat hic Flemmyng vocitatus, / Magnus grammaticus, bonus et metrista probatus / Fulgens rethoricus, scribendo loquendo paratus, / Subtilis logicus, et ibi primo graduatus; / Postea plus nactus fit in artibus ipse magister; / Solempnes actus celebravit ibi bene bis ter. / Ut dicam breviter septena sciencia tota / Mente sua pariter rutilabat, nube remota. / Procurator erat, & post hoc philosophie / Curam non dederat, sed totam theologie": Salter, Formulary, 139. The "solempnes actus" refer to Fleming's celebration of the mass which Stone says he performed at Oxford "bis ter", that is, twice thrice, or six times.
academic and ecclesiastical offices and honours, although assisted to some extent by patronage, was surely due in large part to Fleming's own merits and demonstrated abilities. And, with little else written by Fleming surviving,¹¹¹ his intellectual gifts and his academic achievements are clearly evident in his sermons from the Council of Constance, as the following chapters will show. But it is not primarily Fleming's learnedness or rhetorical skills which are themselves important for the present study; rather, it is the ideas couched within that impressive presentation which are at issue, especially his ideas regarding reform and heresy.

¹¹¹ See below, pp. 229-31.
Chapter Two: "Rise and Shine, Jerusalem"

Preface

Before examining Fleming's first sermon at Constance, there are two major points of confusion in previous scholarship that should first be addressed, both of which originated in Heinrich Finke's study of Constance sermons in the second volume of his major collection of materials from that council. The first is found in the introduction to Finke's Predigtenregister where he notes that very few sermons survive from the medieval general councils until the Council of Pisa of 1409 from which "about twenty sermons are known to us by men who also appeared as preachers at Constance: Statius, Hallum, the bishop of Lodi, Fleming and others." In stating that Fleming was among those who had also preached at Pisa, Finke refers to the large collection of conciliar materials compiled by J.D. Mansi in the eighteenth century. Although he neglected to cite the precise locus for this information, Finke's source was surely a document which Mansi had reprinted from Hermann von der Hardt's collection of Constance materials; Hardt had himself transcribed the text from a manuscript in Vienna. This document comprises an account of the proceedings of the early months of the Council of

---


2 Vienna, Ö.N.B., MS lat. 5071, ff. 65r-76v.
Pisa and begins with a list of seventeen sermons preached from 25 March, the first day of the council, to 19 May 1409; Leonardo Dati (Statius), Robert Hallum, and Bishop Jacob of Lodi are listed among the preachers. The fourth item on the list records that a certain "magister Richardus anglicus" preached a sermon in St. Martin’s on Good Friday, 5 April. Finke’s assumption that this English preacher was Fleming is surely mistaken; there is no known evidence that he even attended this council.

The other error in Finke’s work with regard to Fleming is that he is referred to as "Richard" in connection with his Epiphany sermon and eulogy for William Corff, and as "Heinrich" with reference to his funeral sermons for Robert Hallum and Francesco Zabarella. The confusion over Fleming’s first name has been

---

3 "Item die veneris sancta quinta aprilis in sancto Martino fecit sermonem magister Richardus anglicus": Hardt, Concilium ii., 87; J.D. Mansi, Sacrorum conciliorum nova et amplissima collectio xxvii., 114.

4 Emden (BRUO iii., 1929), citing only Mansi’s reference to "Richardus Anglicus", concluded that the preacher was Richard Ullerston, but there is no evidence that he attended this council either. Rather, the English preacher at Pisa on 5 April 1409 was probably Richard Dereham, chancellor of Cambridge and apostolic protonotary, an identification originally suggested by E.F. Jacob, "Two Lives of Archbishop Chichele," Bulletin of the John Rylands Library 16 (1932): 428-68, at p. 440, n. 1; see also Harvey, "Views," 267-8. Dereham also attended the Council of Constance and died there sometime during 1417. An unascribed and undated funeral sermon for him, perhaps preached by Fleming, survives in two manuscripts. Although it does give many details of his life, the sermon does not mention Dereham’s activities at Pisa. For more on this sermon, see below, pp. 191-4.

5 Finke, Acta ii., 482, 496, 513, 516. See also Finke’s index (Acta iv., 938) where this discrepancy was noted but not corrected. Considering Finke’s confusion over Fleming’s first name, it is ironic that he assumed that Fleming had preached at Pisa on the evidence of only that preacher’s first name.
further compounded by Paul Arendt who consistently refers to Fleming as "Heinrich" in his study of Constance sermons.\(^6\) But in all of the manuscripts which ascribe the authorship of these sermons, Fleming is consistently referred to as "Richardus", never as "Henricus"; and there is no entry for a "Henry Fleming" in Emden's biographical registers for Oxford and Cambridge. It is probable that Finke, or one of his collaborators, confused Fleming with Henry Abingdon, another English preacher at Constance.\(^7\)

"Surge"

When Richard Fleming stood before the gathered lords and fathers at Constance on 6 January 1417 to deliver his sermon for the feast of the Epiphany, the council had already been in session for over two years. It had begun in November 1414 after being summoned by John XXIII, the successor of Alexander V who

---

\(^6\) Paul Arendt, *Die Predigten des Konstanzer Konzils*, (Freiburg: Herder, 1933). A student of Finke's, Arendt assisted in the compilation of his mentor's sermon register and may have been responsible for the original errors regarding Fleming's first name. A major shortcoming of Arendt's book is that the index does not list the names of preachers or the themae of their sermons; "Heinrich" Fleming is mentioned on the following pages: 24, 38n, 40, 43n, 46n, 51n, 99n, 100, 106, 107n, 110n, 114n, 122n, 123n, 134n, 135n, 144n, 151, 166n, 171n, 215n, 244n, 246n, 260, 262, 263.

had been elected by the Council of Pisa in 1409 in an unsuccessful attempt to heal the papal schism that had divided Latin Christendom since 1378 between the rival claimants in Rome and Avignon. On 29 May 1415, John was deposed by the very council he had called; and the Roman contender, Gregory XII, abdicated a month later on 4 July. This left only the Avignon pope, Benedict XIII, who stubbornly refused to renounce his claim. But by the beginning of 1417 most of Benedict's supporters had deserted him, and preparations were being made for his deposition.

The papal schism, however, was not the only threat to the unity of the church which concerned the ecclesiastical and secular authorities at Constance, for heresy in England and Bohemia posed a major problem as well. The council responded to this menace to doctrinal unity by condemning a long list of tenets ascribed to John Wyclif and by convicting two leaders of the heretical movement centred at the University of Prague, Jan Hus and Jerome of Prague, of heresy. In July 1415, after being turned over to the secular arm, Hus was burned at the stake, despite the safe-conduct that had been extended to him by the emperor. In March of the following year Jerome suffered the same fate.

The third concern of the council was the reform of clerical abuses. This was in fact the central issue in Fleming's sermons

---

* The most recent history of this council is Walter Brandmüller's *Das Konzil von Konstanz, 1414-18*, (Paderborn: F. Schöningh, 1991); only the first volume, covering the period up to January 1417, has
at Constance, though he also discussed the problems of the schism and heresy. Indeed, it will be shown that his first sermon treated all three of these issues, subordinating the issues of ecclesiastical and doctrinal unity to that of reform.

Fleming’s first appearance in the conciliar pulpit was no doubt the crowning moment in his career to that point. There is every indication that the sermon which he preached for his debut at Constance was carefully designed to impress his audience with his intellect, learning and rhetorical skills. But Fleming did not treat this sermon simply as an opportunity for self-promotion; it was also his vehicle for expressing certain ideas and opinions which directly addressed the council’s efforts to solve the problems it was facing.

The scriptural pericope which serves as the thema for this sermon, "Surge illuminare Jerusalem", is taken from the opening line of Isaiah 60 which forms the first biblical lectio for the feast of the Epiphany in the Roman and Sarum missals. His choice of a text containing verbs in the imperative mood was especially appropriate, for the sermon is throughout an exercise in exhortation in which Fleming continually reverts to his thema in urging "Jerusalem" (the church) to "arise" and "shine forth".

The sermon’s prothema consists of the standard dedication to the Virgin and petition for her assistance that is found in most sermons from Constance. Fleming begins with an exegesis of the

been published thus far.

Arendt, Predigten, 38.
theme by showing how each word in it corresponds to Mary’s special qualities as the bearer of “God’s wisdom to be incarnated” (ll. 22-3). The motif of the Incarnation, the prelude to the Visitation of the Magi which is the subject of the feast of the Epiphany in the Latin church,\textsuperscript{10} is carried forward into the body of the sermon as Fleming describes the Creation in terms of logos theology by using terminology related to procreation (ll. 28-35). This is followed by a description of the creation of the first humans, their life in the "paradise of delights", and their expulsion, which Fleming transfers to Jerusalem’s fall to Nebuchadnezzar; just as Adam had disobeyed God, so too did Jerusalem, and "therefore Jerusalem was forsaken by God because the city was rebellious towards him" (l. 69). At this point Fleming invokes the archetypal trope associating darkness with evil and light with good, citing several biblical passages in which the prophets lamented Jerusalem’s decline into darkness leading to the Babylonian Captivity. He then reverts to the original Fall into darkness, the redemption from which was signalled by a light from the east that heralded the nativity of the Saviour, who is

"the light of lights", the brilliance of eternal light, the splendor of glory, and the figure of the substance of the Father, a flawless mirror in which all things shall shine forth (ll. 96-8).

The sermon to this point serves as an introduction to the

\textsuperscript{10} See A.G. Martimort, \textit{The Liturgy and Time}, The Church at Prayer no. 4 (New York: Declee, 1986): 86-8. In the Greek Church, where the feast originated, the subject of the Epiphany (literally, "the manifestation") is the Baptism of Christ.
primary discussion which follows; the shift is announced by Fleming’s address to his audience of "most reverend fathers" and his three-fold definition of the church as the city of Jerusalem: "first, the city of the general church; second, the city of the rational soul; and third, the city of this mortal nature" (ll. 112-14). To each of these aspects of the church he then directs his hortatory theme:

To the first Jerusalem: arise from the darkness of wickedness and error and shine forth with the light of truth and justice.... To the second Jerusalem: rise up from the darkness of sloth and torpor and shine forth with the light of sanctity and purity.... And to the third Jerusalem: arise from the darkness of distress and terror, namely that of corporal death, and shine forth with the light of clarity and delight (ll. 144-53).

These three aspects of the church are further defined in terms of three "material signs": "the throne of the king, the faith of the flock and the temple of the law" (l. 184). Fleming then relates his three-fold definition of the church to the concrete problems with which the council was then concerned. Jerusalem is now shrouded in darkness, Fleming argues, because these aspects of the church have now long since miserably collapsed because the throne of the king, namely the seat of the supreme pontiff in the royal priesthood, has been dissipated and divided by the detestable schism; the faith of the flock has been attacked and perverted by the new dogmas of the heretics; and the temple of the law has been disgraced and polluted by the irregular life and notorious infamy of ecclesiastics (ll. 185-90).

Jerusalem’s latest descent into darkness is further characterized by Fleming in the following manner: the schism has been caused by "the revelation of bloodlines and origins" (nepotism) and "the
iniquitous practices of the simoniacal crime" (ll. 193-5);\textsuperscript{11} heretics "have forgotten the one who nourished them and they have greatly saddened their nurse, Jerusalem" (ll. 196-7); and clerical corruption has caused "all of those who once glorified her now [to] spurn her because they see her disgrace" for "she has become as one polluted" (ll. 199-201).

To recapitulate these three principal points, the following statements are made by Fleming with regard to the problems then current in the church:

1) The papal schism has dissipated and divided the throne of the king which is Jerusalem as the city of the general church; this has been caused by wickedness and error, specifically by nepotism and simony; it must be overcome by truth and justice.

2) The heresy of new doctrines has attacked and perverted the faith of the flock which is Jerusalem as the city of the rational soul; this is characterized by sloth and torpor, specifically by forgetfulness regarding the church; it must be overcome by sanctity and purity.

3) Clerical abuses have disgraced and polluted the temple of the law which is Jerusalem as the city of this mortal life; this has been caused by the anxiety and terror of death, and it has resulted in the church being spurned by those who once glorified

\textsuperscript{11} Fleming characterizes the schism by citing a line from Apoc. 16,19: "'A great city has been broken into three parts', namely into three obediences" (l. 191). The schism is also treated with reference to this text by the anonymous English preacher of a sermon known as "Confortamini in Domino"; see Finke (Acta ii., 538), and below, p. 180, n. 83.
it because it is now polluted; it must be overcome by clarity and delight.

What is striking about these three distinctiones is the way in which they are inextricably intertwined. The most obvious linkage is between the schism and clerical abuses, which are ultimately the same problem; simony and nepotism have together caused and perpetuated the schism which itself has disgraced and polluted the church by promoting further simony and nepotism, with the result that many in the hierarchy live scandalous lives. But both of these problems also encompass and involve the problem of heresy. The strongest connection between heresy and the other problems of the church is suggested in Fleming’s comment that the heretics have forgotten their nurse, Jerusalem, the church; he then says that the pollution of the church has caused those who once glorified the church to scorn it. Taken together, these claims seem to constitute an astounding statement: that heretics have simply "forgotten" the church while others have gone so far as to "scorn" it. But Fleming is surely not suggesting that those who have forgotten the church and those who scorn it are necessarily exclusive groups. Indeed, what he implies, but does not overtly state, is that some of those who scorn the church of the present have also forgotten the church of the past, supplanting traditional theology with new doctrines; in other words, the pollution of the church has prompted some to follow heresy. While many of the Christian faithful feel repugnance at the pollution of the church, only some of them have turned to
heresy because of sloth and torpor in the rational soul; that is, intellectual and spiritual laziness.

This inference is reinforced by Fleming's statement that heresy will be overcome by sanctity and purity, or, to translate these qualities into actions, by sanctification and purification, which seems to be a strange curative for heretics whom he characterizes as being simply sleepy and forgetful. Indeed, what Fleming seems to be saying here is that the need for sanctity and purity in responding to heresy has little to do with the heretics themselves; rather, these are qualities which stand as correctives to the spiritual pollution of the church caused by the schism and the prevalence of clerical abuses. Thus, in defining the church and its problems in his first conciliar sermon, Fleming has suggested, in a rather oblique but unmistakeable way, that clerical corruption has contributed to the problem of heresy and that the response to heresy should address that cause by purifying and sanctifying the hierarchy through reform.

Here, then, is an expression of the relationship between reform and heresy which is so conspicuous by its absence in other English sources of the period. What is interesting is the subtlety with which Fleming presents this idea; his meaning has to be inferred from the complex construction of his argument. His manner of presenting these ideas surely reflects the delicacy of the issue for, as noted in the last chapter, reformers were probably cautious about drawing a connection between the need for
reform and the threat of heresy because such a statement might be perceived as sympathetic towards the criticisms of the church raised by the heretics.

The essential interrelation of schism, heresy and clerical abuses in Fleming's argument is most clearly evident in the concluding part of his treatment of the three-fold nature of the church and its problems when he discusses the schism in terms of its cause (nepotism and simony), heretics in terms of their nature (slothful and forgetful), and clerical corruption in terms of its result (scorn for the church). What he has described here is clearly a single, unified thing broken down into its three constituent aspects, a conception not unlike the doctrine of the Trinity; in essence, there is only one church and there is only one problem, its pollution, which is manifested in three different ways: directly in terms of the schism and clerical abuses, and indirectly in terms of heresy.

Before proceeding to discuss each of these problems of the church as the three principal parts of his sermon, Fleming describes the advent of the present council as the means by which "Jerusalem" shall be able to "rise up and shine forth" in overcoming them. Having thus defined the troubles plaguing the church, Fleming notes that for a long time they have caused the faithful to ask urgently, "'Lord of hosts, how long will you have no mercy for Jerusalem?'" (ll. 206-7). God has responded to their petition, Fleming states, by gathering together "'the scattered ones of Israel', namely the dispersed obediences and
their scattered representatives, in the form of a synod in His Holy Spirit" (11. 208-10). He then goes on to justify the council’s authority to deal with these problems by positing the fundamental argument of conciliarist theory:

The sons of the church, as the matter, and gathering together, as the form, constitute a general council, most truly representing the church, the mother of all, which, thus gathered in a synodal manner, ought to be preeminent in every way with maternal authority over each of her sons, even the pope if there should be one in office, in defining doubtful matters of faith and in establishing decretals or statutes regarding morals (11. 216-22).  

Fleming then refers to the council’s promulgation of "this truth" in "the penal decretal, which at first had failed in the midst of madness, of the year of the Lord 1415 on the sixth day of the month of April" (11. 222-5). As Thomas Morrissey points out in his edition of this sermon, Fleming is clearly alluding here to

---

12 This passage is one of several short excerpts of the sermon edited by Finke (Acta ii., 482). Crowder ("Aspects," 332), focuses on this section and the other excerpts edited by Finke in seeing "Surge" as "the English retort" to Cardinal d’Ailly’s tract De potestate ecclesiastica: "[Fleming] is notably less cautious than d’Ailly in his approach and argues at all points in favour of the Council." But a closer reading of the full text of this sermon reveals Fleming’s conciliarism to be rather moderate. See below, p. 65, n. 26; and p. 85, n. 54.

13 Thomas Morrissey, "Surge, Illuminare: A Lost Address by Richard Fleming at the Council of Constance [Clm 28433]," Annuarium Historiae Conciliorum 22 (1990): 86-130, at pp. 109-10, n. 81. In Morrissey’s edition the phrase "que prius sub vecordie medio delicuerat" is given as "qui prius sub vecordie die medio delituerat" (p. 109). Despite the difficulties of his manuscript source, it is curious that Morrissey passed over without comment Fleming’s statement that the decretal "had failed at first in the midst of madness". This is surely an allusion to the dispute which arose when Cardinal Zabarella first read an altered version of its text before the council on 30 Mar. 1415; see Brandmüller, Konstanz, 248-59; and Phillip Stump, The Reforms of the Council of Constance (1414-1418), Studies in the History of Christian
the decretal "Haec sancta" in which the council had declared its supreme authority in the church and defined its purpose in dealing with the three problems then troubling the church: the papal schism, heresy and clerical abuses. Fleming then notes how the three-fold argument of his sermon reflects the council's goal to bring about "the illumination of our mother Jerusalem, according to the theme, in the union of the head for the first, in the destruction of heresy for the second, and in the reformation of the church in head and in members for the third" (11. 228-31).

Although Morrissey recognized that the goals stated in "Haec sancta" are reflected in "the tripartite theme of Fleming's address", he did not discuss the significance of this fact. Yet it seems noteworthy that "Surge", the debut sermon of a newcomer and relatively minor figure at the council, was


15 Morrissey, "Surge", 110, n. 81.

16 Most of the preachers at Constance were cardinals, bishops, abbots, and generals of religious orders. There were also some academics, but most of these were, like Jean Gerson, important figures even before the council met. Fleming's name does not appear in the official acta or in Ulrich Richenthal's journal, though he is mentioned once in the journal kept by Cardinal Fillastre; see below, pp. 171-2.
designed as a commentary on the very decretal in which the
council had justified its supreme authority in the church and
defined its objectives. While some sermons delivered at
Constance do make reference to the goals expressed in "Haec
sancta", it was probably quite unusual for a preacher at this
council to construct an entire sermon around it. In his
survey of Constance sermons Arendt makes no mention of such an
approach being used. In any case, it was surely a bold,
perhaps even presumptuous, strategy for an obscure neophyte such
as Fleming to pursue; this is magnified by the fact that in his
sermon's prothema Fleming makes no statement of his own humility

17 See, for example, the sermon "Resistite fortres in fide" which
was delivered at Constance on 27 June 1417 by Stephen of Prague
(Harit, Concilium, 823-47). While the sermon treats the same
three issues of heresy, schism and abuses (simony), it makes no
reference to "Haec sancta," treats the issues in a different
order, and never uses the phrase "reformatio in capite et in
membriis." Similarly, Leonardo Dati's sermon of 28 Feb. 1417, "A
dextris et a sinistris", describes the council's goals as
"scismatis heresumque extirpacio, ecclesie reformacio, unici et
indubitati pape eleccio": Finke, Acta ii., 490.

18 It would be a monumental task, beyond the scope of a doctoral
thesis, to determine whether Fleming's approach was unique.
There are over two hundred surviving sermons from the Council of
Constance; only a fraction of these have been edited in full,
though excerpts of most of the rest have been printed. Omitting
those which can be dated with certainty to before 6 April 1415
would still leave a huge corpus of material to be studied in
trying to determine whether any other Constance sermon was
specifically intended as a commentary on the council's goals as
defined in "Haec sancta". In a private communication Phillip
Stump expressed his concurrence, based on his wide reading of
Constance sermons, that Fleming's approach was probably
exceptional.

19 Arendt only knew of "Surge" through the short passages edited
by Finke; there is no indication in these excerpts that Fleming
had structured his sermon to correspond to the council's goals as
outlined in "Haec sancta".
or unworthiness, the standard conceit known as a captatio benevolentiae which was employed in most other Constance sermons.  

Fleming next describes how he intends to discuss each of these three issues in turn "according to the three integral matters of the day's Gospel reading" (ll. 264-6). Drawing from the account of the Nativity in Matthew 2:1-11, he proposes to treat the schism in terms of "the obvious contrariety of the different kings, namely Jesus and Herod"; heresy with reference to "the starry property, guide of the magi"; and clerical abuses in terms of "the three-fold variety of the gifts offered" (ll. 266-8).  

Beginning with the papal schism which had divided Latin Christendom since 1378, Fleming optimistically states:  

It can be piously believed that He who promised to place His glory in Jerusalem shall put an end to that darkest schism with its fortieth year now almost at hand, just as He, waiting for its conversion, wished to free the city of Jerusalem, rebellious for forty years, from its overthrow (ll. 254-7).  

He then goes on to describe three ways in which the "tyranny

---

20 Arendt, Predigten, 38. See below, p. 107.

21 Fleming's presentation of these three Epiphanal topics which correspond to the three problems of the church seems incongruous in the logical progression of the sermon, for they are not presented at the beginning of his discussion of the three, but well after he has begun to treat the first subject, the schism. Yet these three topics are clearly associated with the three problems of the church; the "stellaris proprietas, conductrix magorum" is mentioned at the beginning of the section on heresy (ll. 426-7), and the "triformis varietas munerum oblatorum" is noted at the end of his discussion of clerical abuses and the need for reform (l. 605).

22 This passage was also printed by Finke (Acta ii., 482).
practiced" by the schismatic popes has been "truly Herodian" (l. 271). As in his earlier construction of the three aspects of the church, Fleming presents these three successively as the cause, the nature and the result of the schism. For the first he notes how the "opulence of the papal presidency" gave rise to cupidity similar to that of Herod, who "clung with exceedingly blinded love" to "the eminence of his temporal realm" (ll. 274-7). For the second point, Fleming states that the longevity of the schism has been due to the duplicity and deception of the contendors [who] have sworn that they wished to yield for the peace of the church but, as the result shows, they no more really contemplated this in their hearts than did Herod when he proposed to adore [Jesus] in the event that He was found (ll. 279-83).

The third aspect of the Herodian schism which Fleming discusses, and the one that "surely must be lamented most of all", is its result: "the destruction...of countless souls that is more cruel than the massacre of the innocents which emanated from the fury of the Herodian heart" (ll. 285-7). While Herod's ambition drove him to order the slaughter of the male infants of Bethlehem, that of the schismatic popes has been worse because in that case the mothers of the slaughtered infants soon found consolation in their children's martyrdom; but in this case the mothers are also cut up with their sons, namely the churches with their simple people, many of whom have perhaps suffered the torments of hellish punishments because of the schism (ll. 287-91).

This, then, is the darkness of the papal schism from which "Jerusalem" as the general church must "arise and shine forth". Fleming states that it is up to the present council, guided by
the Holy Spirit, to supplant "the successive impudence of the Herodian dominion in the papacy" (ll. 296-7) with the reign of a new pope who would be like

another baby Jesus...whom we await, the Saviour boy that is pure in life against the wantoness of flesh, meek in humility against the pride of the mind, and content with a small portion against that detestable and deadly simony (ll. 302-5).

In further describing how the next pope should rule with purity and humility and without avarice in the manner of Jesus, rather than with ambition, deception and cruelty as have the Herodian popes of the schism, Fleming employs the device of the three gifts of the magi: gold, frankincense and myrrh. The one thus "placed on the pontifical throne of dignity should dispense the gold, the patrimony of the crucified King, which the church has as a gift from kings, for the most honourable necessity of his church and the poor" (ll. 307-10); and he should avoid the practice of simony by not accepting gold from "impious persons in return for the distribution of churches" (ll. 313-14). Such a pope should also

weigh the frankincense of human praises, veneration and commendation on the scales of mature circumspection because those offering these to him virtually deify him with such grand titles as "most blessed father", "holy father", "another God on earth", "omnipotent in the fullness of ecclesiastical power" (ll. 314-19).  

He should receive "the praises rightly given to his papal office

23 Morrissey ("Surge", 113, n. 99) notes that this line contains "a catena of phrases found in works on the power and position of the papacy"; he also provides a bibliography of recent studies on the terminology and theories of papal authority in medieval sources.
with all reverence and fear of God, and he should refute, for his own salvation, the flattering offences of idolatries with all his power and punish them rigourously" (ll. 319-22). Finally, he should "learn to embrace the myrrh of reproach with a soul free of the corruption of vices" (ll. 322-4).

Setting aside the gift of gold, Fleming expounds on the gifts of frankincense (praise) and myrhh (reproach), noting that he who offers only the frankincense of exaltation and praise for the papal or prelatical office does not especially love, venerate and cherish him; rather he who offers myrhh to him by not withholding the truth of urgent warning more truly does so (ll. 327-30).

Fleming then supports this proposition by deploying a series of authorities -- "Ambrose", Augustine, Bernard and "Lincolniensis" (Robert Grosseteste)\(^2\) -- whose attitudes towards the papacy reflect a balanced approach in which first the gift of frankincense and then that of myrhh are offered.

The first citation is from the "pastoral sermon" (ll. 341-2) of St. Ambrose; this is actually the "Sermo de informatione episcoporum" now ascribed to Pope Sylvester II, which was commonly attributed to Ambrose of Milan during the Middle Ages.\(^2\) After noting how he praises the honour and sublimity of

\(^2\) Morrissey ("Surge", 114, n. 103) speculates that Fleming’s inclusion of Grosseteste in this distinguished group indicates "the great respect that Fleming had for Grosseteste". Yet it seems probable that Grosseteste’s prominence in this sermon (he is not mentioned in any of Fleming’s other Constance sermons) is due to motivations which go well beyond Fleming’s "great respect" for the famous bishop of Lincoln. See below, p. 134.

\(^2\) On the misattribution of this work to Ambrose and its various titles see J.-P. Migne, "In libellum de dignitate sacerdotali admonitio," Patrologiae cursus completus, series Latina 17
the episcopal and sacerdotal office, Fleming then addresses "Ambrosius" thus: "now that your sanctity has offered the frankincense, I ask that you offer the myrrh" (ll. 338-9). This is followed by another passage from the same source in which "Ambrose" states that "there is nothing more miserable than if the honour is sublime but the life is wicked" (ll. 339-40).

While this source refers to the episcopal office, not specifically to the papacy, Fleming is not suggesting that the pope is simply another bishop, superior in dignity but equal in power; the following three authorities all relate directly to the papacy, and all three agree on the primacy of papal authority in the church.26

Fleming's citation of several letters by Augustine is interesting in terms of their commentary, in offering frankincense, on the relation of papal to imperial power: "The dominion of the apostolic throne has always been honoured; therefore the imperial power has been subjected to it" (ll. 343-5) and "I saw the most noble summit of the most eminent imperial


26 Considering Fleming's statement earlier in this sermon of conciliar supremacy "even if there should be a pope in office", it is interesting to note how strongly he promotes the supremacy of the papal office. Fleming's attitude in this and his other sermons suggests that he was never a committed conciliarist; his later support for Martin V against the conciliar party at the Council of Siena should perhaps be considered in this light. See above, p. 58, n. 12; and below, p. 85, n. 54; and p. 198, n. 9.
power, with the crown set down, kneel before the tomb of Peter the fisherman'' (11. 348-9). The myrrh offered by Augustine, from a letter to Pope Innocent I, echoes Fleming's point at the beginning of this section regarding the responsibility of Christians to warn or exhort the pope when necessary, but it also points out the pope's duty when he is given advice of this kind:

"We would be negligent if we remained silent in your venerable presence regarding those things that must be suggested for the sake of the church, and the blame would be yours should you receive them either scornfully or negligently" (11. 350-3).

This is followed by two passages from the De consideratione of Bernard of Clairvaux, a long tract addressed to Pope Eugenius III. The frankincense offered here defines the apostolic see as encompassing the combined authority of a litany of biblical patres; according to Bernard, the pope is like "'Abel in primacy, Noah in guidance, Abraham in patriarchy, Melchisedech in holy orders, Aaron in dignity, Moses in authority, Samuel in judgment...Peter in power, Christ in anointing'" (11. 358-61). Bernard's elaborate praise for the papal office is balanced by the following myrrh of exhortation:

"Do not consider it to be lawful for you to cut off the church from its members, to confound its order, to exceed the limits which your fathers imposed. You have been placed as an overseer not for destruction, but for edification." For when the common utility of the church calls for it, a dispensation is praiseworthy,

27 Morrissey ("Surge," 116, n. 117) did not find this passage from Bernard and mistakenly suggests that Fleming derived the phrase "non es positus in destructionem sed in edificationem" from Grosseteste.
but otherwise it is cruel dissipation" (ll. 363-8).²⁸

Fleming then uses Bernard's distinction in the last sentence as an opportunity to criticize a particular abuse in the church which has resulted from the schism:

I would ask Bernard, if he were alive, whether it would be called a dispensation or a dissipation by which disastrous appointees, whom neither a good pope chose, nor the Lord (unless in the way He chose Judas), who are constituted without sacred rites, are permitted to devastate the goods of such solemn bishoprics for many years and later to take wives publicly, a great scandal to every Christian and a source of ridicule for pagans. O holy Roman church! Why do you tolerate such ones in holy places? Or rather, why are you said to approve and to do these foolish things? (ll. 369-76).

The final authority cited in Fleming's discussion of the papal schism is Robert Grosseteste, bishop of Lincoln (1235-53). The frankincense of praise here compares the papal throne to the sun "from which the heavenly light is distributed to the entire world" (l. 382). This imagery is taken from a text known as Grosseteste's Memorandum, one of several addresses he delivered before Innocent IV at Lyons in 1250 which have long been regarded as a defiant stance against abuses of papal authority.²⁹ Fleming

²⁸ These lines from De consideratione are from a long passage which seems to have been a locus classicus for advocates of reform in this period. The first and third lines are cited by Richard Ullerston in his Petitiones (Hardt, Concilium i., 1145, 1151); and the third line is quoted in Henry Abingdon's Constance sermon, "Sitis" (C.W. Walch ed., Monimenta mediæ ævii. i. 2 (Göttingen, 1757): 183-205 at p. 192). Finke notes that this work by Bernard was often cited in Constance sermons because of its "vehement complaints against the worldliness of the clergy" ("den heftigen Klagen über die Verweltlichung des Klerus"): Acta ii., 377.

²⁹ It was partly for this reason that Grosseteste was so popular among both Wyclifites and orthodox reformers of the late medieval church. For the former, see R.W. Southern, Robert Grosseteste,
then cites the same source in noting how this "intrepid" bishop offered the pope

the myrrh of the plainest exhortation and bitter correction against the crimes which he had committed. Although, he said, he may do anything on earth, yet the most divine holiness of the apostolic see can do nothing against God because, if the pope should order something against God, he must be contradicted with the highest obedience and must be resisted to his face just as Paul did with Peter (I I. 388-94).30

(Oxford: Clarendon Press, 1986): 298-309; for an example of the latter, see Gascoigne, Loci, 75, 107, 170, 192, 199.

Grosseteste's visit to the curia at Lyons is reevaluated in a forthcoming article by J.W. Goering.

30 This is one of the passages edited by Finke (Acta ii., 483), and the first line is cited by Arendt (Predigten, 171, n. 3). This text is not found in the Memorandum or in any of the other texts associated with it. It is probably a paraphrase of the section immediately following Grosseteste's comparison of the papal throne to the sun: "Among mortals, those who preside in this sacred seat most especially wear the person of Christ, and therefore it is proper that the works of Christ exist and glitter especially in them, and that there be nothing in them contrary to the works of Christ; for this reason obedience in all things must be given to those presiding in this holy seat, just as to the Lord Jesus Christ; obedience in all things must be given to those truly presiding to the extent that they are wearing Christ. But if any one of them (let it not be so!) should put on over the garment of family connections or the garment of the world or the garment of any other thing except that of Christ,...he would enjoin the opposite to the will and precepts of Christ; submitting to it in this way he would surely separate himself from Christ and his body, which is the church." ("Praesidentes huic sacrae sedi principalissime inter mortales personam Christi induuntur et ideo oportet, quod in eis maxime sint et relucet Christi opera et nulla sint in eis Christi operibus contraria; et propter idem, sicut Domino Iesu Christo in omnibus est obediendum, sic et praesidentibus huic sacrae sedi, in quantum indutiis Christum et in tantum vere praesidentibus, in omnibus est obtenerandum. Si autem quis eorum -- quod absit -- superinduat amictum cognitionis et carnis aut mundi aut alicuius alterius praeterquam Christi... praecipiat Christi praecptis et voluntati contrarium, obtemperans ei in huiusmodi manifeste se separat a Christo et a corpore ipsius, quod est Ecclesia...."): Servus Gieben ed., "Grosseteste at the Papal Curia," Collectanea Franciscana 41 (1971): 350-93, at pp. 362-3.
Fleming then concludes his discussion of the papal schism by focusing on the need for reforms against the "unrestrained extension" of the limits of papal authority and the "vicious abuse of ecclesiastical power" (l. 404) which were the primary cause of the schism in the first place:

Unless the synod of Constance (may it be constant\textsuperscript{31} in this work) will provide for appropriate remedies against it, an identical defect shall necessarily occur again because of a similar deficiency, and then the song of our joy will quickly revert, because of this truth, to our previous lament, and our mother Jerusalem shall not completely arise to be illuminated, according to the tenor of the chosen theme, by the final defeat of the schism (ll. 405-11).\textsuperscript{32}

Fleming next turns to the second matter of his address: "the darkness of heretical depravity that has enveloped [the church] and burdened many lands, and the obscurity of false doctrine that has overwhelmed the people" (ll. 412-14). Alluding to his earlier statement which characterizes heretics as sleepy and lazy, he predicts that:

The Lord shall open the eyes of such ones so that they may be converted from the darkness of errors and heresies to the light of the true catholic faith. For the defenders of those heresies did not know nor did they understand (ll. 415-17).

Fleming then says that these "\textit{patroni istarum heresum}" have tried

\textsuperscript{31} The play on words here, "...\textit{utinam constans in hoc opere, Constanciensis synodus...}", is a commonplace in sermons from this council. Fleming later notes that he suspects that it is a "divine mystery" that this all-important council has convened in Constance where it is hoped the representatives of the church will do their duty "\textit{constanter}" (ll. 455-7).

\textsuperscript{32} Fleming's focus on clerical abuses as the cause of the schism was not new; for instance, Ullerston had noted in his \textit{Petitiones} that "\textit{Simonia maledicta erat praecipua causa hujus schismatis}": Hardt, \textit{Concilium} i., 1136.
to "shake all the foundations of the earth; that is, to undermine all the sacraments of the church" (ll. 418-19). Indeed, their efforts have caused a "great earthquake" which, Fleming asserts, has been incited by "this depraved and provoking generation", but "the diverse 'generation' of such ones 'passes away and another generation arrives'" (ll. 420-2).

Fleming's use of the term "generation" here is admittedly ambiguous, but it is probably significant that he interpolated the words "talium multiformis" into his biblical citation from Ecclesiastes 1:4. Considering his earlier inference that heresy has been incited, to some extent, by the schism and clerical abuses, it seems reasonable to suppose that he meant the phrase "generacio talium multiformis" to apply not only to the heretics themselves, but to the entire "depraved and provoking generation" of which they are only a part. Once again, his meaning has to be inferred, but Fleming seems to imply that the "diversity" of that generation includes the "depravity" of heresy in some of that generation which has been "provoked" by others of the same generation, presumably the corrupt authors of abuses and schism.

In the following section Fleming relates the heretics to the Magi in a remarkably mild characterization which aligns with his earlier statements regarded them as sleepy and lazy. Here he introduces the second part of the Gospel text relating to "the starry property, the guide of the magi" (ll. 426-7) which, Fleming points out, disappeared from their view when the Magi entered Jerusalem to inquire after the newborn king of the Jews;
but it reappeared when they left Jerusalem and then guided them to Bethlehem. Equating the star with "the light of faith" (1. 428), he shows that just as the magi were abandoned by the star when they resorted to human rather than divine assistance, so too has "the light of faith receded from those...who presume to inquire about the mysteries of the faith with human conjectures. Deceived by their own reasonings, they have been shown to be in errors and heresies" (ll. 432-5).

Fleming next argues for the utility of heterodoxy to the orthodox faith:

As the Apostle says, there ought to be dissensions so that it will be clearly shown who the righteous are. For it is useful that heresiarchs and also their followers and their sects and frauds may be publicly revealed so that Catholics may see how much the heretics are obscured by the gloom of darkness, and we may be effectively fortified against their activities and subtleties lest the words of our enemies should prevail over us. And let the humble action of graces be restored by us to God, who called us from the darkness into his admirable light, so that, with the error of heretical abomination destroyed, we may rejoice that the glory of the orthodox faith has effectively triumphed over its malevolent enemies (ll. 437-46).\(^{33}\)

Fleming’s point in this passage that the orthodox faith must be "fortified" against the heretical threat, following his statement

\(^{33}\) Fleming attributes this passage to Peter of Blois from "a certain notable compendium that he wrote on heretics, reciting throughout it how nearly all fabricators of heretical dogmas -- first in a book of the blessed Ireneus, later in the Ecclesiastical History, then in the Three-part History, then in the councils of the orthodox fathers, then in the body of canons and the professions of the highest pontiffs -- have been anathematized and condemned, and he tells the names of the numerous sects and the names of the various synods in which they were condemned" (ll. 445-52). I have not been able to identify this source; see the note in the edition.
that heresy can be a good thing for the church, is most remarkable in that it represents a frank statement supporting Scarisbrick's theory that Lollardy may have had an "innoculation" effect by prompting orthodox reform. It unites the drive for ecclesiastical reform to the need for improved pastoral care in responding to heresy.

Fleming then notes how the present council "has arisen to illuminate Jerusalem from the darkness" that had been cast upon the church by the Wyclifites and Hussites. In doing so the council has commended

the deed of her daughter, namely the most venerable and nourishing University of Oxford, in examining and reproving the works of that thorn which agitated, so far as the patience of the Almighty allows, in that most flourishing rose garden of the holy faith (11. 459-62). 34

This is, in fact, the work of "publicly revealing" which is part of the task of "fortifying" the church against its enemies; and it is, of course, one in which Fleming himself had played an important part. 35 It is unlikely, though, that many in Fleming's audience, besides his own countrymen, would have known that he had been a member of the committee which had "examined and

34 The preface to the council's decree of 6 July 1415 condemning Wyclif's doctrines notes that "the books and pamphlets of John Wyclif, of cursed memory, were carefully examined by the doctors and masters of Oxford university. They collected 260 unacceptable articles from these books and pamphlets and condemned them in scholastic form": Tanner, Decrees i., 421.

35 Although he notes Fleming's involvement at Oxford in compiling the list of Wyclif's errors (p. 87), Morrissey suggests that Fleming is here referring to the condemnation of Wyclif's teachings on the Eucharist in 1380; see Morrissey, "Surge", 121, n. 156.
reproved" Wyclif's works at Oxford and submitted its list of heretical doctrines only six years earlier; so while there may be some self-promotion involved in this passage, the main thrust is clearly to bolster the damaged reputation of the University of Oxford.  

The next issue Fleming discusses is the council's execution of Jan Hus and Jerome of Prague, "those bold adversaries of the faith". Noting how their destruction "by the torments of voracious fire...has perhaps disturbed the minds of many", he offers a passage from Augustine, "the hammer of the heresiarchs" (11. 469-73), who commented in his De correctione Donatistarum on the death of Absalon, the son of King David who had rebelled against his father (2 Sam. 18-19). Upon learning that his son

---

36 Further examples are discussed below, pp. 125, 151. It may be that Fleming was an official representative of his alma mater at this council. The only indication of his official status upon his arrival at Constance is found in the rubric of a single copy of "Surge": Munich, Staatsbibliothek, clm 28433, fol. 1r (see below, p. 270), which was the sole source for the edition of this sermon by Thomas Morrissey, though he states that Fleming was an ambassador of Henry V when he arrived at Constance (Morrissey, "Surge," 86). This information on Fleming's role as an "ambassiator" of Oxford University should be regarded with caution, however, as this copy of the sermon is unusual in that it is not part of a collection of conciliar sermons, as are all other copies of Fleming's sermons. Although the sermon now stands alone with its own shelfmark, it was originally part of a larger manuscript from the Carthusian library at Buxheim; "Surge" was apparently the only sermon in this codex of 330 folios which contained a variety of theological and pastoral texts, including the Modus praedicandi of Pseudo-Aquinas and the Ars dictandi of Otto von Lüneburg; see Günter Glauche, Catalogus codicum manuscriptorum Bibliothecae Monacensis iv. 8 (Wiesbaden, 1984): 266. Thus, this copy of "Surge" was obviously included in the Buxheim manuscript, compiled in 1463, as a model sermon; the scribe who including Fleming's sermon in this collection may have simply assumed that he had represented Oxford at Constance.
had been killed, David was gravely distraught, but he was soon consoled, according to Augustine, by the fact that peace was now restored to his realm. Fleming then shows how this exemplum applies to the present situation in which these sons of the church have rebelled against their parent:

Thus, our catholic mother, the church, if it gathers together so many others by the loss of a few, it applies balm and heals the sadness of the maternal heart with the liberation of such people (ll. 478-81).

The ends, in other words, justify the means; the death of the leaders of heresy is lamentable, but that sadness is outweighed by the joy of bringing their followers back into the orthodox fold. What is interesting here is the emphasis Fleming places on winning souls back to the church, especially when considered with his earlier characterizations of heretics as being merely sleepy, forgetful and ignorant.

It is also significant that Fleming commences his discussion of heresy by stating that "the Lord shall open the eyes of such ones so that they may be converted from the darkness of errors and heresies to the light of truth and of the catholic faith" (ll. 415-16). But in introducing the subject of the burning of Hus and Jerome, those "bold adversaries of the faith", he compares heresy to the rough seas which threaten to capsize the boat of the church; "but rising up, the Lord rebuked the demon of the wind and made all the bold adversaries of the faith vanish and he gave great peace and tranquility to his church" (ll. 466-
These, then, are the two responses to heresy by which God, through His church, rids the world of it: by instruction and by prosecution. Fleming's preference is clearly for the former course, though he admits the necessity of the latter as well.

To further justify the council's actions against the Bohemian heresiarchs, Fleming cites another work by Augustine, his *Quaestiones evangeliorum*, in which Fleming says he called for "the eradication of weeds generally when there is fear of the danger of schism or the detriment of the orthodox faith" (ll. 483-4). As Morrissey points out, however, Fleming definitely misrepresented his source here, as Augustine's point in his commentary on the parable of the wheat and tares (Mat. 13:24-30) is that the determination should be delayed until the harvest, lest the good plants be uprooted with the bad. Fleming then concludes this discussion of his sermon's *membrum secundum* by exhorting the fathers of the council to exercise their zeal "fully" in eradicating heresy so that "Jerusalem may graciously arise, illuminated by you, from its former darkened state" (l. 492).

Turning finally to the problem of clerical abuses, or as

---

37 This is an allusion to Mat. 8:26; Fleming cites a commentary on this text by Origen, but this has not been found.


39 Lenfant (Histoire, 435-6) describes an Epiphany sermon on "les défauts des Ecclesiastiques" that he had seen in a manuscript at Erfurt and dated to 1417. But it is certain that he was not referring to "Surge". Rather, Lenfant describes the anonymous sermon known as "Reges eorum ministrabunt" which is not dated in
Fleming terms it, "erronea conversacio" (l. 490), he quotes a line from the Gospel of Luke and interpolates the text by employing a bit of wordplay: "'Beware lest the light that is in you' ex officio 'be darkness' ex vicio" (ll. 490-1). In the next line this office is identified as the "episcoporum status", which Fleming describes as the "oculus" of the body ecclesiastic, noting that the term "episcopus" literally means overseer and citing Bernard who compared the bishop’s cathedra to a watchtower. He then quotes another passage from Luke which warns that "'if the eye should be bad, then the whole body' of the church 'shall be darkened'" (ll. 495-6).

Fleming next enjoins Jerusalem to arise with the "reformation to be accomplished by this synod...for you have been vehemently cast down because of the multitude of your impieties" (ll. 497-9). Departing from his conceit of addressing the church as "Iherusalem", he then exhorts "Ecclesia" to "arise and be reformed in head and in members" (ll. 501-2). Fleming next notes the particular "three-fold evil" by which the church has been

either of the two known manuscripts which contain copies of it, one of which was surely his source; see below, p. 96. A few years later, Hermann von der Hardt published an excerpt from "Reges" from the same Erfurt manuscript in Historia litteraria reformationis iii. (Leipzig, 1717): 63-4; he also concluded, probably on the basis of internal evidence, that it was delivered in 1417. Finke (Acta ii., 482) accepted Hardt’s dating of the sermon.

40 In none of the manuscript copies of the sermon is the source for this quote cited. Morrissey did not realize that this line is a biblical text, but he did recognize several other uncited scriptural quotations, including another line from Luke (ll. 495-6) which follows this one.
"completely confounded": "wicked arrogance, ... simoniacal ambition ... and the debauchery of fornicating intercourse" (ll. 502-10).41 He then implores God as follows: "Jerusalem and your people are disgraced before all pagans"42 (ll. 511-12); therefore, "turn away your anger from Jerusalem so that it may be rebuilt" (ll. 513-14).

Fleming next presents what is clearly the main point of this, his first sermon at Constance, beginning with a personal promise to his audience:

Regarding these three evils by which our mother Jerusalem now tumbles, as it were, to the ground, and especially the simoniacal plague which makes the house of God a place of business, I intend to treat these things alone in an extended manner in another sermon before Easter, by the grace of God (ll. 517-20).43

But "for the lamentable present" he briefly discusses clerical...

41 Fleming’s identification of these three evils echoes his earlier description of the future pope as one who is "pure in life against the wantoness of flesh, meek in humility against the pride of the mind, and content with a small portion against that detestable and deadly simony" (ll. 303-5).

42 This comment that the church is regarded "in obprobrium cunctis gentibus" recalls Fleming’s earlier comment that the scandal of married and unconsecrated bishops is a "ridiculum paganis" (l. 373). He was probably thinking not only of Jews and Muslims here, but also of heretics, who were often classed with them as pagans and gentiles.

43 Morrissey’s rendering of this passage contains some minor variants from the new edition, the most significant being his reading of "tentaturus" for "tractaturus". Yet the case ending (future active participle) is the same, and it is clear that this is the main verb of the sentence (with "sum" understood). Thus, it is strange to find Morrissey suggesting that the sermon "on another Sunday before Easter" to which Fleming refers here had been delivered in the past and by someone else; see Morrissey, "Surge", 125, n. 177.
abuses "in a general manner" (l. 521):“

Regarding us ecclesiastics, who [ought to be] leaders of light, exemplary in lifestyle, the simple people can most justly enough complain: 'we expected light but behold shadows; we expected brightness but we have walked in darkness' (ll. 522-5).

Fleming then makes the following important statement:

Therefore, this most holy synod has been gathered especially so that the church may be purged in head and in members from these evils by the antidote of inviolable and effective reformation, since otherwise Jerusalem shall not be securely established,...nor shall Jerusalem be holy,...nor shall Jerusalem be called, as was once fitting, the city of truth.... But what is to be said, I ask, except that we, gathered in Constance for the reformation of the church, which we pretend to be the principal cause of our coming together, have for so many days deluded the whole world with hypocritical deception; and the council’s fame, which would have been very joyful, shall be, in the words of Job, but a fleeting thing (ll. 526-36).

These three passages, comprising only sixteen lines in a sermon of over six hundred in the present edition, clearly constitute the crux of Fleming’s argument in that they spell out the primacy of reform over the other two objectives of the council. It is worth emphasizing that it is the complaint of the "simplex populus" that they have "walked in darkness", neglected by their pastors, that Fleming cites as the reason that the council had been gathered "precipue" to enact reforms; the subtext to this statement is that the failure of pastoral care has allowed many of the simple people to fall into heresy.

"What is most obviously missing from the following discussion of clerical abuses is what Fleming had earlier in this sermon described as its principal cause: "the darkness of distress and terror, namely that of corporal death" (l. 152). This theme would be addressed in all but one of Fleming’s subsequent sermons at Constance, most notably in his three funeral sermons.
Moreover, Fleming's statement that reform is the council's fundamental *raison d'être* had been hinted at earlier in the sermon at the conclusion of his discussion of the papal schism when he asserts that, unless the council "provides for appropriate remedies against it,...an identical defect shall necessarily occur again because of a similar deficiency" (ll. 405-7); there would be little point in ending the schism if its original cause were not first eliminated. Indeed, his entire discussion of the schism constitutes a call for reform of the head, while the section on abuses advocates the reform of members, especially bishops. Thus, the council's priority should be reform before unity; and the problem of heresy should be approached primarily through the reform of pastoral care. These are the key concepts underlying Fleming's statement that the council has come together especially for the reform of head and members, as well as his promise to deliver another sermon focusing exclusively on reform in the near future; it also explains his purpose in designing this sermon as a commentary on the goals expressed in the conciliar decretal "Haec sancta": his message that reform is the council's priority necessarily involves a subordination of the other two issues.

---

45 Fleming's priorities are also reflected in how much time he devotes to each issue in this sermon. Heresy is treated in only 76 lines (ll. 411-487), while his discussion of the schism occupies 177 lines (ll. 233-410); this is considerably more than the 117 lines devoted to reform (ll. 488-605), but this must be weighed against his promise to discuss reform alone in another sermon which, as it would turn out, would be significantly longer than the whole of "Surge" (919 lines).
Fleming’s declaration of the primacy of reform in this sermon is indicative of the current political situation at Constance, and a consideration of that context reveals the importance of this sermon and its author. As Fleming was preaching this sermon, the emperor-elect Sigismund was returning to Constance from England, where he had just concluded a military alliance, the Treaty of Canterbury, with Henry V against the king of France. Just two weeks after Fleming’s Epiphany sermon, Sigismund triumphantly entered Constance, where he immediately made known his special friendship with the English.46 Earlier in the same voyage Sigismund had gone to Spain where he had convinced the king of Aragon and the prelates of the Iberian churches to withdraw their obedience from the last remaining schismatic pope, Benedict XIII, and join the council, an agreement concluded in the Treaty of Narbonne. This prepared the way for Benedict’s deposition, a process which would occupy the council from 5 November 1416 to 26 July 1417.

Early historians of the Council of Constance, following the

46 See the accounts of his entry by Richental and Fillastre in Louise Loomis ed., The Council of Constance, (New York: Columbia Univ. Press, 1961): 148, 310-11; and especially that of an English eyewitness, John Forester, who provided a detailed report in a letter to Henry V which is in Christopher Crowder ed., Unity, Heresy and Reform, (New York: Columbia Univ. Press, 1977): 105-7. Note also that Sigismund reportedly delivered an oration in which he praised the English, no doubt in response to Hallum’s panegyric for him on the previous day; see Finke, Acta ii., 486. All of this simply served to strengthen the Anglo-imperial alliance which had been apparent since the beginning of the council; see Crowder, "Henry V, Sigismund and the Council of Constance: A Reexamination," in Historical Studies IV, G.A. Hayes-McCoy ed. (London, 1963): 93-110, passim.
accounts of Richental and Fillastre, assumed that the great conflict at this council which is known as the "priority struggle" began on 26 June 1417 when, exactly one month before Benedict was finally deposed, Sigismund declared that the council should enact significant reforms before proceeding to elect a new pope and finally end the schism. This controversy, which brought the council to a stalemate during the summer of 1417, pitted the English and German nationes, which supported Sigismund, against the French, Spanish and Italian delegations and most of the cardinals who pressed for an immediate election that would finally heal the schism, entrusting such reforms to the restored papacy.

This perception of a sudden split in the council in the early summer of 1417 was later overturned by Bernhard Hübler who viewed Sigismund’s return in January 1417 as the catalyst which produced

---

47 See Loomis, Constance, 156-7, 371.

48 See Hardt, Concilium iv., 1335; and Lenfant, Histoire, 474. It should be pointed out, however, that Lenfant believed that Sigismund’s attitude was set as early as the beginning of May. In discussing Maurice of Prague’s sermon of 9 May he states that "during the preparations for Benedict’s deposition several doctors who wished, as did the emperor, that the reform of the church, especially in its head, should be attempted before the election of another pope, explained their position with great force and liberty in their public sermons" ("Pendant que tout se préparoit ainsi à la déposition de Benoit, plusieurs Docteurs, qui auroient voulu, aussi bien que l’Emperoër, qu’on eût travaillé à la Réformation de l’Eglise, sur tout dans son Chef, avant que d’élier un autre Pape, s’expliquoient là-dessus avec beaucoup de force & de liberté, dans leurs Discours publics."): p. 471. Lenfant does not discuss "Accipiunt" or any other reform sermon before 9 May 1417 in this context.
the Prioritätsstreit between the reform and election parties.\textsuperscript{49} This view was reinforced by Christopher Crowder’s study of the political situation at the council with respect to Anglo-imperial relations in which he pointed out that conflicts between what would later be the two sides in the priority struggle had been ongoing since the autumn of 1416, primarily as a result of Sigismund’s diplomacy.\textsuperscript{50} These conclusions are strengthened by Fleming’s argument in "Surge" which, with its clear statement of the primacy of reform before unity, suggests that the seeds of the conflict had been sown much earlier than has been thought; by January 1417 the proceedings against Benedict were well under way and it must have been clear to all participants at the council that his deposition was imminent and the council would soon be

\textsuperscript{49} Bernhard Hübler, \textit{Die Constanzer Reformation und die Concordate von 1418}, (Leipzig, 1867): 16-17. Stump disagrees with Hübler’s assumption, arguing instead that "Sigismund was very anxious to complete the work of union, first by the deposition of Benedict XIII, and then perhaps by a vote of acclamation for a new pope who would be Sigismund’s own protégé": \textit{Reforms}, 30-1. However, John Forester, in his letter to Henry V relating Sigismund’s return to Constance, reported that "my lords of Salisbury and Chester with the consent of all your other ambassadors are fully disposed to forward reform in the Church, in head and in members.... And of this I do not doubt that these my two lords will always under all circumstances hold by the good advice and deliberation of your brother, the king of the Romans": Crowder, \textit{Unity}, 107. Forester does not mention Benedict or the issue of unity in this letter. It seems very likely, in light of this comment, that Henry and Sigismund had reached an agreement regarding their policies at Constance, probably during the latter’s visit to England in August 1416 when the Treaty of Canterbury was concluded. Thus, the English, through Fleming, made their position known as early as January 1417, but Sigismund concealed his views until several months later, probably so as not to hinder the proceedings against Benedict.

\textsuperscript{50} Crowder, "Henry V," 102-3.
faced with the situation of a vacant papal throne.

Following his assertion that reform should be the foremost of the council’s concerns, Fleming acknowledges that not all share his view, claiming that "the prince of darkness, the greatest enemy of such a good thing" is now attempting "through his helpers...to impede the holy illumination of our mother Jerusalem and the union of the church" (ll. 537-9). Fleming’s point that union is being impeded in this way is significant because he is emphasizing that the ending of the schism is still an important goal but, as he stated previously, one which must be preceded by reform if the restoration of unity is to be an enduring accomplishment. Noting how the number two is "infamous among the numbers because it departs from unity first before the others" (ll. 539-40), he then describes how the council’s work of reform is being obstructed by a "two-fold darkness":

The first is the darkness of impious dissensions which strives for the extinction of all kinds of charity, and this ‘horrible darkness has been made upon the earth’ of the council, and indeed it is ‘so dense that now it can be felt’ because ‘no one sees his brother’ with the eye of love as he should.... For ‘we men are brothers, so why do we harm one another?’... And the second is the darkness of perfidious excuses which defends the stubbornness of all kinds of iniquity, and look: ‘this darkness has come over the entire world’,...namely over the entire state of the church, since no one wished to hear but to reject, with the greatest impatience of the heart, the reformation of the defects concerning his own position (ll. 543-54).

The "impious dissensions" which constitute the first aspect of this obstructing darkness no doubt refer to the current conflicts between the various nations ("brothers"), anticipating and
leading towards the priority struggle several months later; the second facet of this darkness is resistance to reform by those most threatened by it. Having described the two halves of this darkness, Fleming goes on to state how they together remind him especially of a line from the Gospel of John: "The people loved darkness more than the light'; and the cause? 'because their works were evil; for he who does evil does not come to the light lest his works be exposed" (ll. 561-3). Thus, those who create strife within the council are the very ones who are blocking reform because it threatens their position; it is significant that Fleming does not describe them as two kinds of darkness, but as two aspects of a single obstacle.

This dual darkness, Fleming optimistically predicts, shall be dispelled by the "the light of grace" (ll. 571-2) which is in the present council. He then describes how this is composed of the "two luminaries by which this world is ruled" (ll. 588), referring to the decretal "Duo sunt" in Gratian's Decretum which enshrined the doctrine of the two powers of Pope Gelasius:

Through the faithful works [of the council] that greater sun, namely the ecclesiastical prelacy, shall shine, which rules in your firmament during the day, namely in the realm of spiritual matters.... And so that this holy synod may persevere untroubled towards its happy conclusion, the strength of peoples comes to illuminate you, namely the lesser prelacy of the night that is the royal dignity for the humble rule of temporal things (ll. 574-6, 580-3).

51 A clearer discussion of these dissensions is seen in Fleming's next sermon; see below, pp. 125-6.

The allusion to the "strength of peoples" (fortitudo gencium) in the second part of this passage is no doubt a reference to the Emperor Sigismund, who had been instrumental in convening the council and who would soon be returning to exercise his considerable influence over it. Fleming's ranking of ecclesiastical over secular authority, equating the former with the sun and the latter with the moon, is consistent with his earlier citation of two letters by Augustine which describe the superiority of the papal as compared to the imperial dignity. This statement constitutes an important component of Fleming's views regarding the reform of abuses which have polluted the church; as bad as things are, the hierarchy is still fully capable, with limited assistance from secular princes, of reforming itself. The role of the "lesser luminary" is that of protection, "lest you should be allowed, o untouched Virgin, to be disturbed by the restless commotion of the tempest" (ll. 585-6). Thus, Fleming is assuring his audience that the promotion of reform before election does not mean surrendering the council to the interests of secular authority; similarly, he may have also intended to assert the English nation's independence, despite their close relationship, from Sigismund, who would thus be able to sustain his official ambivalence over the reform-election.

53 See above, p. 80.

54 Together these two statements make clear the nature of Fleming's moderate conciliarism in which the council's supremacy is only justified in the absence of a legitimate pope. See also above, p. 65, n. 26.
issue until a more advantageous moment.55

Fleming completes his discussion of clerical abuses by describing the clergy as it shall be once it has undergone thorough reformation, employing the third member from the Gospel lectio, "the three-fold variety of the gifts given":

Your sons, namely ecclesiasts, converted from the darkness of irregularities and deadly ignorance in which they had been filthy before, shall offer the gold of excellent lifestyle from which they are ordered to make a bell because the sound of doctrine56 demands a shining life. And they shall offer the frankincense of devout administration in all things, pouring forth the praise of God, the worship of Him who long ago perished in the holy and divine places, when they shall be very eager to revive it with the most exact diligence. And then consequently the righteous shall be able to offer myrrh, namely in themselves. They shall be strong enough to threaten their subjects with the sufficiently bitter myrrh of severe correction because then they shall live correctly themselves; then they shall conduct themselves like people devoted to God; then they shall not be soft when correcting stubborn sinners; indeed these three royal priests of Saba, with these three kings, as it was said before, coming converted, shall offer gold, frankincense and myrrh to the King of Kings (11. 591-604).

In concluding his sermon, Fleming describes the joy which will ensue in Jerusalem if "special care should be taken by her most holy synod" (11. 612-13) in illuminating the church from the darkness of schism, heresy and "erroneous lifestyle" (l. 611). He then cites Cicero's De officiis as follows:

"For the highest glory of the multitude consists of three things in order: if it loves, if it has faith, if

55 See below, p. 130.

56 Fleming may have intended the phrase as a pun: "sonitus (sanitas) doctrine", "the sound (-ness) of doctrine". This linkage between sacerdotal virtue and correct doctrine again alludes to the connection between reform and heresy.
it considers them worthy of a certain honour with admiration....; the first can relate to the love of the members under one head, according to the first; the second, their solidarity in one faith, according to the second; and the third applies to their proper ordination in the rule of virtue which is to be rewarded by honour, according to the third (ll. 617-24).

This passage constitutes a concise précis of Fleming’s thesis in this sermon: that all three issues confronting the council are interrelated and that the key to restoring the church, both in terms of the unity of its head and in the unified faith of its members, is the reform of the hierarchy. It is no coincidence that Fleming chose Cicero’s great work on public office to encapsulate the ideas expressed in this sermon, or that in his next sermon he would focus on the clerical vocation and would cite two other passages from De officiis.57

The sermon ends with the following doxology consisting of a petition to Mary within the context of the Visitation of the Magi: "May the Queen allow us to adore perennially, with innumerable gifts of praises, the majesty of Him who was sought by the magi in Jerusalem and was adored by them in Bethlehem on this day."58 Amen (ll. 630-3).

The English Staging of an Epiphany Play

Because "Surge" stands as a commentary on the council’s goals


58 Thus, there can be no doubt that "Surge" was delivered on the feast of the Epiphany; yet Finke, in his entry for this sermon (Acta ii., 482), for some reason placed a question mark within parentheses following the date: "6 Januar (?)".
as stated in the decretal "Haec sancta" and advocates, just before Sigismund's return to Constance, what would be the English position on the very divisive reform-election issue, it seems quite likely that Fleming was in effect announcing the English policy regarding the priority of reform. While there is apparently no surviving concrete evidence, such as a letter of commission, that Fleming served is some official capacity as a spokesman for the English at this council, there is a considerable amount of circumstantial evidence which suggests that this was the case. A full discussion of Fleming's role at Constance is offered at the end of chapter four, but for the present there is one interesting piece of evidence for his position at this council which relates specifically to "Surge". A few weeks after he delivered this sermon, the leaders of the English delegation twice staged a religious play on the subject of the Epiphany. According to what is presumably the

---

59 See Christopher Crowder, "Correspondence Between England and the Council of Constance, 1414-18," Studies in Church History 1 (1964): 184-206, in which he notes that very few of the letters which must have travelled between England and Constance during the council are known to have survived.

60 See below, pp. 179-95.

61 Regarding these performances, Hardt comments that "As much as we have observed this elegant and praiseworthy performance of the English with both joy and sorrow, so much do they, as the first authors, deserve very great glory for certainly introducing this novelty into Germany, and how very remarkable it is that this kind of holy play was born under the splendor of the council and that this star was first introduced at Constance, the very sky of Germany" ("Tantoque lubentius ac sollicitius hoc Anglorum scitum & laudabile facinus notavimus, quanto major illis, utpote primis autoribus, ex novo prorsus hoc in Germania instituto debetur gloria: Quantoque memorabilius, in ipso Concilii splendore, hoc
eyewitness account of Ulrich Richental, on 24 January 1417 the bishops of Salisbury and London and other bishops of the English church hosted a banquet for "all the town councillors and worthy men of Constance":

During the banquet there were shows and pantomimes by players in rich and costly raiment. They played Our Lady holding her Son God Our Lord and Joseph standing beside her and the three holy kings bringing their tribute. They had prepared a shining gold star that went before the kings on a fine iron wire. They played also King Herod sending after the three kings and slaying the children. All the players wore most costly garments and broad gold and silver girdles and played their parts with great diligence and modesty.  

Three days later, on 27 January, Sigismund returned to Constance; on the 29th the English delegation welcomed him and all the temporal princes and great lords, in particular Duke Louis of Bavaria and Burgrave Frederick of Nuremberg, and some other counts, nine bishops, and several auditors to a banquet like that described above.... And between the courses the players played Our Lady, the three kings, and Herod far more
There are several points to be considered in attempting to reconstruct the circumstances of these performances. In the first place, Richental's comments make it clear that the stage properties were expensive and the players skillful; this suggests that these performances were planned well in advance. It therefore stands to reason that the props and script, and perhaps even the actors, had been brought to Constance from England. Thus, it is also probably significant that the last recorded arrival of English delegates at this council, except for Cardinal Beaufort's appearance just prior to the papal election in late 1417, occurred on 27 September 1416 when Richard Clifford, bishop of London, arrived with his baggage train. The timing is significant; assuming that the trip took about six weeks, Clifford would have left London at about the time that Sigismund and Henry concluded their negotiations in mid-August. Thus, the fact that Richental mentions Clifford as the second host of these banquets may suggest his sponsorship of the Epiphany play. It

---

63 Loomis, Constance, 148-9. Richental gives no further details regarding the entertainments of these banquets, and they are not mentioned at all by the French Cardinal Fillastre, who, as an opponent of Hallum, was surely not invited. For the text of these passages in the original Middle High German, see Simon, "Weihnachtsspiel," 318-19.

64 Hardt, Concilium iv., 909.

65 Another point of interest with regard to Clifford is found in John Forester's letter of 2 Feb. 1417 to Henry V: "on Sunday, the last day of January, your brother, the king of Romans, publicly wore the robes of the Garter with your collar at the High Mass. And when he learnt that the duke of Bavaria and the burgrave [of Nuremburg] were to eat that same day with my lord of London, he let
is also likely that Fleming came to Constance as part of Clifford's train, though he might have travelled instead with the bishops of Coventry-Lichfield and of Norwich, who arrived three days before Clifford. Finally, Morrissey pointed out several citations in "Surge" which led him to believe that Fleming probably composed at least part of the sermon while he was still at Oxford, with access to Grosseteste's books in the Greyfriar's library. This evidence of prior planning parallels that which must have preceded the production of these plays at Constance.

Considering these circumstances, then, it seems likely that there was an intentional connection between Fleming's sermon and these two performances of a Nativity play shortly after that sermon was delivered. For those who had attended Fleming's Epiphany sermon, the plays may have simply served as a reminder of his commentary on the scenes depicted; but for those who had not, such as Sigismund and probably most of the other laymen -- nobles and townsmen alike -- these performances were probably intended as an opportunity to apprise them of the message Fleming had conveyed in "Surge". It is also possible that, as the plays were being performed, Fleming himself may have delivered a running commentary on the scenes, acting as the "doctor

---

it be known that he himself wished to take dinner with them.": Crowder, Unity, 107.


67 Morrissey, "Surge," 95-7; further support for this point is given below, pp. 376-8.
expositor", an intermediary character who appears in the surviving texts of many medieval mystery plays. If so, he presumably would have drawn upon arguments he had used in "Surge" in restating the English position on the primacy of reform before unity for the benefit of the German audiences of these plays.

Further evidence that Fleming served as a spokesman for the English delegation in 1417 is found in most of his other sermons at Constance. While the best example of this is seen in his funeral sermon for Robert Hallum given in September of that year, there are also strong indications of Fleming's role in his second

---


69 Further evidence linking Fleming to this play is seen in several records of an Epiphany play at Lincoln where he was a canon. Virginia Shull's research in the Lincoln Cathedral archives uncovered records in the Common Clerk's Accounts "which outline with remarkable fullness the drama within the Cathedral Church from 1318 to the accession of Elizabeth"; see V. Shull, "Clerical Drama in Lincoln Cathedral, 1318 to 1561," Publications of the Modern Language Association of America 52, n. 4 (Dec. 1937): 946-66, at p. 946. The first two entries Shull found, for 1317-18 and 1321-2, both relate to an Epiphany play (pp. 948-9); the Epiphany play is mentioned again in 1384 in an entry which records the purchase of a star and crowns for the three kings, and in 1387 payment was rendered for the repair of the star and for the purchase or rental of furs for the three kings (p. 951). This play is not mentioned again in these records, though in 1462 payment was made for work done "circa stellam et cordulas pro eadem" for a Christmas Nativity play: "in aurora natalis Domini" (p. 956). Thus, it is possible that the Lincoln Epiphany play, which is so prominent in the records until 1387, was the same one performed at Constance, and that its costumes and properties may have remained in Germany, perhaps as a gift to Sigismund or a prelate of the Empire. This would support the theories of English influence on German drama suggested by Hardt and Simon; see above, p. 88, n. 61.
known sermon at Constance in which he fulfilled the promise he had made in "Surge" that he would treat the problem of clerical abuses and the need for their reform "in an extended manner in another sermon before Easter".
Chapter Three: "Those who are called may receive"

Preface

Because Fleming's second known sermon at Constance has been misascribed until now to another preacher at that council, the case for his authorship should be presented before the sermon and its context are discussed. "Accipiant qui vocati sunt" (Heb. 9:15) was delivered at Constance on Passion Sunday, 28 March 1417; three centuries later Hermann von der Hardt published an edition of this sermon under the heading "De corrupto Ecclesiae statu...Sermo...Habitus a Vitali, Episcopo Tholonensi" Anno 1417. Domin. Judic. Ex MSCT. Erfurt". HARDT provided no further information on his manuscript source with this edition, but in his major collection of Constance documents, in which he had previously printed two excerpts from this sermon, he does mention that among his sources were several manuscripts owned by the Academia at Erfurt. THE Erfurt Universitat was dissolved in 1816 at which time most of its library was transferred to the Erfurt Stadtarchiv, but this repository apparently possesses no

---

1 For Vitale Valentine, bishop of Toulon, see Konrad Eubel, Hierarchia catholica medii aevi i. (Regensberg, 1913): 488. A doctor of theology and Franciscan friar, Vitale is credited with four Constance sermons besides "Accipiant"; see Arendt, Predigten, 260-4.

2 Hardt, Historia iii., 17-26 at p. 17.

3 Hardt, Concilium iv., 1390-2 (a printing error has it as pp. 1360-2); and v. prolegomena, 26. In a note preceding the excerpt in vol. 4, Hardt erroneously dates the sermon to 1416.

4 Hardt, Concilium, i. prolegomena, 16.
manuscripts with Constance sermons. The Wissenschaftliche Allgemeinbibliothek in Erfurt does have three manuscripts which contain materials from the Council of Constance, but they include no sermons. The only other library with a manuscript collection in Erfurt at present is that of the Domstift, but again it apparently has no manuscripts containing sermons from this council. The library of the Erfurt Benediktinerkloster, dissolved at the beginning of the nineteenth century, evidently did not possess any manuscripts with Constance sermons in its collection.

One possibility that was considered in the search for Hardt’s Erfurt source is a manuscript now in Berlin, which contains many Constance sermons. This codex was compiled in Heidelberg in the

---

5 This is according to the director of the Stadtarchiv who has assured me by letter that the collection does not include any manuscripts with Constance sermons.

6 The manuscripts are CA F.146, CA F.162 and CA F.174; see Wilhelm Schum, Beschreibendes Verzeichniss der Amplonianischen Handschriften-Sammlung zu Erfurt, (Berlin, 1887): 96-7, 103-4, 112-14. Rosemary Simon, Mitarbeiterin of the Erfurt W.A.B., kindly lent me microfilm copies of these manuscripts with which I was able to confirm that they do not include Constance sermons.

7 See P.O. Kristeller, Iter Italicum iii. (London, 1983): 385. Kristeller does not report finding any manuscripts with Constance sermons during his visit to this library in 1958; he is elsewhere in this series very diligent in reporting manuscripts with Constance materials, especially sermons, because of the presence of many Italian humanists at this council. Several of these had been overlooked by Finke and Schneyer.


9 Berlin, Staatsbibliothek Preußischer Kulturbesitz, Cod.lat.fol. 860.
early fifteenth century and later found its way into the Erfurt Königliche Bibliothek where it was assigned the signature "MS 67"; in 1908 it was transferred to Berlin. But it is certain that this codex could not have been the Erfurt manuscript used by Hardt because it contains only a few of the sermons he edited in Historia from that source.

However, there is another manuscript that was formerly at Erfurt which does contain all fifteen of the sermon texts in Historia that Hardt designated "ex MSCto Erfurtensi"; no other known manuscript contains all of these texts. And it also

---


11 The pars tercia of Historia contains twenty-one texts, six complete reform sermons and fifteen excerpta of varying lengths, almost all of which were delivered at Constance. Hardt notes that he edited two of the complete sermons from a Leipzig manuscript and two others from a codex at Wolfenbüttel. Of the remaining seventeen documents, he reports that sermones III and IV ("Accipiant") and thirteen of the fifteen excerpts were all obtained from the Erfurt manuscript; he neglects to cite his source for the two remaining excerpta, numbers XIX and XXI. I am grateful to the library of the Presbyterian College of McGill University, Montreal, for allowing me to study their copy of this rare book. A photocopy of the edition of "Accipiant" was obtained, however, from the copy at the British Library.

12 Finke listed fifty-eight manuscripts at the beginning of the sermon register he published in 1923 (Acta ii., 368); in the fourth volume (1928) he provided a manuscript list which adds sixteen manuscripts with Constance sermons which he presumably found during the interval. One of these is the Pommersfelden codex for which Finke gives only a very brief description; he did not recognize it as Hardt's Erfurt source (Acta iv., XC). Since then, thirty-two additional manuscripts with Constance sermons have been discovered, including four which I have found through catalogue searches. All but a few of these have been catalogued, and the exceptions have been checked by myself (by examining microfilm copies of the codices) or by the librarians of the relevant collections, to whom I am much indebted for their help.
includes copies of the two sermon texts for which he did not cite his source. This codex is currently in the collection of the Schlossbibliothek of the Graf von Schönborn in Pommersfelden, Germany. A note on the flyleaf in a modern hand records that the manuscript formerly belonged to the Erfurt Collegium universitatis before it was transferred to a library at Gaibach and thence to Pommersfelden. Textual evidence supports this account of the manuscript's original provenance; among the headings with which Hardt introduced these sermon texts, only one, for a sermon with the thema "Ubi est", claims to provide a direct citation of the sermon's rubric in the manuscript:

Excerpta sermonis IX cuius in MSC. hæc est inscriptio: "Sermo utilis & profundus de statu ecclesiae, ejusque alto dominio, necnon de depressione ac perditione ejusdem"...ex MSCto Erfurtensi.

This exact text forms the rubric for the copy of "Ubi est" which is found on f. 139ra of the Pommersfelden manuscript.

13 See below, p. 316.

14 Hardt, Historia iii., 48.

15 Hardt dated "Ubi est" to "anno 1415. Dom. xv Trin." (8 Sept. 1415), but there is no date provided in the manuscript and so he must have inferred this date from internal evidence. Finke (Acta ii., 435) challenged this dating, pointing out that the biblical text which forms the sermon's thema is found in the liturgy for Ash Wednesday, and the wording of the citation suggests a weekday during Lent. R.A.B. Mynors confirmed Finke's contention that the sermon was delivered on Ash Wednesday, but discovered that "Ubi est" is not a Constance sermon at all. In his catalogue description of Oxford, Balliol College, MS 165A, Mynors noted that copies of "Ubi est" in this manuscript and in another codex at Douai are dated "feria iiiij in capite jejunii m'ccccxxxv"; both manuscripts also ascribe the sermon to Lupe de Galdo, who was a preacher at the Council of Basel, but not at Constance; see R.A.B. Mynors, Catalogue of the Manuscripts of Balliol College, Oxford, (Oxford: Clarendon Press, 1963): 161-2.
Because it is virtually certain that this codex was Hardt’s source for his edition of "Accipiant",\textsuperscript{16} it is important to note that the Pommersfelden manuscript contains no rubric or colophon which identifies the author or provides a date for this sermon. Therefore, Hardt’s attribution of "Accipiant" to the bishop of Toulon was presumably inferred from internal evidence.\textsuperscript{17} Thus began the tradition of Vitale’s authorship which, until now, has been accepted without question by scholars studying sermons from the Council of Constance.\textsuperscript{18}

Besides the Pommersfelden manuscript, copies of this sermon survive in four other known manuscripts. Finke listed three that are in the collections of the Berlin Staatsbibliothek, the Stiftsbibliothek at Kremsmünster, and the Österreichische Nationalbibliothek in Vienna.\textsuperscript{19} And J.B. Schneyer found a fourth copy of "Accipiant" in a manuscript belonging to the

\textsuperscript{16} Additional compelling evidence for this is seen in the large number of textual variants which Hardt’s edition shares with the copy of "Accipiant" in the Pommersfelden manuscript, but none of the other copies; see below, p. 125, n. 62; and pp. 318-75, passim.

\textsuperscript{17} See below, p. 101, n. 25. Although "Accipiant" is the only example of inferred authorship, almost all of the Constance sermons edited by Hardt from this manuscript were assigned dates which were not derived from their rubrics, but rather were deduced, as in the case of "Ubi est", from internal evidence; yet Hardt did not reveal that his dating of these sermons, like his ascription of "Accipiant", was conjectural. "Ubi est" is the only one of these for which Finke challenged the date; there may be other examples of misdating which have gone unnoticed.

\textsuperscript{18} The most recent citation of "Accipiant" is found in Stump, Reform, 214, n. 29. See below, pp. 113-21.

\textsuperscript{19} Finke, Acta ii., 493. See below, p. 316.
library of the Benediktinerstift Sankt Paul in Lavantal, Austria. Although Finke accepted and thus perpetuated Hardt's attribution of "Accipiant" to Vitale, he did report in a footnote that the sermon is ascribed to "mag. Flemming" in the Berlin and Vienna copies; the Kremsmünster and St. Paul codices, like the Pommersfelden manuscript, do not provide the preacher's name.

Both of the manuscripts which name Fleming as the author of this sermon possess certain important characteristics which lend added weight to their ascriptions. The Berlin copy is unique in that it represents an independent textual tradition that is often superior to that of the four other manuscript copies, which together form a fairly coherent, distinct tradition. Although it does contain some scribal errors which are corrected by the other copies, the copy in the Berlin manuscript includes several passages which were omitted through eye-skip errors in the common source for the other four manuscripts. More importantly, the Berlin copy of "Accipiant" includes a long introductory text, not found in the other manuscripts or Hardt's edition, which is clearly the sermon's prothema. This unique text is preceded

20 J.B. Schneeyer, "Konstanzer Konzilspredigten: Eine Ergänzung zu H. Finke's Sermones- und Handschriftenlisten," Zeitschrift für die Geschichte des Oberrheins 113 (1965): 361-88, at p. 376. He cites this manuscript as Stift S. Paul (Lavant) ex Mss. Hospit. ad Pyrhum pap. 30 (27.1.11). I have provided the designation of the microfilm copy of the manuscript in the collection of the Hill Library (HMML project number 12,260). See below, p. 316.

21 An edition of this unique text is included in the new edition of the sermon in Appendix Three. The introductory citation of the thema (11. 1-2) and the concluding Marian invocation (11. 89-96) are typical of prothema in other Constance sermons. See, for instance, "Surge", 11. 1-2 and 11. 23-6; and Fleming's sermon
by a rubric which provides a detailed ascription to Fleming:

Sermo sequens factus erat Constanciense in sacro generali concilio, Dominica in passione Domini, per magistrum Rycardum Flemmyng de Anglia, doctorem in sacra pagina Oxoniense, anno Domini m" cccc" xvii" (f. 82v).

Because the Berlin manuscript contains the only known complete copy of the sermon, its ascription to Richard Fleming surely merits considerable credibility.

The Vienna manuscript is atypical in that it contains, in addition to "Accipiant", all four of the sermons attributed to Fleming in Finke’s register.22 Of the twenty-three other known manuscripts containing Fleming’s sermons, only the St. Paul codex has as many as four, only two of which are ascribed to him; the other manuscripts contain only one or two of his sermons.23 Moreover, the ascription, given here in a colophon, differs considerably from that in the Berlin manuscript:

Explicit sermo magistri Richardi Fleming Anglici sacre pagine professoris universitatis Oxoniensis, factus in concilio Constanciense (f. 264r).

Because the Vienna copy belongs to the textual tradition which includes all of the known manuscripts except that at Berlin, and

---

for Trinity Sunday in J.B. Schneyer, "Konstanzer Konzilspredigten: Texte," Zeitschrift für die Geschichte des Oberrheins 119 (1971): 175-231, at p. 222. Arendt (Predigten, 38, n. 33) points out that "Accipiant", as he knew it from Hardt’s edition, lacks an invocation to Mary such as those found in the prothemaes of most other Constance sermons.

22 These are found on ff. 264v-79v and 296r-303r. However, the last of these, Fleming’s eulogy for Bishop Hallum, is only a fragmentary copy.

23 See Appendix One, below, pp. 258-9.
its text is closer to the original sermon in some points than the Berlin copy, containing a passage missing through an eye-skip in the Berlin codex (ll. 494-6), it is virtually certain that the attributions to Fleming in these manuscripts are independent of one another.

If the ascriptions to Fleming in the Berlin and Vienna manuscripts, and the fact that Hardt's attribution was surely conjectural, are not in themselves sufficient grounds for dislodging the long tradition of Vitale's authorship of this sermon in favour of Fleming, there is compelling evidence within the sermon that Fleming was the actual author. In his catalogue description of the Kremsmünster manuscript, Hugo Schmid drew attention to two passages in "Accipiant" in which the preacher refers to his earlier sermon on the feast of the Epiphany when he had also criticized clerical abuses. Accepting Hardt's ascription, Schmid studied a copy of Vitale's Epiphany sermon for 1416, "Magi invenerunt puerum", which is also contained in the Kremsmünster manuscript, but he reports that he was unable to find anything in the text of "Magi" which corresponds to the references in "Accipiant". Finke apparently recognized this

24 Hugo Schmid, Catalogus codicum manuscriptorum in bibliotheca monasterii Cremifanensis i. 2 (Vienna, 1878): 87-8.

25 For "Magi" see Finke, Acta ii., 426. Schmid's findings have been confirmed by checking the edition of "Magi" in Walch, Monimenta i. 2, 51-77. It seems likely that Hardt attributed "Accipiant" to Vitale on the basis of one of these references to the preacher's earlier Epiphany sermon. In Concilium, he prefaced the shorter of the two extracts from "Accipiant" by printing the rubric for "Magi" from one of his manuscript sources and then noting that the text following is from "another sermon
discontinuity and attempted to reconcile it by creating an entry in his register for a supposedly lost Epiphany sermon by Vitale for 1417. Yet both of these references to the preacher's earlier sermon are matched by passages in Fleming's Epiphany sermon, "Surge illuminare Jerusalem". The first of these passages from "Accipiant" reads as follows:

by the same Vitale, bishop of Toulon, which is much more fervent and verbose, ready at hand in the manuscript codex" ("Multoque ferventior multoque prolixior, in MSC. Codice obvius Alius Sermo...ab eodem Episcopo Thlonensis Vitali"): Concilium v., 26. Presumably, Hardt would have preferred to transcribe the rubric for "Accipiant" but his manuscript source provided none. Thus, it is surely no coincidence that a copy of "Magi" is contained in the Pommersfelden manuscript, on ff. 25ra-29ra, and that the text of its rubric is identical to the "frons" which Hardt reproduced in introducing this excerpt from "Accipiant".

26 "Januar 6. [1417] -- Vitalis ep. Tolonensis. Erwähnt in seiner Predigt 1417, III, 28. Inhalt: Reform": Acta ii., 482. Thus, Finke had all the information necessary to reject Hardt's ascription of "Accipiant" to Vitale; he was aware that the preacher of "Accipiant" refers to his Epiphany sermon; he realized that "Magi" was not that Epiphany sermon; and he knew that Fleming delivered an Epiphany sermon that year. He also had access to the text of "Surge", having edited excerpts from it. His failure to put these pieces of evidence together was probably due to the collaborative nature of the research project; he was certainly willing to revise Hardt's work, as is clear from his redating of "Ubi est" (see above, p. 97, n. 15). On the invaluable contribution to Constance studies by Finke and his "Freiburger Schule", see Ansgar Frenken, "Die Erforschung des Konstanzer Konzils (1414-1418) in den letzten 100 Jahren," Annuarium Historiae Conciliorum 25 (1993): 17-89; Frenken notes that such errors are often found in Acta.

27 Michael Denis mentions a connection between "Surge" and "Accipiant" in his description of the Vienna manuscript in Codices manuscripti theologici bibliothecae palatinae Vindobonensis Latini ii. 1 (Vienna, 1799): 1441-8. In discussing "Surge" he notes that Fleming "mentions this sermon in the one which I first described" [i.e. "Accipiant"] ("sermonis hujus mentionem facit in illo, quem primum retuli"): p. 1445. Denis did not know that this sermon had been edited by Hardt, perhaps because of the misascription to Vitale.
I recall that I promised on the feast of the Epiphany to speak out in particular against the nefarious crime of abominable simony on another Sunday before Easter (ll. 148-50).  

This corresponds very closely to Fleming's promise in "Surge":

Regarding those three evils by which our mother Jerusalem now tumbles, as it were, to the ground, and especially the simoniacal plague which makes the house of God a place of business, I intend to treat these things alone in an extended manner in another sermon before Easter, by the grace of God (ll. 516-19).

Therefore, there can be little doubt that Hardt did misattribute this sermon to Vitale and that Richard Fleming was in fact the actual author of this sermon.

"Accipiant"

Paul Arendt, at the beginning of his long chapter dedicated to the "Hauptthema unserer Prediger: Behandlung der Frage der kirchlichen Reform", notes how the demeanour of the reform preachers at Constance "is rather imposing" and "reminiscent of

28 In Hardt's generally unreliable edition (p. 18), "Epiphanie" is rendered "episcopis". This led Arendt to comment that "Vitalis" had given this sermon at the request "von hochgestellten Personen": Arendt, Predigten, 26, n. 60.

29 For Fleming's other reference in "Accipiant" to his previous Epiphany sermon and for the corresponding passage in "Surge", see below, p. 121.

30 Arendt, Predigten, 169. As noted above (p. 49, n. 6) the index to Arendt's book does not list individual preachers or sermons. References to "Accipiant" in Predigten are copious but most are in short footnotes: 19n, 26n, 28n, 31n, 32n, 39n, 42n, 43n, 44n, 46n, 51n, 54n, 57n, 58n, 60n, 63n, 67n, 68n, 70n, 71n, 77n, 92n, 137n, 139n, 140n, 146n, 147n, 169n, 174, 176n, 178, 178n, 179n, 181n, 182n, 183, 183n, 185n, 186n, 187, 187n, 188, 192n, 193, 194n, 195n, 199n, 200n, 201n, 204n, 208n, 213n, 214n, 221, 227n, 228, 229n, 230n, 231n, 235n, 239n, 240n, 241n, 243, 246, 247n, 248n, 249n.
the prophets of the Old Testament:"

With a frankness and openness which is hardly endured today, they expound upon the numerous abuses in the church and do not conceal or extenuate them; rather, things are called by their proper names and problems are denounced as such, whether it is pleasing to the audience or not. They become fearless in the presence of the magnates of the church...."31

Such an approach is clearly evident in those sections of "Surge" which treat the schism and abuses in the church. As the following discussion will show, "Accipiant" also conforms to this approach but, according to Hardt, it goes far beyond other sermons of its kind in this respect. In a note appended to his edition, he remarks that this

sermon is by far the most severe of those in which the enormous crimes of prelates -- especially avarice, ambition, luxury and ignorance -- are revealed with the greatest liberty and are vehemently reproached, so much so that it is a wonder that the council heard it patiently."32

It is uncertain whether Hardt's use of the superlative here was intended with reference only to the twenty other reform sermons and excerpts he published with "Accipiant" in Historia, or to the

31 "Dabei hat ihr Auftreten etwas Imponierendes, es erinnert an die Propheten des Alten Bundes: mit einer Freimütigkeit und Offenheit, die man heute wohl kaum ertragen würde, verbreiten sie sich über die zahlreichen Übelstände in der Kirche, da wird nichts verschwiegen, nichts beschönigt, sondern die Dinge werden mit dem rechten Namen genannt und die Laster als solche gebrandmarkt, ganz gleich, ob es den Zuhörern gefällt oder nicht; furchtlos machen sie selbst vor den Großen der Kirche nicht halt, auch diese bekommen bittre Wahrheiten zu hören.": Arendt, Predigten, 170.

32 "Sermo est longe gravissimus, quo immania prælatorum scelera, imprinis amor pecuniæ, ambitio, luxus, ignorantia summa libertate deteguntur, et vehementer taxantur; ut mirum sit eum patiener audivisse concilium.": Hardt, Historia iii., 17. Arendt (Predigten, 185) paraphrases this comment.
entire corpus of Constance sermons which were known to him; but in either case, it is a remarkably strong assertion. And in a note accompanying one of the excerpts from this sermon which he earlier published in *Concilium*, Hardt makes the following statement:

This sermon is not unlike a book, because of its very extended nature, nor is it dissimilar to a burning furnace, in terms of its fiery passion and its vehement attack on the vices of the clergy.33

Fleming’s "fiery passion" is not noticeable in the sermon’s prothema. Indeed, it does not really contribute to the substance of Fleming’s basic criticism of abuses and call for reform, though it does establish an important component of the sermon’s formal approach.34 The first hint of his severe tone is seen in the sermon’s exordium, the introductory section following the prothema, where Fleming cites the biblical texts from the liturgical lectiones for Passion Sunday and describes how he will use them in expounding his scriptural thema. Fleming notes that


34 The absence of a discussion of abuses and reform in the prothema may explain why it survives in only one copy of the sermon. Even without the text of the prothema, "Accipiant" is a very long sermon; Arendt (*Predigten*, 31, n. 84) estimated that this sermon, as he knew it from Hardt’s edition, would have taken about two hours to deliver, making it one of the longest known sermons from Constance. Thus, the scribe of the common source for the four copies lacking the prothema probably decided to omit it because it seemed irrelevant to the basic argument of this lengthy sermon. Yet Fleming’s discussion of the four "vocationes" in the prothema constitutes a very significant statement which validates the unusual approach he took in composing this sermon; see below, pp. 113-21.
in employing these "flowers" he shall not stray from his theme; rather, "they shall imply, either by exhorting or by threatening, what ‘those who are called may receive’" (ll. 141-4). When Fleming cites his theme elsewhere in this sermon it is usually either in describing how only "those who are called" to the clerical vocation by God, not those who gain them through simony or nepotism, "may" justly "receive" ecclesiastical offices; or how only "those who are called" through grace "may receive" salvation.35 But here it seems to convey an ironic double meaning for certain members of his audience who have been "called" to hear Fleming’s sermon in order to "receive" his condemnation.

Fleming’s antipathy towards certain members of his audience becomes overt at the beginning of his treatment of his primum membrum: "the certain and particular end of the divine vocation concerning the promotion of spiritual men in particular, namely the honour and governance of the hierarchical prelacy" (ll. 146-9). Before engaging in his discussion of this topic, Fleming embarks on a lengthy digression, beginning with his recollection of his promise in his Epiphany sermon to preach against simony before Easter. He then describes, in what is surely an elaborate

35 A notable exception occurs at the end of the first membrum of the sermon where Fleming warns that "our joy shall turn into grief...if they do not at least ‘receive’ in their frightened breasts the destruction of most false simony, because ‘they are called’ for this" (ll. 497-9). He then repeats the words of the theme which "thus inveigh against these pestiferous robbers: only ‘those who are called may receive’ the honours of the church" (ll. 501-3).
rhetorical fiction, how he struggled with a dilemma in deciding whether to deliver the present sermon. He explains that after issuing that promise he "considered the circumstances of the times more inwardly" and realized that Jerome, in his *Commentarii in prophetas minores*, "counsels silence to me":

"When," he says, "a devout and prudent and intelligent man has perceived that there are many impieties in what is called the house of God... (and not only are these impieties numerous, but also powerful, which can oppress justice), and when he has seen that the madness of learned men has progressed so far that they accept gifts in judging cases, and they do anything for money, and they shun the poor at their doors, and they refuse to listen" (to the truth, that is), "let that prudent man," he says, "be silent at that time lest he should give holy things to dogs and cast pearls before swine which, having turned around, trample them. And let him imitate Jeremiah, saying: 'I sat alone because I was full of bitterness'" (ll. 154-63).

Fleming then goes on to describe what his audience "knows very well" about those "dogs" and "swine":

Although very fruitful sermons against this crime [simony] have been delivered at this council, yet the tongues of the hearers, and especially the frivolous derision of certain great men, have turned all of this into frolics, foolish proverbs and parables. Why must I speak further? (ll. 165-9).

This antagonistic attitude towards certain *magni* in his audience who have mocked previous reform sermons should be considered in terms of Fleming's self-definition in this sermon. Like "Surge", "Accipiant" does not contain any statement of the preacher's humility in the form of a captatio benevolentiae; 36

36 Arendt (*Predigten*, 185, n. 90) claims that "Vitale's" comment that "everywhere there are restraints for me" ("angustiae sunt mihi undique", l. 149) constitutes a captatio benevolentiae in the form of an apology ("Entschuldigung"). But Fleming's complaint is immediately followed by this statement: "and I do
indeed, he styles himself in the preceding passage as "a devout and prudent and intelligent man". This self-characterization is reinforced when Fleming then explains that, despite Jerome's advice regarding the futility of preaching to such ones, he finally decided to deliver this sermon because,

although I would prefer to refrain from speaking, I cannot remain silent because I have heard this in Deuteronomy 23: "you shall do what you promised," and this from Numbers 30: "a man may not make his word worthless; rather he shall fulfill everything that he promises" (ll. 170-3).

Fleming's appropriation of the high moral ground here completes an exercise in self-fashioning in which he assumes the role of a latter-day prophet, fulminating in righteous indignation against the corruption he sees around him. But this is not simply a

not know what I should choose" ("et quid eligam, ignoror", ll. 149-50). This introduces his recollection of his earlier promise to preach against simony before Easter. Thus, while Fleming's statement might be seen as an attempt to gain his audience's sympathy by pointing out the difficulty of his task, it clearly does not involve an admission of unworthiness on his part. Moreover, it occurs in the exordium, not in the prothema where such statements are usually made. Stephen of Prague's comment in the prothema to "Resistite" succinctly typifies this ubiquitous rhetorical trope: "Insufficientia & ineloquentia mea me retraheret a labore" (Concilium i., 823).

The conception of "self-fashioning" gained currency through the work of Stephen Greenblatt, especially his important and controversial Renaissance Self-Fashioning from More to Shakespeare, (Chicago: Univ. of Chicago Press, 1980). In defining the "governing conditions" for literary self-fashioning, Greenblatt includes the following points which correspond very closely to Fleming's case: "Self-fashioning for such figures involves submission to an absolute power or authority situated at least partly outside of the self--God, a sacred book, an institution such as church.... Self-fashioning is achieved in relation to something perceived as alien, strange, or hostile. This threatening Other--heretic, savage, witch, adulteress, traitor, Antichrist--must be discovered or invented in order to be attacked and destroyed" (pp. 8-9).
case of Fleming's egoism run rampant; rather, it is a carefully conceived rhetorical strategy. Fleming knew that to be effective in delivering this type of sermon he would have to assume a particular persona; it is worth recalling that in "Surge" he had stated that good pastors "are able to threaten their subjects with the sufficiently bitter myrrh of severe correction because ...they themselves shall live correctly" (ll. 599-601). By asserting his willingness to fulfill his promise in keeping with these biblical injunctions, Fleming portrays himself as one morally qualified to deliver the following tirade against those who practice the clerical abuses of simony and nepotism.38

It is interesting to note the contrasts between "Surge" and "Accipiant" in terms of this passage. Fleming did not engage in this degree of personalization in "Surge"; his purpose of examining the three issues of schism, heresy and clerical abuses was better served by a more objective, analytical approach in determining the primacy of reform. Having established that priority in his Epiphany sermon, Fleming employed a noticeably more subjective, emotional approach in his sermon for Passion Sunday, which was rhetorically appropriate not only for the theme of reform but also for the subject of the day.39 This partly

38 Fleming defines the latter in very broad terms as "the carnal revelation of blood, clan or nation": l. 267.

39 Passion Sunday is also known as "Dominica iudica" from its incipit in the missal; see Hardt's title for his edition of "Accipiant", above, p. 94. The theme of judgment which pervades the liturgy for this feast makes it an excellent occasion for preaching against abuses and for their reform. On the previous Passion Sunday (5 Apr. 1416), Dietrich von Münster had preached a
explains how "Accipiant" achieves a level of invective which Hermann von der Hardt characterized as being "by far the most severe" within the context of other reform sermons from Constance."

---

"This more personal approach is also evident near the end of the sermon when Fleming softens his attack on corrupt clerics, though not their abuses; thus, the progression of his argument reflects Fleming's own development from indignation to charity. The imagery by which he introduces this change is most telling: "Most beloved fathers, I am neither of the evil of the left side in that I would desire to destroy persons or offices, nor of that flattering right side in which I would not wish abuses to be weakened in such ones. Rather 'my soul chooses to be suspended' (Job 7) between these thieves, namely those who flatter and those who hate, because in truth I acknowledge that until the church is purged of these idols...our 'Jerusalem shall' not 'be called a holy mountain' (Zach. 8), nor 'shall' the church 'be sanctified from unclean things' (2 Kings 11). For I hope that, either vice may be extirpated and removed from the person, or the person from his office; but I have not desired that the honour of the office be diminished or that true title of high rank be despised because of evils committed under it.... Therefore, in carrying out the most sacred reformation against those sins which lamentably reign over all ranks, let it be done with love of persons and positions, but with disdain and hatred of their vices. For then the dove which I mentioned before shall be sent from the ark and it shall announce to us that the peace of the olive branch has been restored to the church, if there would be in the spirits of the reformers no concealed envy or hatred towards persons or positions because the dove has no bitterness; rather, let their intention and purpose be pure because the dove eats pure grain; if the true charity of Christ directs everything to be done, because the dove flies in flocks; if the manner of reforming is founded in the law of God and sound conscience, because the dove builds his nest in the rocks" (11. 671-84, 714-24). This conscious promotion of moderation recalls Fleming's treatment of the papacy and heretics in "Surge"; see above, p. 65, n. 26; p. 85, n. 54; and pp. 70-5.
Despite this difference, the parallels between "Surge" and "Accipiant" easily outweigh the contrasts. Fleming's severe tone in both sermons is clearly based on the Old Testament prophets who bewailed the sins that had elicited God's wrath and led to the downfall of Israel; in "Surge" passages from Isaiah, Jeremiah, Ezechiel and the lesser prophets are prominently employed in Fleming's equation of the current state of the church with the Babylonian Captivity. But while such citations are certainly a commonplace in reform sermons, it is Fleming's particularly forceful deployment of prophetic invective which lends "Accipiant" its especially "fiery passion". And not only does he effectively use such quotations from the prophets of the Old Testament; he also appropriates their rhetorical techniques, weaving lamentation and indignation into a potent polemical style in criticizing current abuses in the church. Indeed, his sermon is so severe at times, especially in accusing the cardinals and other prelates of simony and nepotism, that one may indeed wonder, as did Hardt, whether some in his audience might have been "impatient" with this sermon. Perhaps the best example of Fleming's stern approach is seen in his attack on the curia's practice of simony in ecclesiastical promotions; the passage begins with a lament from Jeremiah:

But "woe is me," says the church; "my tabernacle is ruined; my sons have left me; the shepherds have acted

---

"1 Fleming also employs sarcasm: "But how can petitions be refused when they are recommended by such regal images on florins?" (ll. 316-17). This line is paraphrased in Arendt, Predigten, 188.
foolishly" (Jer. 10:21-1). It is as if they were all "made by hand", either the intrusive hand of secular powers, or the mediating hand of golden supplication. And such ones should not write in their titles "by the grace of God and the apostolic see", but rather "by the fury of God and the extremely malicious approbation of the holy see" which, as the multitude of the faithful complain, is the root and mistress of all evils of this kind. O most holy see! Why do you bring yourself into disgrace by this nefarious crime? I know that where you live is the seat of Satan. For regarding promotions the question which occurs to you is "how many florins does he possess in the bank?", rather than "what kind of virtues does he have in his soul?". Indeed, to be promoted it would be more expedient to have learned the false cunning of simony through much experience in business, than to have absorbed the holy science of theology in study. And the gilding of thousands of ducats would more quickly obtain a church for someone, than the greatest zeal in all the sciences and a hundred or perhaps a thousand times the number of merits. This is your ruin, O Rome, mother of cities! You are in your holy seat, but the ambition of the worst ones sitting in you has exterminated your glory. With your destroyed walls and buildings you exemplify how, through your rule, the entire world is now nearly destroyed in terms of virtues and graces. Therefore, o now invalid city of Rome, farewell for the present! (11. 360-81).43

Another example of Fleming’s criticisms in capite ecclesiae is found in his condemnation of the cardinals of the Avignon obedience for having elected that "idol", Pedro de Luna, as

42 It is interesting to note how closely these three complaints correspond to the issues Fleming had discussed in "Surge": the tabernacle of the papacy is ruined; heretics, the sons of the church, have deserted it; and the pastors of the people have foolishly neglected their duties.

43 Arendt (Predigten, 188) says of this passage that "there could hardly be a sharper condemnation and rejection of curial fiscal practices." ("Schärfer kann die Verurteilung und Ablehnung der kurialen Geldwirtschaft kaum geschehen.")
Benedict XIII; "the text is from a letter by Peter of Blois in which he criticizes the cardinals who fomented schism by electing the anti-pope Victor IV in 1159:"

"Where were the hearts of the cardinals when they elected that son of pride, that idol of abomination into the apostolic apex? They disregarded men of peace and raised up a man of dissension and scandal." Behold the ancient malice! Behold "the problem of Jotham regarding the sons of Gideon; the sons of Israel, wishing to choose a leader, rejected the legitimate sons and elected the illegitimate son, the cruel Abimelech, as their leader" (11. 645-51).

Fleming’s reference to this "antiqua malicia" reveals a historical perspective which was apparently unusual among preachers and writers at Constance. As Phillip Stump points out, the prevailing view of the past among reformers at this council was of a golden age in the distant past which must be recovered

---

"Hardt, in his fasti for events at Constance, refers to "Accipiant" as a "momentous and weighty oration given on the correction of the ecclesiastical state and the removal of Pope Benedict from his seat" ("momentosa & ponderosa oratio habita de status Ecclesiastici emendatione & Benedicto Papa de sede praecipitando"): Concilium iv., 42. Yet Fleming’s remarks on "Petrus de Luna", beginning with his hope that the "church shall soon be sanctified through his contrition", comprise only a small portion of the sermon (11. 632-87). He is also alluded to as the usurper whose lamentation Fleming suggests, citing another letter of Peter of Blois: "'Why have I usurped riches and honours for myself? Why have I usurped for myself the magistracy and throne above others? Like a deserter and coward I threw away the weapons of saving rulership by the assumption of this accursed honour.' And revealing that I am not a 'pontiff of future goods', I have now totally surrendered myself, alas, to the torments of hell forever, to which I had made myself a road and a bridge for others" (11. 249-54).

"Migne, Patrilogiae 207, 143n."
through reform. "However, the author of "Accipiant", according to Stump, focuses on the evils of the past and points to a new and better future." In making this statement, Stump cites three phrases from the sermon; the first of these, "ut de antiqua conversatione in novam innocentiam reformatus", is found in another citation from the letters of Peter of Blois:

"When Moses had proposed, by order of the Lord, to consecrate Aaron into the priesthood, he first dressed the cleansed man with a shirt and then girded him with a belt. In this it is shown that one who is to be consecrated into the episcopacy is first to be cleansed so that, reformed from his former lifestyle into a new innocence, he may receive the augmentation of virtues" (ll. 391-6).

The context of this statement makes it clear that Fleming is not referring metaphorically to the reform of the church, but to the literal moral reform of individuals who become bishops in the church. But while this example seems to have been taken out of context, the other two phrases cited by Stump do indeed show Fleming's negative attitude towards the past; as it will be shown, this is related to his deployment of Old Testament exempla and his appropriation of the prophetic voice.

46 "When reformers spoke of restoration they often spoke of restoring good customs and good practices of the past. In these contexts they made frequent use of the adjectives pristina, prisca, antiqua, and the nouns primordia and vestigia. Some spoke of the reforms as restoring a seculum aureum or the practices of the ecclesia primitiva.": Stump, Reforms, 213. Stump's discussion of reform ideas is informed primarily by the work of Gerhart Ladner, for whom see Stump's bibliography (p. 437) and index of scholars (p. 450).

47 Stump, Reforms, 214, n. 29.

48 Stump overlooked the citation of Peter of Blois with Fleming's interpolation: "Ecce antiqua malitia!".
The second phrase cited by Stump, "status ecclesiae pristini calamitas dolorosa," occurs in Fleming's discussion of the sermon's membrum secundum: "the second purpose of the divine vocation concerning this assembly in a general synod,...the sanctification or perfection of the ecclesiastical hierarchy" (11. 505-7). Fleming expands on this point by citing one of the epistle readings for Passion Sunday: "God did not call us into uncleanness, but into sanctification" (1 Thes. 4:7); his exegesis of this passage, which constitutes a large section of "Accipiant" (11. 510-868), successively treats the three parts of this text: "God called us", "uncleanness", and "sanctification" (11. 510-12). It is in terms of the second item, inmunditia, that Fleming discusses "the sad calamity of the pristine state of the church", calling upon Ezechiel, Jeremiah, Zachariah and the Psalmist:

The temple has been accustomed to be profaned by this three-fold uncleanness: First, by the statues of idols adored in it, against which it is said in Ezechiel 20: "Do not be polluted by the idols of Egypt. I am the Lord your God and they did not hear me. Each one did not cast away the abominations and they did not relinquish the idols of Egypt"; and 2 Corinthians 6: "What agreement does the temple of God have with idols?" The second uncleanness of the temple was the interment in it of the bones of profane men "who descended into hell with their arms, and their iniquities were in their bones" (Ezechiel 32). And the third uncleanness or pollution that has polluted the church is caused by the blood or semen or flood of filth that is in it from fornications and unclean acts. "The sons of Babylon have defiled her in their debauchery and she has been polluted by them" (Ezechiel 23). "They have polluted your holy temple" because

" Stump adds the word "reformatio" after "dolorosa", but this word does not follow this phrase in its three occurrences in Hardt's edition; see Historia iii., 22; and, in the present edition, 11. 512, 564-5, 593-4."
"they have placed the corpses of your servants" in it (Psalm 78). And the three uncleannesses of this kind signify to us with a mystical morality the three spiritual pollutions by which our church is contaminated beyond measure. For the first denotes the intolerable gathering of the worst ones presiding in it (O grievous thing!) who stand as idols, according to Zachariah 11: "O pastor and idol". The second signifies the detestable number of blasphemies in it from abuses, outrages and the performance of rites; regarding the bones, this can be said from Jeremiah 8: "The Lord shall eject from their graves the bones of the kings of Judah, the bones of the priests, and the bones of those who lived in Jerusalem; they shall be upon the face of the earth like a dung pile." And the third signifies the abominable debauchery in it which is now seen in the mournful life of prelates. For "the priests have defiled what is holy; they have acted unjustly against the law" (Ezechiel 23). In this three-fold root abides the sad calamity of the pristine state of the church, which is noted in "uncleanness" (11. 564-96).

Thus does Fleming clearly equate the abuses in the present church with those of the past.

The third line cited by Stump, "Edicanturque statuta sanctissima contra pristinas abhominaciones" (11. 741-2), occurs in the third part of the sermon's membrum secundum: "the joyful happiness of the awaited remedy, namely the sanctification of the church for which we have been called" (11. 598-600). Because Fleming, in accordance with his biblical text from Paul's first epistle to the Thessalonians, posits inmundicia as the contrary of sanctificacio, it is clear that the problems outlined in the second part of this discussion are treated in terms of their solutions in the third part. Thus, his wish that "most holy statutes may be promulgated against ancient abominations" refers

---

50 It is also in this part of the sermon that the passage from Peter of Blois cited above is found.
to the "status ecclesiae pristini calamitas dolorosa" treated in the preceding section.

Therefore, Stump is correct in stating that "Accipiant" expresses a pejorative view of the past, and his survey of other reform sermons and tracts from this council reveals this to be an unusual, perhaps unique approach. It should be pointed out, however, that Fleming's perspective on the past in this sermon is not wholly negative. One example of his favourable view of former times is seen early in the sermon when, after citing Augustine and Gregory, Fleming states that "we miserable moderns ...are not worthy, in my opinion, to untie the shoelaces of such fathers" (ll. 235-7). This attitude toward the pristine Christian church is made abundantly clear near the end of the sermon when Fleming contrasts the present state of the church with the church as it existed under the early fathers, who surpassed moderns in their love of theology, their opposition to abuses, and their devotion to their sacerdotal duties:

For when prelates of the church thirsted for this living font of most desirable theological skill, there were not so many idols in the temple of God as the defiled church laments that it has at present.... Indeed, formerly our fathers, fathers of many nations, saw the other day of the Lord's passion when, recalling with what precious suffering the Lord founded his church, they did not permit so many abuses to spread in it. Abraham did not spare his son, so neither did they spare the flesh or principalities; indeed the flock, redeemed by the blood of Christ, was led down the incorrupt path of virtues by their governance.... Our fathers with Abraham saw the other day, namely that of the farewell meal, when it was pleasing to great prelates with abundant devotion to sacrifice the

---

51 Stump, Reforms, 206-14.
Virgin’s Son on the altar. But now it is considered unbecoming for someone of such high rank to see that day even once in a month. O, what a most lamentable situation! And if the cause is sought, I believe that it is because they seek the pollution and filthiness of their own flesh (ll. 796-8, 807-12, 815-21).

Thus, when Fleming describes the distant past in negative terms, it is with regard only to the events related in the Old Testament; but even so, there are some aspects of pre-Christian history which compare favourably to the present. For instance, at one point Fleming notes that priests in the time of Moses, especially Aaron, were so virtuous that

then both the angels and the people marvelled, and with wonder they praised the skill of ecclesiasts. The pestilence of simony did not then infect humanity. In the presence of their exceeding splendour, the simple people could not see the faces of the Mosaic priests (ll. 356-9).

But despite such exceptions, Fleming does generally regard the church of the Old Testament in negative terms. This historicism is clearly spelled out in the sermon’s prothema, which was unknown to Hardt and to subsequent scholars such as Stump who have relied upon his edition of "Accipiant". This description of church history -- derived from Pseudo-Chrysostom, Augustine and especially Gregory the Great -- is treated in terms of four vocations:

The first is the divine calling of divine predestination, the second is the internal calling of natural inspiration, the third is the external calling of legal admonition, and the fourth is the supernal calling of saving redemption (ll. 15-18).

While the first vocatio is limited to the predestined elect, the following three apply to everyone "universaliter". The first of
these three describes natural law "by which we are naturally ashamed by every evil and take delight in every good by a certain natural instinct, unless excessive blindness of sin prevents us (11. 43-5). But because early humans ignored God's calling as embodied in natural law and instead followed the "depravity in their evil hearts" (11. 53-4), God brought on the Flood.

The second calling defines a second historical period, that of the written law, which God sent through his "servants and prophets"; yet again, the people refused to hear:

Therefore, called by the legislator, the judges and the prophets of the Old Testament, with the Lord thus calling through them, humans did not respond in the new days when, accumulating sins upon sins, they contrived idolatries, adulteries and countless disgraceful transgressions against God (11. 63-7).

When the earlier two callings of natural and written law failed, God determined to provide a third calling of "the law of grace". Here Fleming provides the context for his scriptural thema from Hebrews 9,15:

For "he was" made "the mediator of a new covenant so that, with his death interceding for the redemption of those transgressions which were committed under the first covenant, 'those who are called may receive' the promise of eternal inheritance" (11. 72-6).

Fleming's intention that "Accipiant" would serve as a sequel to "Surge", overtly stated in the latter when he promised to preach against simony in another sermon before Easter, is clearly seen in their common depiction of the council's efforts to reform current abuses in the church in terms of Church history and Christian soteriology. Although such an approach is evident in "Surge", it is more fully developed in "Accipiant" where Fleming
likens clerical abuses to the pre-Christian era,52 the council to the time of Christ and reform to redemption.53 Thus, it is surely no coincidence that Fleming delivered these two sermons on the Epiphany and Passion Sunday, on feasts relating to the birth and death of Jesus; just as these holy days frame Jesus' life, so too do Fleming's first two sermons at Constance together reflect the beginning and end, the alpha and the omega, of the council. The Nativity provides the backdrop for Fleming's treatment of the council's goals of union, orthodoxy and reform which were developed shortly after it commenced; the Crucifixion is the frame for describing the council's ultimate purpose: reform. Therefore, Fleming is typical of reformers at Constance who viewed the early Christian church as an ideal to be recovered,

52 This is most apparent when Fleming equates those who commit abuses and resist reform to the Jews who persecuted Jesus: "For 'the Jews,' that is ecclesiasts, 'picked up stones to throw at Jesus.' ...O how few there are in such a multitude of Christians who would not persecute, stone and kill Jesus! And the most prominent ones in your persecution are those who are seen bearing the primacy in your church. Indeed, these ones are stoning you, o precious stone, made into a cornerstone, with the perfidious Jews; they betray you with Judas, condemn you with the governors, ridicule you with Herod, accuse you with the witnesses, scourge you with Pilate, and then deliver you to a most cruel death with the soldiers; oppressing the church, the bride of Christ, not called to her by a legitimate union, frustrating the gift of Christ's passion in the countless people lost by them, 'they crucify the Son of God' again 'in themselves'" (11. 411-23).

53 "The pollution of stinking infamy did not defile a great priest, namely those constituted in the higher priesthood, on the day of atonement, namely in the primitive times of the law of grace. But this sign has now passed, and it threatens the lamentable downfall of our honour and glory. And so that I may moralize more closely, this day of atonement can denote the time of this council, through which such good things are expected by the whole world, and the atonement for acts offensive to God has been long awaited" (11. 444-50).
and Stump is thus mistaken in suggesting that "Accipiant" develops a progressive historicism in condemning abuses and exhorting reform.

Another way in which this sermon stands as an intentional sequel to "Surge" is seen in the second instance in "Accipiant" in which Fleming makes reference to his earlier sermon for the Epiphany:

A public exclamation has already been made against that diabolical abuse, against which I had inveighed on the feast of Epiphany, which is especially festering in parts of Germany. I do not speak of those who have been elected and confirmed, but rather of those despised and depraved ones who are most falsely plundering the goods of bishoprics, who not only do not bother to be consecrated but also, what is most nefarious indeed, do not wish to be ordained, living like tyrants rather than clerics. May this holy synod make provision under the most serious penalties and censures against this abuse and infamy of the church (11. 823-31).

This same concern for the problem of clerics in minor orders who pillage the wealth of bishoprics is found in the passage in "Surge" where Fleming wonders whether Bernard would regard the church’s sufferance of such men to be a dispensation or a dissipation.\textsuperscript{54} In discussing this passage from "Accipiant", Arendt suggests that "Vitale" is alluding to Wilhelm von Diest, bishop-elect of Strassburg, "a simonist of the worst kind, a brutal tyrant and a troublesome playboy".\textsuperscript{55} An account of the council’s proceedings against this notorious prelate on 27 June

\textsuperscript{54} See above, pp. 66-7.

\textsuperscript{55} "...einen Simonisten übler Art, brutalen Tyrannen und ärgerlichen Lebemenschen": Arendt, Predigten, 193, n. 132.
1416 records that

the reverend lord Robert, bishop of Salisbury, arose
and delivered a certain sermon in the name of the
council of Constance in which he condemned the evils
committed through the negligence of the bishop-elect of
Strassburg and his followers, namely the alienation of
the goods, lands and property of the church of
Strassburg.\textsuperscript{56}

This notorious abuse, in which a cleric in minor orders holds
a bishopric by dispensation, relying upon suffragans to perform
all of the sacerdotal duties attached to the episcopal office,
was also discussed by at least one other Constance preacher,\textsuperscript{57}

\begin{footnotesize}
\textsuperscript{56} "Levavit se reverendus Pater, Dominus Robertus Episcopus
Sarisburyensis, nomine synodi Constantiensis, & fecit certam
collationem. In qua correxit, mala commissa per negligentiam
Domini Electi Argentinensis, & suorum, videlicet de collapsione
(collapidatione) bonorum [sic], terrarum, & rerum ecclesiae
Argentiniae": Concilium iv., 792. Finke did not find the text
of this sermon (Acta ii., 453); nor does it seem to be among
those later discovered by Schneyer. At this session a committee
composed of two cardinals and two representatives from each
nation was struck to investigate the charges against Wilhelm von
Diest, the most serious one being that he had alienated
properties of the bishopric in order to finance his own marriage.
The case continued until the end of 1417; in 1420 Martin V
confirmed Wilhelm's claim to his diocese. For a synopsis of the
case see Lenfant, Histoire, 347-50; a more detailed analysis,
in incorporating several articles which Finke published on the case,
is found in H. Kaiser, "Die Konstanzer Anklageschriften von 1416
und die Zustände in Bistum Strassburg unter Bischof W. von
Diest," Zeitschrift für die Geschichte des Oberrheins n.s. 22
(1907): 387-455.

\textsuperscript{57} Arendt (Predigten, 195, n. 144) points out that this abuse is
treated by "Vitalis" in "Accipiant" and by Johannes Zachariah in
his sermon "Benedictus qui venit", delivered at Constance on 26
Dec. 1415. Zachariah's comments correspond even more closely to
Fleming's remarks on this abuse in "Surge": "It is not generally
expedient or wise to obtain privileges unless they are costly, so
that anyone may obtain a privilege, even someone who is not even
a subdeacon who, after he has governed a church, enters into
carnal matrimony" ("non expedit generaliter & sine discretione
priullegia nisi exorbitantia tollere, vt quod aliqui concedatur
priullegium, aut forte non subdiaconus, qui post quam rexit
ecclesiam, contrahit matrimonium carnale"): Walch, Monimenta i.
and the practice was condemned in the list of proposals compiled at the end of 1415 by the first reform committee at Constance.\textsuperscript{58}

Of the four types of papal dispensation attacked in this so-called "Common Collection" (delay of ordination, exemption from minimal age requirements, allowance of pluralism and of non-residence), it is the only one which Martin V treated in the reform decrees he issued before the council ended.\textsuperscript{59}

It is interesting to note that, within his discussion of the fundamental problems of simony and nepotism, this is the only specific abuse which Fleming discusses in either "Surge" or "Accipiant" and it appears in both sermons, with the latter

\textsuperscript{58} "That the pope may not grant a dispensation with any promotion to a bishopric or abbacy which allows that the candidate not be promoted in holy orders or consecrated to the priesthood within the period of the law unless it is with the consent of a majority of cardinals and with reasonable cause expressly given in writing, and then not beyond one year. And that all such dispensations made by the pope in the past should be revoked." ("...quod papa non dispenset cum aliquo promotu ad episcopatum vel abbatiam quod non teneatur ad sacros ordines promoveri vel ad sacerdotium vel consecrari infra tempus iuris sine consensu maioris partis cardinalium et causa rationabili in litteris specialiter expressa, et tunc non ultra annum dispenset. Et quod omnes tales dispensationes in preterito facte per papam reuocentur."): Stump, Reforms, 345. It is possible that Fleming was referring to this text when he mentions the "in medium exclamacio" against unconsecrated, unordained bishops; however, he describes it in the imperfect tense and his Epiphany sermon in the pluperfect. What this "exclamacio" was which "veniret" between 6 Jan. and 28 Mar. is unknown.

\textsuperscript{59} See Stump, Reforms, 143-5; and Tanner, Decrees i., 448-9. As Stump points out (p. 145), the other forms of dispensation were treated in the papal concordats with the various nations; it is noteworthy that only the English concordat addresses dispensations for pluralism and that its regulations regarding dispensations for non-residence are especially forceful.
making reference to the former. One reason Fleming focused on this issue may simply be that Wilhelm von Diest’s case was still fresh in the minds of his audience; but he may have also chosen to emphasize this problem because such dispensations are a perfect example of the kind of abuse which involves both the caput and membra of the church and thus shows how reform of the members depends to a great extent upon reform of the head. Fleming’s criticism of abuses in "Accipiant" clearly concentrates almost exclusively upon the papal curia, and at one point he expresses his hope that "this most false symoniacal plague against which I am inveighing may be utterly eradicated first from the mother of all churches and then from the others" (ll. 489-90). This emphasis on reform of the head is typical of reform thought at Constance. As Stump points out,

> the reformers [gave] priority to reform of the head... because they saw it as a vital prerequisite to the reform of the members; according to the prevailing hierarchical view, reform would extend down from the head to the members. Moreover, reformers saw abuses of the head as deeply intertwined with those of the members; it was in the context of papal dispensations, for example that they discussed the serious problems of pluralism, absenteeism, and lack of sufficient qualification of the clergy.⁶⁰

Another issue which concerned many participants at Constance was the discord which threatened to shatter the council before it could complete its work. In "Surge" Fleming had made a rather vague reference to the lack of charity between "brothers" and noted that it was Satan who had caused these conflicts at the

---

⁶⁰ Stump, Reforms, 138.
In "Accipiant" he repeats his suspicion of the diabolical origins of strife within the council, but he is much more specific in identifying the "brothers" in this struggle:

The enemy, Satan, is striving with his accomplices against this purpose [reform] in two different ways: the one, by the rupture of the council which is now called an assembly; the other, by schisms, dissensions and disturbances by which he now wishes not to gather the people, but to scatter, divide and dissipate them. These are his strategems, most famous fathers, because he spreads carnal hatred among nations with the intention that it will prevent the church from being reformed. When, I ask, has the good of the church prevailed except when the most glorious realms of France and England, and those two luminaries of the world, Paris and Oxford, have come together in love and a covenant of peace? In consideration of Him whose passion we observe today and who wished His body to be crucified for us, I ask that we all crucify whatever carnal hatred there is within us and strive together for the good of the church for which we have been called. And thus, through our peaceful deeds, peace among kingdoms can be more easily procured, and may this be conceded by the highest King of all kings, the Author and Lover of peace and Creator of kings (11. 841-52).

Fleming's intention in this passage is illuminated by a consideration of the political situation at Constance in March 1417. On 31 March, just three days after "Accipiant" was preached, Thomas Polton, the English protonotary, stood before the council and announced from the pulpit that he was presenting

---

61 See above, p. 83.

62 The text of this passage in Hardt's edition (Historia iii., 25) is significantly flawed; it is clear that he attempted to make sense of an obvious scribal error in the "MSCt Erfurtensis". In all manuscripts except the one at Pommersfelden, this sentence ends with the words "...Parisius et Oxonia concurrebant pariter in pacis federe et amore." The Pommersfelden copy omits "concurrebant pariter in pacis federe"; Hardt deleted "amore" and substituted the verb "adunientur" (p. 25), meaning "they may be joined together".
a sealed letter to the council on behalf of his nation; this
text, he said, was a response to the French protest of 3 March
against the right of the English delegation to sit at the council
as a separate natio, a complaint originally issued by Cardinal
D’Ailly the previous October.63 It is clear from the passage
cited above that "Accipiant" was partly intended to prepare the
ground for Polton’s rejoinder to the complaints of the French.
In a subtle fashion, Fleming’s very learned and rhetorically
powerful sermon was probably designed to enhance the prestige of
the English delegation.64 But more importantly, this passage
shows how Fleming used his reform sermon as an opportunity to
suggest that the purpose of the French in opposing English rights
was ultimately to block efforts to reform abuses in the church.
Thus, Fleming was no doubt alluding to Cardinal D’Ailly and other
prominent French delegates in his audience when he mentioned the
"satellites" who assist Satan in sowing "carnal hatred among
nations with the intention that it will prevent the church from
being reformed."

The attempt of the French to deprive the English of their
status as a separate natio within the council is a well-known
case, thanks especially to the French cardinal Guillaume

63 See Fillastre’s account in Loomis, Constance, 329 ff. For an
earlier petition delivered by Polton to the council, see below,
p. 129, n. 70.

64 See below, pp. 133-6. Crowder ("Henry V," 103) points out
that it was in response to French efforts to deprive the English
of their separate nation status that Henry V "added to the number
and dignity of his delegates" in late 1416. Fleming was probably
a member of that late contingent; see above, p. 91.
Fillastre who copied down Polton's response. Although it has received much scholarly attention, the Anglo-French conflict has never been considered before within the context of the priority struggle, presumably because of the assumption that this conflict did not really begin until April of 1417. While Crowder does mention the French attack on the status of the English delegation as part of "the background" to the priority struggle, Fleming's insinuation that the underlying cause of the Anglo-French dispute is the attempt of the French to derail reform makes it clear that the connection between these issues was much more direct. Thus, it seems reasonable to suppose that the Anglo-French dispute of March 1417 over the status of the English delegation was a skirmish within the priority struggle which was, to some extent, already underway. Earlier in "Accipiant", in reaffirming the point he made in "Surge" that reform must precede union, Fleming warns against further delay of reform in terms which clearly anticipate the coming priority struggle:

The Lord surely called us for the sanctification or reformation of the church at the Council of Pisa. But we adopted the voice of the raven, saying and promising: "tomorrow, tomorrow (cras, cras) we shall


66 See above, pp. 80-2.

enact reform." Therefore, the flood of the stormy schism has continued until now and, alas, things have gone from bad to worse. And if, pretending that we wish to secure this union, we foolishly defer the reform of the church in the same way by saying "tomorrow we shall enact reform" (which single tomorrow I believe will become a thousand), then undoubtedly the worse things will be superceded by the worst because, through this raven's voice by which we hinder reform with frivolous procrastination, the serene and gentle breeze of desired peace shall never be proclaimed. For it is quite impossible that union in a genuine pastor will persevere or flourish without the reformation of the church in its members and especially in its head (ll. 534-46).  

Thus, although the French attack on English rights had begun some months earlier and was surely motivated by a melange of political and ecclesiastical interests related to the long-standing conflict between England and France, its eruption at this particular time, when Benedict XIII's deposition was impending, suggests that the French, led by Cardinal D'Ailly, were attempting to deprive the English of their right to sit as an independent nation, and thus to be reassimilated into the German nation, so that Sigismund and the natio Germanica would be isolated on the reform-election issue against the three Latin nationes. Indeed, it seems likely that Fleming's announcement of English priorities in "Surge", coming just before Sigismund's return to Constance, was one of the factors which motivated the

---

68 Compare Peter of Pulka's sermon, "Ite, ostendite vos sacerdotibus", of 6 Sept. 1416 in which the delay of the papal election is described in similar terms: "Non est vox ista prophetica...sed est vox corvina et dyabolica: cras, cras!": Finke, Acta ii., 466.

69 With the last line in this passage Fleming unites the common belief in the priority of reform of the head with his position on the priority of reform before election.
French to intensify their campaign against the separate status of the English nation.

The attitude of the English at Constance with regard to reform has been variously interpreted. Allen D. Breck remarked that "although the council had been summoned to consider three problems: reform, union, and heresy, the English stood out in their single-minded and obstinate adherence to only one of the principles -- the reform of the Church 'in head and in members', to the relative exclusion of the other two." E.F. Jacob posited an opposite view in stating that "to English eyes unity and orthodoxy were of greater significance than reform.... The reforming current in the English Church...was personal, individualistic rather than organized and controlled." Although Jacob's overall contribution to the field has been much more influential (and prolific), on this particular issue it is Breck's perspective that has prevailed in light of subsequent research. Indeed, perhaps the most significant finding of the present study is not so much the determination that "Accipiant"

---

70 Alan D. Breck, "The Leadership of the English Delegation at Constance," University of Colorado Studies, ser. B, i. no. 3 (1940): 289-99, at p. 294. In arguing that the English were primarily concerned with reform, Breck cites the petition which Thomas Polton, the English protonotary, read to the council in late 1414 asking that the council delay discussions of reform until the main body of English representatives will have arrived; in the meantime they should proceed against heresy. He then says that this is an important document because "it is one of the few early documents in which the papal election is subordinated to the cause of reform" (p. 290); the full text was edited by Finke in Acta ii., 197-8.

was Fleming's (not Vitale's) sermon, but rather that it was an English (not a French) sermon. Not only does this mean that an Englishman preached one of the harshest reform sermons delivered at Constance, but it also reveals that the English position on the primacy of reform before union, as voiced by Fleming in "Surge" and especially "Accipiant", was announced well before late April of 1417 when Sigismund declared his intention to delay the papal election until substantive reform had been achieved, though he probably had come to that decision much earlier.

Phillip Stump asserts that the English delegation at this council, under the leadership of Robert Hallum and guided by the reform proposals of Richard Ullerston and those of the University of Oxford, exercised considerable influence in the deliberations of the reform committees; he also acknowledges that the English Concordat of 1418 went well beyond those of the other nationes in attempting to enact significant and enduring reform of ecclesiastical abuses. Indeed, given the English delegation's preoccupation with reform, one would expect to find one of its members preaching a sermon attacking clerical abuses and exhorting the council to enact significant reforms at the outset of the priority struggle of 1417. Clearly, Richard Fleming's reform sermon for Passion Sunday, "Accipiant, qui vocati sunt", ...

_72_ Stump, _Reforms_, 145-50, 209. See also, Harvey, "Views", 158-215. It was E.F. Jacob, despite his belief that reform was only a minor concern for English delegates to Constance, who first recognized Martin V's concordat with the English church as a significant achievement; see his article "A Note on the English Concordat of 1418," in _Medieval Studies Presented to A. Gwynn_, J.H. Watt ed. (Dublin, 1961): 349-58.
accomplished exactly that, and in very strong terms. As such, it surely constituted an important contribution to the efforts of English reformers at the Council of Constance.

"Ecce"

Further evidence of Fleming’s concern for clerical reform is seen in all of his last three sermons at this council, the eulogies for William Corff, Robert Hallum and Francesco Zabarella, which are treated in the next two chapters. But Fleming’s third known sermon at Constance, "Ecce sedes posita in celo" contains no mention of reform, or of the problems of schism and heresy. Yet it does contain elements which correspond to concerns raised in "Surge" and especially "Accipiant", which indirectly relate to the issue of reform and to the political situation at the council.

"Ecce", which was unknown to Finke and Arendt, was discovered and edited by J.B. Schneyer. 73 Delivered on 6 June 1417 for the feast of Trinity Sunday, 74 this purely "academic" sermon presents a sophisticated discussion of trinitarian theology based on numerous biblical, patristic and scholastic sources. In his introduction to the edition Schneyer remarked on how "Ecce" reveals both the scholastic erudition and the


74 Schneyer identified "Ecce" as another Epiphany sermon for 1417, but it was surely delivered on Trinity Sunday, 6 June 1417; see my article "New Dating for 'Ecce sedes posita in ceelo': A Sermon by Richard Fleming at the Council of Constance," Notes and Queries 240, no. 4 (Dec. 1995): 433-4.
speculative ability of the preacher.... Here we become acquainted with an academic sermon which sets the knowledge and cleverness of the preacher in a clear light....

Considering the emphasis Fleming had placed on reform in his two previous sermons and the fact that the same concern, as shall be seen, is also a significant element in his later funeral sermons, it is at first glance surprising to find that Fleming preached this seemingly anomalous Schulpredigt without making any reference to the council and its goals of reform. But a closer examination shows some points of continuity between this and his two previous sermons. The key to understanding these is suggested by Schneyer's point that this sermon shows off the preacher's knowledge and abilities in "a bright light". Although all of his sermons at Constance contain elements which suggest Fleming's interest in self-promotion, this seems to have been the primary motivation in his delivery of "Ecce" at this council.

In "Accipiant" Fleming had remarked that one defect in the church which stands in the way of reform is the paucity of secular clergy trained in theology in the highest ranks of the ecclesiastical hierarchy:

Although I recommend the science of theology, I do not reprove the other honourable faculties, yet I cannot overlook with a congenial eye, indeed I am amazed with

75 "Sie bezeugt sowohl die scholastische Erudition wie die spekulative Kraft dieses Predigers.... Wir lernen hier eine Schulpredigt kennen, die das Wissen und die Gewandtheit des Predigers in ein helles Licht stellt....": Schneyer, "Texte," 222.

76 This is also probably the case in his eulogies for William Corff and Francesco Zabarella; see below, pp. 148-9, 226-7.
wonder and I wonder with amazement, that in this holy
general...council, except for the venerable religious,
who are suckled completely in that science, I do not
see more than two prelates who are doctors of sacred
theology (ll. 800-5).”

Thus, it seems likely that Fleming intended "Ecce" as a means of
advertising his own qualifications should anyone who was (or
would later be) in a position to do so wished to redress that
imbalance. While "Surge", with its discussion of the Creation in
terms of logos theology,?8 and "Accipiant", with its treatment
of predestination and free will in its prothema (ll. 19-40), had
provided Fleming with opportunities to display his theological
acumen in brief, in "Ecce" he was able to devote an entire sermon
to expounding a crucial and difficult tenet of the faith: the
nature of the Trinity. This exercise in self-promotion is,
however, tempered with Fleming's usage of the standard trope of
humility and unworthiness which is so notably absent from his
first two sermons; at the beginning of the exordium to "Ecce", he
states that he shall treat such a sacred subject, "despite my
defect."?9

Another aspect of promotion in "Ecce" is corporate rather than
personal; it has to do with Fleming's desire to bolster the
reputation of the English church, no doubt partly in response to
the French attack on the status of the English nation to which he

?7 This passage is mentioned by both Finke (Acta ii., 377) and
Arendt (Predigten, 171, n. 82; 200, n. 183; 201, n. 192).

?8 See above, p. 52.

alluded in "Accipiant". Fleming attempted to do this in all of his first three sermons at Constance by placing significant emphasis upon authorities from the ecclesia Anglicana. In "Surge" Fleming had explicitly ranked Grosseteste, with three saints: Ambrose, Augustine and Bernard. In "Accipiant" he cited Peter of Blois, the celebrated ecclesiastical author of late twelfth-century England, on six separate occasions, including one very long quotation, part of which is cited above, in which Peter harshly criticizes clerical abuses; thus, Blesensis is placed, according to Fleming’s usage, on a level with Augustine, Jerome and Gregory in this sermon. Finally, in "Ecce" Fleming on several occasions cites "noster Pecham", referring to John Pecham, archbishop of

---

80 Finke noted how "particular preachers also had their favorite national authors, as the English did with Lincolniensis, i.e. Robert Grosseteste." ("Daneben haben einzelne Redner auch ihre nationalen Lieblingschriftsteller wie die Engländer den Lincolniensis, d.h. Robert Grosseteste.") Acta ii., 377. This is not to say that non-English preachers neglected Grosseteste, but it is noticeable how he is so prominently cited by Fleming in "Surge"; by Henry Abingdon in "Sitis" (Walch, Monimenta i. 2, 190, 192); by Robert Gilbert in "Ascendimus Iherusalem" (Berlin, Staatsbibliothek, MS 413, ff. 7v, 10v); and especially by the English preacher of "Te es" (Schneyer, "Texte," 176, 177, 188, 195, 196, 199, 212, 213, 216).


82 See ll. 204-5, 242-4, 248-52, 277-9, 391-404, 646-56.

83 See above, p. 113.
Fleming's promotion of the English church would naturally be implicit in his eulogies for two of its sons who had died at the council: William Corff and Robert Hallum; it is, of course, not surprising to find that an interest in English sources does not appear in his funeral sermon for the Italian cardinal, Francesco Zabarella.

Another, more subtle, way in which Fleming promotes the English church is evident in his choice of the thema for this sermon. The pericope from Apocalypse 4:2, "Ecce sedes posita in celo", is not found among the readings for Trinity Sunday in the Roman Missal, but it is in the first lectio for that feast in the Missale Sarum. A similar example of what may be termed "liturgical nationalism" is seen in the prothema of Fleming's next Constance sermon, "Quod mortuus est", where he notes that the words of his thema "are contained in the Sunday epistle of the present week, at least according to us [English] who refer to the Sunday on the octave of the Trinity as the first" (II. 6-8). Fleming is referring here to the English custom of counting

---

84 Schneyer, "Texte," 223, 224, 227. Fleming may also refer to Pecham when he cites "ille Cantuarenensis in quodam responsorio..." (p. 226); Schneyer supposed that this is a reference to Anselm but the work cited is ambiguous and when Fleming cited Anselm previously in the sermon (p. 225) he referred to him only by name, not by title; although both men were archbishops of Canterbury, Fleming mentions only Pecham as "totius Anglie primas" (p. 224).


Sundays as they follow the feast of the Trinity, in contrast to the general practice of numbering them after Pentecost, the Sunday immediately preceding Trinity Sunday. Thus, the text of his thema is found in the Sarum Use for "Dominica sexta post festum Trinitatis", but not in the Missale Romanum for "Dominica septima post Pentecosten". Finally, in the prothema to his funeral sermon for Robert Hallum, Fleming states that "among the various missals, it seemed to me appropriate for the divine services at the funeral of [the bishop of] Salisbury that the missal of the church of Salisbury, the most famous one used in the English church, should be heard."

Thus, while "Ecce" stands as something of an anomaly when compared to Fleming's other Constance sermons, in that reform is not explicitly or implicitly treated, it does contain several

---

87 See Legg, Missal, 178. This means that the traditional dating of this sermon is about a month too early; see below, pp. 143-4.

88 See Lippe, Missale i., 266-7. In fact, this line from Rom. 6:10 is not found anywhere in the Roman Missal.

89 "Inter tamen varietates usuum, de divinis congruere michi videbatur in Sarisbiriensis obitu, ordinarium confremani ecclesie Sarisbiriensis quod in ecclesie Anglicana famosissimum observandum.": Klosterneuburg, Stiftsbibliothek, CC1 84, f. 81ra. Bishop Hallum, in his sermon "Erunt signa in sole et luna", delivered at Constance on 8 Dec. 1415, similarly notes that his thema from Luke 22 is derived from the Gospel reading for the present Sunday "secundum usum et observanciam ecclesie Anglicane": Finke, Acta ii., 424. It is worth noting that Hallum himself played an important role in promoting the widespread observance of the Sarum Missal within England; see Catto, "Change," 108-9; and Jacob, Essays, 76-8. Neither Henry Abingdon (Walch, Monimenta i. 2, 183-6) nor Robert Gilbert (Finke, Acta ii., 486) makes any reference to the Sarum Use in citing their sermons' themae; nor does the anonymous English preacher of "Tu es" (Schneyer, "Texte," 181).
points of interest which relate to issues raised or approaches taken in his other sermons at this council. As the next two chapters will show, Fleming returned to the issue of reform in the three funeral eulogies which comprise the remainder of his known sermons at Constance. And in the first of these, the eulogy for William Corff, he again discusses the problem of heresy and its relationship to reform.
Chapter Four: "That he died, he died but once" and "His spirit will be in glory"

Preface

In his brief discussion of the seven sermones in obsequiis from Constance that were known to him,¹ Paul Arendt points out that funeral sermons provided an excellent opportunity for preaching on morals and thus for exhorting the audience to strive for personal and corporate reform. He then notes that "this is especially so in the funeral sermons for Bishop Robert Hallum and Master Corff."² As the following discussion will show, there are indeed many examples in Fleming's eulogy for William Corff which reveal his continuing interest in promoting the reform of clerical abuses. This theme is also apparent in his funeral sermons for Francesco Zabarella, treated in the next chapter, and for Robert Hallum; but because of the difficulties in compiling a

¹ In addition to the eulogy for Richard Dereham (see below, pp. 191-4), there was probably at least one other eulogy at Constance which was unknown to Finke and Arendt, though it was mentioned by Hardt (Concilium iv. fasti, 38) who noted that a funeral sermon was delivered on 7 June 1416 (Pentecost) for the reformer Dietrich of Niems. Finke (Acta ii., 445-6) lists three sermons for this date, but none seems to be a eulogy. There is also the oration by Poggio Bracciolini for Francesco Zabarella (see below, pp. 202-3), but because it is not a proper sermon, Arendt only mentions it in passing.

² "Stellen die Verstorbenen als Vorbilder für die Lebenden, die Hörer, hin und benutzen zugleich die Gelegenheit, um zur Selbsterkenntnis und Buße zu mahnen, gegen Mißstände zu eifern und auf deren Beseitigung zu dringen,...besonders in den Trauerreden auf Bisch. Rob. Halam und Mag. Corff": Arendt, Predigten, 107, n. 149. It should be borne in mind that Arendt did not work from manuscript sources, and so only knew of these two eulogies from the excerpts that had been published by Georg Leidinger and Jean-Marie Vidal; see below, p. 142, n. 9; and p. 162, n. 40.
reliable edition of the latter sermon, it is treated primarily with reference to published excerpts of the sermon, though a few passages, which were not among those that have been edited, are reproduced from the best known manuscript copy.

What is most interesting about the reform message in these sermons is the fact that Fleming does not simply extoll the virtues of the departed and, in the eulogies for his countrymen, point out how they contrast with the vices of corrupt churchmen. He also frames his praise for Corff, Hallum and Zabarella within an exposition of moral theology and soteriology which aligns with a statement he had made in his first sermon at Constance; indeed, there seems to have been an intentional connection between Fleming’s first two sermons and his three eulogies. In "Surge", when Fleming first defined the three problems facing the church, he stated that clerical abuses have been caused by "the anxiety and terror of death" which must be overcome by "clarity and delight". Although he did not expound this proposition in that sermon’s membrum tercium which is devoted to abuses and their reform, Fleming did go on to treat the issue of death and abuses in "Accipiant", which stands as an intentional sequel to his Epiphany sermon. The first indication

---

3 See below, p. 165, n. 50.

4 This is only one of several points of contrast between the eulogies for Corff and Hallum and that for Zabarella.

5 Again, the anomalous nature of "Ecce" is apparent. See above, pp. 131-2.

6 See above, p. 53.
of this topic is seen early in that sermon where Fleming cites Isaiah 28:15 in pessimistically doubting, in what is surely a rhetorical conceit, that the council will ever enact effective reforms because "Alas, alas! 'We have concluded an alliance with death and we have made a pact with hell'" (ll. 276-7). This subject, however, is not mentioned again until near the end of "Accipiant", and even here Fleming treats it only briefly in pointing out how death is to be feared especially by those who commit the mortal sins of ecclesiastical abuses:

Truly the abuses permitted in the church are dead works, since they induce spiritual death and finally promote eternal death, regarding which death the warning is given in the second part of today’s Gospel coming now as a proposition: "Truly, I say to you, if anyone should keep my word, he shall not taste everlasting death." But for now I refrain for the sake of brevity from discussing the various meanings of death which would be most pertinent. For the present: these are our dead works, namely our many crimes (ll. 692-700).

Fleming then elaborates on these "dead works" by citing two quotations from Gregory the Great in which the saint lamented the magnitude of sins committed by those "'who are called priests but are not', whose "'faults sharpen the swords of enemies who oppress the men of the republic'" (ll. 705-7). "'The Lord tolerates no greater prejudice by others than that by priests when those who should give correction to others are themselves perceived to be examples of depravity'" (ll. 711-13).

Fleming’s statement that he is unable to discuss this topic

7 The reference to enemies who are aided by clerical abuses may be yet another allusion to heretics, although Fleming never mentions heresy in "Accipiant".
fully because of the constraint of time admittedly does not constitute a promise to treat the issue at a later date, as he had done in "Surge" with respect to the issue of abuses and reform. But it does suggest that there is much more to be said on this important topic which, given the opportunity, he would readily do. It is probably no coincidence, then, that Fleming’s three subsequent funeral sermons directly address the issue which he had raised in "Surge" and only briefly treated in "Accipiant". Indeed, the preceding passages from Fleming’s sermon for Passion Sunday focus exclusively on the negative side of the issue, namely spiritual death and damnation for those who pollute the church with the sins of clerical abuses; but Fleming’s eulogies accentuate positive examples of churchmen whose lives are held up as an example, or speculum, to the living, though in the sermons for Corff and Hallum this also involves a discussion of the type of abuses the deceased had been able to avoid themselves and had sought to correct in others. Thus, the eulogies accomplish the task set out in "Surge" but not fulfilled in the short discussion of sin and spiritual death in "Accipiant", for these funeral sermons were clearly intended to inculcate in their audience a sense of "clarity and delight" regarding the hereafter in order not only to offer consolation to the bereaved, but also to promote the council’s work of reforming the head and members of the church.

This reconstruction of Fleming’s intentions would require that he had carefully planned from the beginning to serialize his
preaching at Constance. While this was clearly the case in terms of his first two sermons at this council, Fleming could hardly have anticipated that he would be delivering a funeral sermon in which he would be able to discuss this topic in detail. But the same issues could have been treated just as easily, though perhaps not quite so effectively, in another type of eulogy: a sermon for the feastday of a saint, perhaps a martyr. This, in fact, may have been Fleming’s original intention, but the opportunity to deliver an eulogy presented a much better venue for his exposition of not only clerical abuses and eternal death, but also clerical virtue and eternal life.

"Quod"

Before discussing Fleming’s eulogy for William Corff, "Quod mortuus est", there is an error in previous scholarship which should first be corrected. Georg Leidinger, who edited excerpts

---

* The ideal subject, of course, would have been St. Thomas Becket, for this would have allowed for both the commendation of clerical virtue and the promotion of the ecclesia Anglicana; but Becket’s feastday (29 Dec.) would have been over nine months after "Accipiant" was delivered and so would not have been the best venue for a sequel to Fleming’s first two sermons of January and March. It is curious that the only known sermon on Becket at Constance was delivered in 1416 by an Italian, Bishop Jacob of Lodi, one of the most prolific preachers at Constance; the text survives in numerous manuscripts, but it has not been edited beyond the incipit provided by Finke (Acta ii., 426). According to Richental, in 1416 the English delegation observed Becket’s feastday with especially elaborate services, which presumably included this Italian bishop’s sermon; see Loomis, Constance, 146-7.
of this sermon, dated it to the week following 21 June 1417.' Yet the rubrics and colophons in the known manuscript copies of this sermon mention only the year. Thus, Leidinger must have dated it to the week after 21 June, which in 1417 was the octave of Trinity Sunday, by misinterpreting Fleming's comment in the sermon's prothema which states that the words of the theme "are contained in the Sunday epistle of the present week, at least according to us [English] who refer to the Sunday on the octave of the Trinity as the first" (ll. 6-8). As noted above, the text of this sermon's thema is nowhere found in the Roman Missal; but it does occur once in the Missale Sarum in the readings for Dominica sexta post festum Trinitatis, which fell on 18 July in 1417. Thus, in mentioning the octave of Trinity Fleming was

---

9 Georg Leidinger, Andreas von Regensburg, Sämtliche Werke, (Munich, 1903): 252-6 at p. 253; for his manuscript sources, see pp. LXI-LXIII. Finke (Acta ii., 496) and Arendt (Predigten, 263) both accepted Leidinger's dating of this sermon. There are also several short excerpts from this sermon in Jean-Marie Vidal, "Un recueuil manuscrit de sermons prononcés aux Conciles de Constance et de Bâle," Revue d'Histoire Ecclésiastique 10 (1909): 493-520 at p. 499. Working from a manuscript which provides no date for this sermon and unaware of Leidinger's work, Vidal believed that "cet éloge funèbre a été prononcé à Bâle." For Vidal's manuscript, which has been "missing" since he studied it, see below, pp. 168-9.

10 In the margin adjacent to the phrase "in octava trinitatis" in his edition, Leidinger added a note reading "Juni 21." (p. 253).

11 See p. 136.

12 C.R. Cheney, Handbook of Dates for Students of English History, (London: Royal Historical Society, 1945): 125. In describing the copy of "Quod" in Vienna, Ö.N.B., MS lat. 4922, Michael Denis came much closer to the correct date than Leidinger, dating it to "intra nostram Hebdomadam Dom. VI. post Pentec.": Denis, Codices ii. 1, 1446. His error, or perhaps the printer's, was in using Pentecosten instead of festum Trinitatis.
not actually dating his sermon, as Leidinger supposed; rather, he was indirectly citing the Sarum Missal. Therefore, Fleming's fourth known Constance sermon was surely delivered during the week of 19-24 July 1417, a month later than Leidinger suggested.

The contrast between this eulogy and Fleming's earlier sermons at Constance is immediately apparent in that, as the occasion would require, the language is richly emotional, but not so much in terms of the righteous outrage seen in "Surge" and especially "Accipiant", but rather in expressions of the sadness of mourning and the joy of consolation. This more affective approach in "Quod" is seen in a comparison of the Marian devotions which conclude the prothema of these sermons. Whereas the invocations to Mary and requests for her assistance are relatively brief and fairly formulaic in "Surge", "Accipiant" and "Ecce", in Fleming's eulogy for William Corff the section is much longer, beginning with a series of evocative images of Mary's suffering at Calvary (ll. 11-32); and instead of a petition to the Virgin asking for her assistance in delivering the sermon, there is a dramatic plea for her intercession on behalf of the soul of the deceased, now in purgatory, which involves enthusiastic expressions of joy at the prospect of salvation:

You who "uncover with the most abundant charity the breast of mercy to all so that from your fullness all may receive: redemption for the captive, protection for the weak, consolation for the sorrowful, forgiveness for sinners, glory for the just and joy for the angels",...O most compassionate mother of mercy, have mercy on our deceased, your servant! O most pious redeemer, release this soul held captive in punishment. Console the sad illness with the medicinal cure of misery, the assurance of the afflicted! May you now be
a conduit of mercy\textsuperscript{13} for him.... And may your great hand, O light of all spirits and splendour of mercy, choose to put his spirit, freed from this prison, with the just in their glory, with the angels in their joy! "Hail!" Free the soul of your servant from torments. And "full of grace!" Confer the glory of paradise on him because you shall give grace and glory to the Lord. "The Lord is with you," O most serene of virgins, and He cannot deny what you request on behalf of the wretched. For you, who were made the mother of Christ on account of sin, are bound to intercede on behalf of the miserable. "Blessed be you among women", who gave birth to peace for men and to glory for angels, "and blessed be the fruit of your womb" (11. 32-50).

The affective and ultimately optimistic tone of the eulogy thus established, Fleming then repeats his thema, "That he died, he died but once; but that he lives, he lives in God" (Rom. 6:10), and addresses his audience of "most reverend lords and fathers, all of whom shall come to the judgment of death" (11. 52-3). This is followed by a "four-fold discussion of death" in terms of nature, "the general mistress of all fears", by which we must all die; guilt, "the criminal duchess of all evils", in which sinners who seem to be alive are spiritually dead; grace, "the principal remover of all vices", obtained by the denial of bodily desires; and hell, "the perennial deprivation of all

\textsuperscript{13} In his eulogy for Hallum, Fleming again uses the term "vena", translated here as "conduit", in petitioning Mary to be "a conduit of clemency" ("vena clemencie"): Klosterneuburg, Stiftsbibliothek, CCl 82, f. 81rb. An interesting contrast between these sermons is seen in the treatment of mourning in their prothema; whereas "Quod" explores Mary's grief for her crucified son, in Hallum's eulogy Fleming recounts the public grief for this famous prelate which was displayed during the procession which brought Hallum's body from a nearby castle where he had died to the cathedral for burial (ff. 80vb-81rb).
goodness", which is true death (ll. 59-66). Fleming asserts that Corff,

our venerable master and doctor, concluding the life of nature with a life of grace so that he would be free and exempt from the danger of the second death, learned from zealous men to despise deadly crimes.... And may our devotion be piously and completely confident that the one to be raised is transferred by this temporal death, by which "he died once" not to die again, to the rewards of eternal life, after the completion of purgation, in which he shall be victorious in God. Therefore, proposing to apply this short text regarding his person, for both life and death, temporal and eternal,...I recite the chosen apostolic theme: "That he died, he died but once; but that he lives, he lives in God" (ll. 67-78).

Fleming’s formal approach in "Quod" departs from the standard practice of dividing the sermon into three membra; instead, he treats each half of the epistle pericope in turn, beginning with Corff’s temporal but not eternal death: "that he died, he died but once." He states that he will discuss this "temporal separation of the eternal spirit" from the body in terms of three exhortations to his audience:

First, look into this mirror and recall what kind of a man he was who "died" and this is your example for living; second, recall a friend and be compassionate for him who recently flourished and now "has died", and may this scourge of fear strike you; and third, you have mourned his loss but be consoled that he escaped

14 Each of these distinctions includes a short biblical text; significantly, it is only the third of these which comes in the form of exhortation: "‘mortificate membra vestra’, inquit Apostolus" (l. 64). A parallel division is given at the beginning of the sermon’s membrum secundum; see below, p. 165.

15 In beginning his discussion of the first half of his thema, Fleming notes that he has already stated that this would be the topic of the first part, but he repeats it for the benefit of his audience because "in the terrible hour of death all clarity will be lost in tears" (ll. 79-80).
danger because "he died but once", and this is your solace (ll. 83-8).

Fleming then briefly describes Corff's background, rank, order and the offices he held in the English church and the University of Oxford. Much of this information is known through other sources, including the fact that Corff attended the council as Archbishop Chichele's proctor. But Fleming also claims for Corff a position which is not mentioned in any other source; according to Fleming, Corff had also been "named procurial ambassador and special nuntio by his mother, the University of Oxford, because of his skill in diplomacy" (ll. 97-101). Thus, if Fleming was also an ambassador of the University of Oxford, as one source claims, he and Corff were colleagues in officially representing their alma mater at this council. But their relationship was apparently much closer than this, for Fleming explains that Corff had been his own mentor in the theology faculty at Oxford:

16 Emden's entry for William Corff (BRUO i., 487) does not mention that he may have represented Oxford at Constance; while he does cite Finke's entry for "Quod", Emden does not mention Leidinger's edition of excerpts from it, which includes this reference to Corff's role as an emissary for Oxford (Andreas, 254). Despite the lack of corroborating evidence, Crowder accepts Fleming's claim for Corff, noting that "better evidence for his proctorial authority than Fleming's could hardly exist, for Fleming enjoyed as great a reputation as any Oxford man at Constance": Crowder, "Aspects," 152. Crowder also notes that, because their delegation was relatively small, such cases of multiple constituencies were quite common among the English at Constance; for example, Thomas Spofforth, abbot of St. Mary's, York, was simultaneously the representative of the Province of York, the English Benedictine chapter, the king and Bishop Langley of Durham; see "Aspects," 168-170A.

17 See above, p. 73, n. 36.
O most beloved father, mirror of masters and lantern of doctors! Indeed, my father: I address you in this particular way because it was under your exalted mastery that my unworthy and unmerited apprenticeship reached the apex of the doctorate (11. 102-5).

On the surface, this autobiographical glimpse seems to stand as a point of contrast between this eulogy and Fleming’s first two sermons, for here, as in his subsequent funeral sermons, Fleming readily engages in the kind of self-abasement which is found in most Constance sermons in the form of a captatio benevolentiae. On a rhetorical level, the reason for this significantly different approach is simply that the source of moral authority has shifted from the preacher, clothing himself in the prophetic persona in the reform sermons, to the persons being eulogized. Even so, Corff, constructed by Fleming as a paragon of clerical virtue, is shown to have been exceedingly humble in his moral rectitude: "when you were alive you did not, according to the undoubted testimony of all who knew you, strive for adulation from humans in anything, either from superiors, peers or subordinates" (11. 113-15). It is interesting, and indeed ironic, that Fleming’s statement of humility comes just before his praise of Corff as someone who did not seek praise, especially since Fleming had just characterized himself as Corff’s intellectual progeny. In fact, in the very next line Fleming reiterates this construction of a paternal-filial relationship: "let the son now reveal…the greatest merits of

———

18 See below, p. 218, n. 40.

19 See above, p. 61, n. 20; p. 107, n. 36.
Thus, even in conforming to his audience's expectation of a statement of clerical humility, Fleming was clearly promoting himself; in effect, his depiction of his "father's" character serves to advertise his own, and thus it is not unlike his exercise in self-fashioning in "Accipiant", except that in this case there is no rhetorical justification.

Having enjoined his audience to "look into this mirror and observe what kind of man he was", Fleming states that he shall "ignore the matters of order, rank and office" because to say that he was a priest and a doctor does not necessarily praise him as a model for imitation. For behold: the world is seen to be full of priests and masters. Yet "there are many priests and there are few priests: many in name but few in deed." ...And, look, "like locusts they overwhelm the whole world who, while aspiring rashly for the seats of masters, do not even deserve to be distinguished with the name of student" (ll. 118-26).

In contrast, Corff, who has been "placed before us as an exemplar of the salvation to come,...determined to fortify himself in the duty of the ministry with every kind of honest righteousness in his life and deeds." This statement is interpolated with three sententiae from Gregory the Great that Corff "contemplated in the recesses of his mind", the last of which Fleming had previously cited in "Accipiant" in his short discussion of "dead works":

"No one does greater harm in the church than he who perversely holds the name or rank of priest.... Evil priests are the cause of the people's destruction; for who would offer himself as an intercessor for the sins

---

20 This is repeated once more near the end of the sermon (ll. 370-1); see below, p. 160.

21 See above, pp. 107-9.
of the people, if a priest, who should pray, commits even more serious sins?... The Lord tolerates no greater prejudice by others than that by priests when those who should give correction to others are themselves perceived to be examples of depravity" (ll. 127-39).

Fleming then examines the particulars of Corff's moral character, focusing on his chastity which he recalls "especially among others":

Transcending the flesh and the perils of wantonness from his youth's lust for flesh and shunning enticements, he most truly preferred for himself the excellence of chastity" (ll. 139-42).

This is followed by quotations attributed to Jerome, who extolled the "belt of chastity" as the key to virtue, and Cyprian who praised pudicitia as the most ennobling of virtues. Corff's commitment to chastity not only kept him from sexual sin, but also led him to exhort others to resist the temptations of the flesh:

For whomever he lived among, whether young boys or men of various ages, he never took part in wantonness, either in word or deed, even when he was tempted to it by others. This purest of priests is recalled with approbation. And he took special care to restrain the young students from the attractions of debauchery with diligent and constant effort, wishing to warn them, even before he had attained the office of public preaching, about the stench of depravity, which he did not learn by experience (ll. 150-8).

Having pointed to Corff's natural inclination to moral instruction, both by example and by teaching, Fleming next

\[\text{22} \text{ Fleming also cites this text from the Pseudo-Cyprian De duodecim abusioibus in his eulogy for Robert Halsum; see Klosterneuburg, Stiftsbibliothek, CCl 82, f. 83rb.}\]

\[\text{23} \text{ This line seems to suggest that the greatest temptation to sexual sin was homosexual in nature.}\]
praises him in terms of the important conjunction between the educational and the sacerdotal functions. Fleming begins with a passage "prudently observed" by Corff in which Jerome asserts that "'it is the duty of priests to respond to those inquiring about holy law because a priest not knowing the law of God proves that he is not a priest'" (ll. 160-2). After serving as a regent in the arts studium at Oxford, Corff rejected civil law, "for which he had been chosen by others", and in contempt of the world he entered the "humble summit of the priesthood" and began to study theology, "the immaculate law of God", in which he soon ascended to "the sublime chair of doctoral eminence" (ll. 163-71). Once he attained this position, Corff's career embodied Augustine's well-known dictum: "a doctor of holy scriptures should be both a defender of the faith and a victor over error" (ll. 171-3). And indeed, Corff found many opportunities at Oxford "to devote himself to this particular virtue":

For among the doctors and other masters of our realm, both in writings and in solemn sermons, determinations and lectures, he fought against the errors and heresies of that pestiferous Wyclif, that hateful thorn which grew up in the most lovely and flourishing rosebed of Oxford, sparing absolutely no person, even those of doctoral rank, from the sword of rebuke (ll. 173-9).

This passage reveals the same concern that would motivate Fleming a decade later when he founded Lincoln College, Oxford. Indeed, it may be seen, together with his preface to the Lincoln statutes -- which is often cited in terms of its statement that the

---

Note that in the next line he makes it clear that by "God's law" he is referring to theology.
purpose of the college is to train theologians for the fight against heresy -- as something of a manifesto for this future patron of theological studies.\(^{25}\)

The relationship between clerical reform and the response to heresy, treated above in the examination of "Surge,"\(^{26}\) is suggested by the fact that Corff's efforts against Wyclifism seem to be a natural product of his righteous living (chastity) and his love for God's law (theology); moreover, Fleming next states that "this holy zeal of this magisterial spirit" (l. 179) which had led him to fight heresy at Oxford also guided his actions at Constance, where he always performed his diplomatic duties with

the most intense passion for the truth, saying openly to all what he felt inside, remembering that he had not come here to please men, as many here unfortunately do who, miserably neglecting plain speech, titillate the ears of the great, and thus the insincere flatteries and follies of base men confound the moral basis of this synod, and better men (alas!) perish from the

\(^{25}\) Although this passage is among the excerpts edited by Leidinger (Andreas, 254), neither of the scholars who have recently written on the foundation of Lincoln College cites this important source. See A.B. Cobban, "Colleges and Halls, 1380-1500," in The History of the University of Oxford ii., J. Catto and R. Evans eds., (Oxford: Oxford Univ. Press, 1992): 581-633, at p. 600; and Vivian Green, The Commonwealth of Lincoln College (Oxford, 1979): 6. Fleming's preface to the Lincoln Statutes (E.A. Bond ed., Statutes of Oxford Colleges i. [Oxford, 1853]: 7-8) is cited by Cobban in noting that Fleming intended the college "to destroy heresies and pluck out errors and to plant the seeds of holy doctrine". Green chose a rather more evocative passage in which Fleming states that the purpose of his foundation is "to overcome those who with their swinish snouts imperil the pearls of true theology".

\(^{26}\) See above, pp. 55-7, 69-75.
infected air of deceitful vanity (ll. 179-87).  
What is interesting here is that Fleming ignores Corff's involvement in combatting heresy at Constance, which was surely known to his audience. Instead, he stresses his role in working for clerical reform, beginning with an extended treatment of veritas in which he cites Ambrose, Chrysostom, Jerome and others in arguing that it involves not only speaking truthfully, but also not withholding a known truth, which is just as bad as lying. Corff, according to Fleming, never wavered in his devotion to these principles:

Therefore, I happily bid you farewell, O lover of steadfast and immovable truth! "For freely and without adulation you spoke the truth" and defended the spoken truth, "censuring the deeds of a depraved life," even though you knew that those who do this "are not favoured by humans." ...For this reason your lordships should attentively consider this venerable mirror of purity and truth, this mirror of masters; and although we recall that he was not decorated with a mitre or collar, he did not disdain to resemble a faithful pauper of God. Strive, fellow priests, for the cleanliness of a priest who was adorned with pure chastity! Strive, O prelates and doctors, for the constancy of a doctor who was strengthened by plain truth! And because of the excellence of his virtues I most sincerely believe that, although he is dead in the flesh, he lives in God because "that he died," in the flesh that is, "he died but once; but that he lives, he lives in God," according to the theme. Therefore, consider this mirror and recall what kind of man he was who has died (ll. 201-15).

Moving on to the second part of the first member, Fleming

27 This reference to infected air ("infecto...aere") is no doubt an allusion to the pestilence of which Corff was probably a victim. See below, pp. 174-6.

28 Corff had been much involved in the trial of Hus in 1415; see Emden, BRUO i., 478.
enjoins his audience to "remember a friend and have pity on him who so recently flourished and died so quickly" (11. 216-17). Citing Bernard in repeating his point that Corff's corporal death was only the "shadow of death", not the "true death of the spirit" which is eternal damnation, Fleming goes on to treat the perennial question of why it seems that "the just die prematurely but sinners are always glorified and the impious live in comfort and wealth" (11. 224-6). He provides the answer given by Gregory in his Moralia on Job: sometimes God removes sinners so that they can do no more harm, and allows the just to continue to live so they may do further good; and sometimes He allows the unjust to live so that the virtues of the just may be excercised, and "a good person might be more quickly taken away lest evil corrupt his innocence, if he should live here longer" (11. 230-5). It is this last case, Fleming argues, which applies to Corff's sudden death:

I believe that this venerable lord, this esteemed doctor and master of sweetest memory, "was taken" rather suddenly from us "lest malice should change his spirit or guile deceive his soul; perfected in a short time," namely in forty-four years," he lived a full life", and I am confident in God's clemency that "his soul was pleasing to God, and therefore He quickly delivered him from the midst of iniquity" (11. 236-42).

Indeed, Fleming reports that Corff himself told him, within the past month while he was still healthy and not stricken by any fear of sickness, that he hoped that God would grant him death before the enticements

29 Emden (BRUO i., 487) gives no date for Corff's birth. Fleming's statement that he was forty-four in 1417 places his birth in 1373 or 1374; this would make Corff only about eleven years older than his "son", Richard Fleming.
of the corrupting world would (that is, before sin would kill his soul), which he feared would happen to greater persons (ll. 241-5).

Corff then quoted to Fleming a sentence attributed to Seneca: "'a quick death is better and safer than a longer, unhappy life'" (ll. 245-6).  

Having thus suggested that the council is full of iniquity and temptations to sin, Fleming next discusses the kind of death that awaits those who do not live virtuously; as he had stated in the sermon's exordium, his purpose in this second part of the first membrum is to "strike" his audience with the "scourge of fear" (ll. 86-7). He begins this discourse with a passage from Augustine:

"Death should not be considered evil if it is preceded by a good life. Indeed, death is not at all evil in itself, though what follows death may be. For it does not much matter to those who will die what will happen as they die, but where they shall be forced to go by dying." Therefore, let us take care to lead a good life if we wish to expect a happy hour of death. "For nothing recalls us from sin so well as the constant contemplation of death" (ll. 253-8).

This is followed by a long tirade against the forces within the council which have forestalled the work of reform. This passage, the longest excerpt edited by Leidinger, is no doubt what prompted Arendt to comment that "Quod" is especially concerned

---

30 This citation of Seneca by Corff is paralleled later in the sermon when Fleming cites Seneca to the opposite effect; see below, p. 160.

31 Leidinger, Andreas, 255-6. There are some significant variants between the new edition which was compiled for this thesis and Leidinger's rendering of this passage.
with reform. For this reason, it deserves to be quoted in full:

Therefore, O most distinguished assembly, because divine Justice has seen, as I suppose, the cause of His church verging on the precipice through the ambition and pride and incorrigibility of many in this present synod, and seeing it endure a great eclipse of its holy mission, and perhaps from that Source whose judgments are incomprehensible and whose ways are unknowable, with the sword of justice withdrawn from the sheath of clemency, in which it had been mercifully kept for almost three years, He has now unleashed the destruction of death in this city. Because we are not "converted, He shall brandish his sword, draw back his bow, and make it ready. And He shall prepare deadly weapons for it." ...What has pressed upon the business of the church with such great expense, what has delayed ejection, hindered reforms and corrupted the means of election, unless it is very foolish ambition for the papacy and vain assurance of dignities? "What fleeting prosperity, what riches of Croesus, what power of Otho, what honour, what arrogance, what good are all these when the flesh is finally given to worms, when the soul is given to demons to be forever tormented with the rich and powerful?" ...Therefore, gathered fathers, the custom of crowning a pope has formerly evolved so that flax is burned before his eyes and, after it is quickly extinguished, someone standing nearby says: "holy father, the glory of the world passes thus." Brief is the duration of every dominion, and none is so brief as the papal dominion. O papal throne, how avidly you are now sought, and how many you, often the author of hasty death, make forgetful of death! "Nothing of mortals endures, and every worldly happiness slips away as soon as it is grasped. For when the time of tribulation comes, nothing that has passed will help." ...Therefore, may the vain hope and deception of high ecclesiastical offices not subvert us, may the impunity from crimes not divert us, and may the application of the remedy, namely the holy and harmonious reform of the church, not fatigue the infirm. Let us fervently

---

32 See above, p. 138.

33 The imagery of divine wrath is suggestive of the epidemic which had carried off Corff. Thus, Fleming had to make the case that Corff died in grace before he could suggest that the plague which killed him is divine retribution against sin.
and without pretence look for this, carrying out these works for the whole world which awaits them; lest Assyria should be "the rod of the Lord's fury," let us strive to make it calm and tranquil towards us. If simoniacal promotions, if corrupt elections, if so many countless abuses continue to prevail as before, and we live unrighteously according to our former desires, what then have we done at Constance except to despise God and deceive the world and ourselves! And I do not doubt but that a sudden calamity will find us stubborn in our prosperity: "it is terrible to fall [into the hands of the living God]." And what I have just said, my lords, that venerable doctor who is now dead said to me when he was still alive; and he proposed to preach it fearlessly and openly everywhere throughout England. If the Almighty had granted him a longer life because of the unreformed nature of the church, He would have instead received the prayers of each and every one because of his testimony of the truth (11. 263-307).

This passage is most obviously important in that it reaffirms that the "remedy" of all the church's problems is "the holy and harmonious reform of the church"; Fleming has not retreated from his earlier calls, in "Surge" and "Accipiant", for institutional reform and instead focused exclusively upon urging individuals to reform themselves. Moreover, his argument that vain ambition for the papacy and "immunity from crimes" is hindering this work, as well as his remarks on the fleeting nature of the papal office, send an unmistakeable message with regard to the current struggle between the reform and election parties.

What this passage also makes clear is the importance of reform not only at the Council, but also back home in England, where Corff intended, according to Fleming, to travel widely, preaching "fearlessly and openly" to the unreformed. As noted above, Fleming states that it was the very same zeal for the truth that

34 See p. 152.
Corff exhibited in arguing against the Wyclifites at Oxford which drove him to agitate for reform (not pursue heretics) at Constance; now in this passage he says that this zeal would have also led Corff, had he lived, to embark on a reformist preaching mission once he returned to England. This suggests a connection between heresy and the reform of pastoral care which is similar to that discussed in connection with "Surge". As in that case, the relationship is not clearly stated, but is instead implied in the subordination of direct anti-heretical activities (writing and disputing at Oxford) to an indirect response to heresy (preaching and working for reform). This may also explain Fleming's reference to Assyria as the rod which, if it is not pacified by reform, God will use to punish the church; while this could be a reference to the external enemies of Christendom, it might instead be an allusion to the foe within, equating the infidels of Old Testament times with modern heretics. As in the discussion of this topic in chapter two, these conclusions are admittedly tenuous because, assuming that Fleming was indeed drawing an obscure connection between the threat of heresy and the need for reforming pastoral care, he would have been careful not to equate his own call for reform with the complaints of the heretics against abuses in the church.35

The passage cited above is followed by Fleming's conclusion of his sermon's long membrum primum. The much shorter second member deals with the second half of his theme: "'But that he lives, he

35 See above, pp. 56-7.
lives in God, '...which is the everlasting attainment of a state of bliss without end' (ll. 313-15). It is here that Fleming's third injunction to his audience, "be consoled that he escaped danger" (l. 87), applies; and is here that Fleming finally delivers the message of "clarity and delight" which is intended to convince the clerical sinners in his audience to cease in abusing their offices.

As in the first section of the sermon, Fleming begins with a four-fold distinction, not of death, but of life:

The first is to live a natural life full of miseries;...the second is to live a criminal life, obscene with wickedness;...the third is to live a virtuous life serene in purity;...the fourth is to live an exalted life, joyful in delights....

And once again, as at the beginning of the first member, Fleming notes how Corff,

rejecting a life of wickedness, wished to combine a natural and virtuous life in fellowship. [For this reason] I believe, confident of the favour of his true life and grace, that he shall rejoice, perhaps after the completion of purgation, in a glorified place among the living virgins, to then be forever victorious in God after this death of his miserable body (ll. 328-32).

This is followed by two passages attributed to Augustine and then

36 The organization of Fleming's sermon seems to break down near the end. The exhortation to his audience that they should be consoled had been given as the third part of the first member, but it is clear that it was not treated as such, but rather it involves the whole of the second member of the sermon.

37 As above, each distinction is followed by a biblical sententia, but this time there is none which forms an imperative, perhaps because the remainder of the sermon contains no further exhortations against sin; its purpose is simply to describe the eternal reward for virtue.
one by Gregory which reflect on the glories of the life hereafter. The quotation from Gregory's homilies marvels at the ineffable ecstasy of the blessed who witness the beatific vision. This leads to the first of two accounts of visitors to Corff's deathbed. Fleming first describes what, according to Corff's confessor, a doctor of theology, transpired shortly before his death:

Gasping for air, [he] miraculously addressed heaven: "O good Father," [he] said, "how very joyous I shall be in that beatific vision, which I now understand only as a mystery, with the refuse of the flesh set aside, to contemplate and to understand easily how to unravel the knots of doubts of such a sublime matter, which I have been pleased above other things to contemplate in this theology of passing." And then immediately he directed these words to his colleague: "How false is the glory of this life which is concluded with such bitter fear of death, and how seductive is the joy of the present world which so quickly passes away! And distracting the living with its enticements, it does not permit them (alas!) to be constantly mindful of the hour of death, nor will it allow them to foresee in the midst of life where they shall go at the end" (ll. 360-70).

Fleming then notes how, shortly before Corff met with his confessor, he himself had visited his former master's deathbed. Once again Fleming asserts his quasi-filial relationship with Corff:

And indeed to me, your son, O most beloved father, a little while before, standing nearby but not too close, asking how it was with you, with a great sigh you replied with these words: "Friend," you said, "my physician says that I shall soon die." To these words I said in dismay, "you shall not die! O master, cease in this faithlessness and such folly shall not hasten your death. For 'such is the foolishness of humans that they drive themselves towards death by their fear of it'" (The words are Seneca's, from letter 24). And you added, "I shall not die an eternal death so long as my hope is in God; rather, I shall return from exile to my homeland to live more truly than I have yet lived; I
shall die once, and then I shall live more happily forever" (ll. 370-81).

Fleming then states that it was these very words, spoken to him by Corff "as he was languishing at the end" (ll. 384-5), which prompted him to choose the text for this sermon's thema. He then quotes a description of the celestial city attributed to Prosper Aquitanensis and cites a Stoic sententia from Seneca that is quite different from that which he recited at Corff's deathbed, enjoining his audience to "let us make that death of the body familiar to ourselves by consideration so that, when death comes, we shall be prepared to meet it" (ll. 394-6). He then concludes the eulogy by expressing his hope that not only Corff's soul, but also his own soul and those of his audience, may be gathered by the God "to be made fellow citizens and partakers of eternal life" (ll. 397-8). In keeping with the emphasis upon theological education in this sermon, the closing doxology is constructed as a series of various grammatical usages, praising God

in whom all things live through perfect knowledge;
through whom all things live through the diligence of His guidance; and for whom all the elect live through glory (grant it to us, Lord); in whom is the font of life, the holy Trinity, the true life; who shall live and reign and rule forever. Amen (ll. 401-5).3a

3a There are no doubt many precedents for this type of construction in religious literature which may have been a model for the end of this sermon; but it may be significant that Fleming owned a copy of a preaching manual (Lincoln College, MS 58, ff. 11r-14r) authored by a contemporary theologian at Oxford, Simon Alcock, which describes how sermons can expand upon texts through such a grammatical approach. It has been edited and studied by Mary F. Boynton in "Simon Alcok on Expanding the Sermon," Harvard Theological Review 34, no. 3 (July 1941): 201-16. For Alcock, who was a canon of Lincoln Cathedral at the end of his life and was buried in that cathedral, see Emden, BRUO i.,
"Spiritus"

Ironically, it is Fleming's most influential sermon at Constance which has been, and continues to be, the least accessible to scholars. Unknown to Hardt and Walch, "Spiritus erit in gloria" was discovered by Jean Marie Vidal in a manuscript which he acquired in Austria, "par le plus grand des hazards", a few years before he published an article in 1909 in which he describes and discusses its contents. Although this copy of "Spiritus" does not provide the name of the author or the date of the sermon, Vidal realized from internal evidence that the sermon was delivered at Hallum's funeral on 9 September 1417 by an Oxford doctor.

In compiling his register of Constance sermons, Finke found two other copies of this important sermon, both naming Fleming as its author. However, both of these copies, one of which was obviously copied directly from the other, are very short fragments. Moreover, the location of Vidal's "recueil manuscrit" has been unknown to scholars of Constance sermons

18-19.

39 Vidal, "Recueil," 493-520.

40 Vidal, "Recueil," 498.

41 Finke, Acta ii., 513. These copies are found in two Vienna manuscripts: Ö.N.B., MS lat. 4710, ff. 285r-285v; and MS lat. 4922, ff. 302v-303r. Both fragments are of identical length, ending with the word "audaces", and comprise only the opening address and the first half of the sermon's prothema. In MS 4922 the fragment breaks off at the end of the last line on the page, while in MS 4710 it ends in the middle of the page; thus the latter was obviously copied from the former.
It is currently in Vienna at the Österreichische Nationalbibliothek, which acquired the codex from Vidal in 1910 and added it to the new series manuscripts with the shelfmark Cod. Ser. n. 4845. The "rediscovery" of this manuscript, although important, would have been even more significant if it were not for the existence of another codex which is virtually identical to it. Vidal actually mentions this other manuscript when he points out that there are three other codices -- with the shelfmarks 637B, 640 and 82 -- associated with his manuscript's scribe, Coloman Chnapp, which are in the library of the Augustinian priory at Klosterneuburg where Chnapp was a regular canon in the early fifteenth century; but he notes that he was not able to study these manuscripts in order to compare them with his. If he had, Vidal would have realized that Codex Claustrenburgensis...

---

Finke (Acta ii., 368) and Arendt (Predigten, 9) both assumed that Vidal's manuscript was at Kremsmünster, but they were clearly mistaken. There is only one manuscript containing Constance sermons in the Kremsmünster Stiftsbibliothek, MS 4 which contains one of the copies of "Accipiant", and it is certain that it was not Vidal's manuscript; see Schmid, Catalogus i. 2, 52-94. Their error was probably due to confusion over Vidal's mention of the Dominican friary at Krems in discussing the provenance of his manuscript. More recently, Stump (Reforms, 39, n. 40) reported that his search for Vidal's manuscript had been unsuccessful.

I am indebted to Dr. Eva Irblich, Bibliothekaritin of the Handschriftensammlung at the Ö.N.B., for her assistance in identifying this manuscript as Vidal's. The manuscript will be described in the forthcoming fifth volume of the Katalog der Abendländischen Handschriften der Österreichischen Nationalbibliothek.

Vidal, "Recueil," 494, n. 3.
(CC1) 82 contains exactly the same sermon texts which are found in his manuscript," and in almost the same order." Both manuscripts also include Chnapp's colophon, written at Basel in 1433.

Two such similar manuscripts must be related to one another; presumably one was copied from the other, and the original would have likely been retained by Chnapp's monastery, with the copy going to the Dominican convent at Krems, whose ex libris appears on first folio. This supposition has been confirmed in the process of editing "Quod"; not only does the Klosterneuburg copy correspond more closely than Vidal's manuscript to the other four manuscripts collated for the edition, but it also includes a passage which was omitted through an eye-skip error during the transcription of Vidal's manuscript. With the superiority of

---

"See Alois Haidinger, Katalog der Handschriften des Augustiner Chorherrenstiftes Klosterneuburg i. (Vienna, 1983): 180-9. Both Finke (Acta iv., LXXXV) and Arendt (Predigten, 9) knew that this manuscript contains sermons from the Council of Constance, but neither described its contents or recognized its connection to Vidal's manuscript.

"Some of the materials at the beginning of CC1 82 (ff. 1v-6v) are found at the end of Vidal's manuscript (ff. 229r-237v). Also, according to the catalogue descriptions of these manuscripts, two sermons are in reversed order; items 12 and 13 in CC1 82 correspond respectively to items 9 and 8 in Cod. Ser. n. 4845. This aberration is clearly due to a binding error in the former which was recognized by Haidinger; see Katalog, 183, and Vidal, "Recueil," 495-6.

"Haidinger, Katalog, 187; Vidal, "Recueil," 494.

"See below, p. 376.

"This omission constitutes an excellent example of how this type of scribal error occurs. The passage in question (ll. 327-38) reads as follows in the Klosterneuburg manuscript: "...memoria
the Klosterneuburg copy thus established, the excerpts which
Vidal edited from "Spiritus" have been checked against the more
accurate copy; but no significant variants were found.\(^50\)

Vidal edited three excerpts from this éloge funèbre. In the
first of these passages Fleming reviews Hallum's career as
archdeacon of Canterbury, as a doctor and professor of canon law
at Oxford and later chancellor of the university, then as
archbishop of York and finally as bishop of Salisbury, noting
that he had been twice offered, but humbly refused, to be made a
cardinal. So beloved was he for his devotion to his pastoral
duties that the church of Salisbury and the province of York,
indeed the entire church of England should "lament, weep and
wail" because it has been "deprived of a most invincible fighter,
like another Hector" and because "the strongest column" of the

mortui viventes hic convenimus nequicie vitam rennuens nature
vitam..." (f. 90vb). In the Vienna manuscript the words "hic
convenimus nequicie vitam rennuens" are missing, leaving
"...memoria mortui viventes nature vitam..." (f. 118va). Thus,
when the copyist was transcribing this passage, his eye must have
skipped from "viventes" to "rennuens", which in the
Klosterneuburg copy are very similar in appearance and are almost
exactly aligned one over the other. Thus, it is virtually
certain that the Klosterneuburg manuscript was the exemplar for
Vidal's manuscript. For this reason, the latter was not collated
for the edition of "Quod"; and only the former has been consulted
for the full text of "Spiritus". These manuscripts also contain,
between "Quod" and "Spiritus", the only known copies of the
anonymous funeral sermon for Richard Dereham.

\(^50\) With Vidal's manuscript disregarded as a direct copy of the
Klosterneuburg manuscript, and the two Vienna copies being such
short fragments, a transcription of "Spiritus" has been compiled
from the Klosterneuburg copy. But it became apparent in working
with this text that there are serious flaws in the Klosterneuburg
manuscript which, in the absence of another complete, independent
copy, has precluded the production of a reliable edition for the
purposes of this thesis.
English church "has collapsed with his death."51

Vidal reproduced this excerpt in the first part of his article which constitutes an inventory of the manuscript; the other two passages are found in the third section in which he examines several of the sermons "surtout aux circonstances dans lesquelles ils ont été prononcé."52 He begins by noting that the preacher of Hallum’s eulogy complains that

the council, which at the beginning seemed to all to hold the promise of salvation, has become the occasion of grief and shame for the church; no one is willing to apply the antidote to this grievous crisis. The nations are more divided than ever; the schism is endemic. Most do not dare to confront the wrath of the powerful. They are afraid to speak their minds; fear has paralyzed them.53

This is followed by Vidal’s citation of a passage in which the preacher’s frustrations are forcefully expressed:

51 "Plangat ergo Saresbiriensis ecclesia se tam insigni modo viduata pontifice! Collacrimet etiam Eboracensis provincia que tanto fore se sperabat gausura pastore! Sed, ut ex corde loquar, ulula, plange, et deplora ecclesia tota Anglie que altero velut Hectore, invictissimo pugile, es privata et bene noveras huius morte fortissimam tui, prohdolor! corruisse columnam!": Vidal, "Recueil," 499. This passage is found in Klosterneuburg, Stiftsbibliothek, CCl 82, f. 83va; there are several variants, but they do not significantly alter the sense of the passage. In fact, it is clear from examining Vidal’s source that he freely corrected what he perceived to be scribal errors in this passage, which are common to both his manuscript and the Klosterneuburg copy.

52 Vidal, "Recueil," 509.

53 "Le concile, qui, dans le principe, paraissait à tous un gage de salut est devenu une occasion de deuil et d’ignominie pour l’Église. On ne voit pas quel remède on pourrait apporter à cette crise doloureuse. Les nations sont plus divisées que jamais; le schisme est endémique. La plupart n’osent affronter le courroux des puissants. Ils craignent de parler, de délivrer leur âme; la peur les paralyse": Vidal, "Recueil," 510.
O fathers and lords, why is the antidote not applied to such evils? Truly it is because there are many weak and foolish persons among us and many are asleep. I would hope to say that not all of us are such ones.... We expected that [union] will be in May; later, that it will be in June. July and August have passed and now September is almost over. And it is because we have thus delayed the business of union that the schism has oppressed us for so long.54

Vidal then provides the context for this sermon, noting that Hallum, as leader of the English, had worked with the Germans and the emperor in delaying the papal election "sous prétexte" that it should be preceded by the reform of the church. But then Hallum’s death discouraged the English, leading them to desert this alliance, to the advantage of the "parti roman":

Our orator, who was speaking before the emperor and a large number of participants at the council, proposed a compromise. Since the pontifical election could not be preceded by a reform of rule, which many nations did not want, and since neither the emperor nor the sacred college nor any other authority was willing to reach an agreement, he proposed that the decrees which had already been accepted by all should be promulgated and given the force of law; then the election, which is the council’s great work, should commence. Thorough reform is less urgent than the ending of the schism.55

54 "O patres et domini, quare tantis malis antidotum non apponitur? Vere quia inter nos multi infirmi et imbecilles et dormiunt multi, utinam dico non omnes!" Nous avons espéré l’union des nations pour le mois de mai. 'Erit, speravimus, in Maio; iterum: erit in Junio. Julius, Augustus et September jam quasi evanuerunt; et quia dum sic retardamus unionis negotium, in dies tot ingerit scismata....": Vidal, "Recueil," 510. Vidal’s interpolation is a paraphrase of the following line: "O putas quando erit unio hec ecclesie?": Klosterneuburg, Stiftsbibliothek, CC1 82, f. 82ra. "Putas" indicates that Fleming is supposedly recalling a question he asked Hallum.

55 "L’évêque défunt avait usé de toute son influence pour retarder l’élection pontificale, sous prétexte qu’il fallait élaborer, au préalable, la réforme de l’Église. Les Anglais partageaient tous cet avis avec les Allemands et l’empereur Sigismond. La mort de Robert Hallum découragea et amoindrit ce
Vidal then cites as his source for the preceding "cet important morceau":

He [Hallum] says to me...first there will be reform, and then there will be union. And I, who am saying these things, willingly desire complete reform just as much as he, but not impossible and endless reform. Impossible, I say, in so far as the five constituent nations shall not be able to agree. Nor should one rule over any or all of them. Neither the most serene prince, the lord emperor, whose majesty is dedicated to the laws of the church (the church being the vigourous executor of those laws by right), nor the college of cardinals, since it is a part of the council, should have authority of this kind over the nations. Nor should any one nation rule over another, since no nation recognizes another as its superior. Therefore, the reform which has been already agreeably arranged by them should be publicly published and given legal sanction, lest the impetuous swiftness of election should seem to have avoided it. And if the details of determining have not yet been decided in the nations, I do not say that what must be done must be done more quickly (citius), but rather most quickly (citissime), lest under this sweet face of most holy reform the election attempted before should be spoiled again.... Therefore, I said that I do not desire endless reform, which is prolonged, always for new, excellent reasons, day after day, week after week, and month after month and never ends. Because, my lords, so that I may speak the truth which I have publicly professed, it must not be brought forth in the state of the church, which now is vigourous, without the delay of aforementioned reform. How the entire confidence of the world's faithful is frustrated regarding the good of union which they so much desire! And let the blood of endless schism (may it be gone!) be extracted; because if the perfect union of the church will not be achieved

parti, à l'avantage du parti romain. Notre orateur, qui parle devant l'empereur et de nombreux membres du concile, propose un moyen terme. Puisque l'élection pontificale ne peut être précédée d'une réforme en règle, dont plusieurs nations ne veulent pas, pour le moment; puisque ni l'empereur, ni le Sacré-College, ni aucune autre influence ne parviennent à publier les décrets de réforme déjà acceptés par tous et qu'on leur donne force de loi. Puis, que l'on procède à l'élection, qui est la grande œuvre que les peuples attendent du concile. La réforme intégrale est moins urgente que la cessation du schisme": Vidal, "Recueil," 510.
now, it will not happen for many centuries.\textsuperscript{56}

In concluding his discussion of this sermon, Vidal observes that

our preacher had the satisfaction of seeing his proposal taken into consideration. The bishop of Winchester, uncle of the English king, became its sponsor. On 9 October 1417, five decrees which the nations had agreed upon were published, and the final

\textsuperscript{56} "Dicit (K dicis) mihi in corde reformationis zelatio (K zelator) vel saltim sic pretense: prius erit reformatio et postea erit unio. Et qui hec loquor eque libens totam reformationem cuperem, sed non impossibilem et (K in) infinitam. Impossiblem, inquio, in quam nationes quinque integrantes concilium convenire non poterunt; nec est hic qui eis aut aliqui earum imperet: non serenissimus princeps dominus Imperator, cuius maiestas se offert ad mandata Ecclesie, quorum ipsa ex officio est strenua executrix; non collegium Cardinalium, cum portio sit (K sint) concilii, nec hujusmodi habent in nationes imperium; nec una nacio alii imperet, cum nulla aliam superiorem in hujusmodi recognoscat. Ipsa ergo reformatio, que per ipsas jam concorditer expedita est, producatur in medium et vim legis obtineat, ne hanc effugere videatur fervens celeritas electionis. Et si nondum in nationibus singulis expeditionis sortita sint effectum, quod faciendum est non dico citius, sed citissime fiat, ne sub hac dulci facie sanctissime reformationis inficiatur interim electio (K electionis) preambula. ... Ideo dixi me non velle reformationem infinitam, que de die in diem, [de] ebdomada in ebdomadam, de mense in mensem sic novis semper exquistis rationibus proceletur (K proteletur) et nunquam habeat terminum; quia, ut loquer, domini mei, veritatem ad quam professus sum, non ad tantum est emergendum in statu Ecclesie qui nunc est in vigore, sine mora memorate reformationis, quam (K quod) tota fidelium orbis de unionis bono ad quod tantum suspirant nimis frustetur (K frustretur) fiducia, et sanguis, quod absit, eliciatur perpetuandi scismatis; quia si iam non erit unio perfecta Ecclesie de multis annorum centenariis non erit": Vidal, "Recueil," 510-11. The passage is found in Klosterneuburg, Stiftsbibliothek, CC1 82, ff. 82ra-82rb; variants from the manuscript (K) have been inserted parenthetically. Vidal omitted one line from the passage, between "preambula" and "ideo": "And what would poison the church forever? The venom of accusation would conceal itself in mockery." ("Et quid ecclesiam perpetuo toxicet? In cauda delitescat intencionis venenum.")
arrangements could be made for the next conclave.\textsuperscript{57} Vidal is referring here to the council’s enactment of five reform decrees in the thirty-ninth session, including "Frequens" which required the regular convening of general councils in the future. He might have also added that Fleming’s recommendation of this "moyen terme" was further fulfilled in the fortieth session, just before the papal election, in a decretal binding the future pope to enact reforms of the papal curia on eighteen specific points before the council could be dissolved; Martin V adhered to this requirement in a series of decretals promulgated during the forty-first session.\textsuperscript{58} Finally, the individual nations negotiated with the new pope for their own specific reform programmes which were concluded in the papal concordats;\textsuperscript{59} the English concordat, it has been pointed out, was especially forceful.\textsuperscript{60}

After Finke had discovered the rubrics in the two Vienna

\textsuperscript{57} "L'orateur eut la satisfaction de voir son projet pris en considération. L'évêque de Winchester, oncle du roi d'Angleterre, s'en était fait le patron. Le 9 octobre 1417, cinq décrets, sur lesquels les nations s'étaient entendues furent publiés et l'on put prendre les dernières dispositions en vue du prochain conclave": Vidal, "Recueil," 511.

\textsuperscript{58} Tanner, Decrees, 438-44, 447-50.

\textsuperscript{59} For a generally positive assessment of the reforms accomplished at Constance, see Stump, Reforms, passim, and especially pp. 270-2. The tendency of previous historiography, both from the post–Tridentine Catholic and the Protestant perspectives, has been generally negative in seeing Constance as having failed as the last best hope for significant reform in the late medieval church.

\textsuperscript{60} See above, p. 130, n. 72.
fragments of "Spiritus" which identify the preacher as Richard Fleming, Christopher Crowder made Fleming's role in the conclusion of the priority struggle more widely known in his important study of Anglo-imperial relations during the council.\(^61\) Crowder suggests that Fleming was probably well suited to this task because, although he was "far from a nonentity", he was not a royal delegate and thus "his unofficial status may have recommended him for the task of giving the first indication of the new English attitude."\(^62\) It should be pointed out, however, that Fleming is mentioned in Cardinal Fillastre's journal as one of several "legates of the king of England after the death of the bishop of Salisbury" who appeared before the cardinals and offered to mediate between them and Sigismund.\(^63\)

\(^61\) Crowder, "Henry V," 105.

\(^62\) Crowder, "Henry V," 107

\(^63\) "Tandem legati regis Anglie post obitum episcopi Sarisberiensis, videlicet Bathoniensis, Lichefeldensis, Thomas Pelton prothonotarius et magister Richardus Flemingi magister in theologia una die venerunt ad collegium cardinalium...": Finke, Acta ii., 144. Loomis (Constance, 403) translated the phrase "post obitum episcopi Sarisberiensis" as an adverbial clause governing the main verb: "...after the death of the Bishop of Salisbury, the envoys of the King of England...came one day to the college of cardinals." But Fillastre's syntax suggests that he intended the clause to modify the noun "legati"; thus, these men were "the legates of the king of England after the death of the bishop of Salisbury." In his thesis ("Aspects," 389, n. 182), Crowder dismisses Fillastre's inclusion of Fleming in this group of royal legates as "probably inaccurate"; it is not mentioned in his article ("Henry V," 105, 107). It may be that Fillastre simply assumed that Fleming was a royal legate because he had announced the compromise and then served in the English delegation which offered to mediate between Sigismund and the cardinals.
Because the date of this entry is 15 September 1417, "six days after Fleming's eulogy for Hallum, it is possible that his status may have still been "unofficial" when he preached that sermon. But it would be reasonable to expect that Fleming's commission to represent his king would have coincided with Henry V's decision to alter the English position on the reform-election issue; therefore, it seems probable that Fleming was speaking as a royal legate when he delivered Hallum's eulogy.

Yet another explanation for Fleming's suitability for announcing the change in the English policy may now be suggested in light of the foregoing analyses of "Surge" and "Quod", which were only available to Crowder in manuscript copies and in the short excerpts edited by Finke and Leidinger, and especially "Accipiant", which had been misascribed to another preacher. If "Surge" and "Accipiant" were indeed the means for announcing the English policy regarding reform and union in the first place, then Fleming would have been the obvious choice for declaring an end to it when Henry V found it expedient to do so. And Fleming's reputation as a bold critic of ecclesiastical abuses and advocate of reform measures, which had been established in those sermons and reinforced in his recent eulogy for William Corff, would have made him an ideal candidate for announcing the

"The exact date of this meeting is uncertain. The entry is dated 15 Sept., but this episode is the last of several events noted, and Fillastre does begin the sentence with "tandem". Thus, while this meeting could have occurred anytime from 15 to 19 Sept., the date of Fillastre's next entry, it was probably later rather than earlier within this time-frame."
new English position on the reform-election issue. For above all, "Spiritus" calls for a compromise.

In his doctoral thesis and then in the article in which Fleming’s eulogy for Hallum is discussed, Crowder proposes an interesting theory on how and why the English nation changed its position. Tending to view Henry V’s motivations as primarily military, Crowder suggests that the English king had grown weary of the stalemate at Constance and was eager to bring the council to an end so that Sigismund would be free to assist him, as per the Treaty of Canterbury, in his next French campaign. The decisive step, he suggests, was taken on 18 July 1417 when Henry sent a disciplinary letter to the English bishops at Constance and also announced to his council that his uncle, Bishop Beaufort of Winchester, would be embarking on a pilgrimage to the Levant. While the announcement of Beaufort’s journey, which led him to Constance where he played a critical role in the papal election, is suggestive, Henry’s letter to the English bishops does not make any reference to the actual policy of the English nation; it simply orders that the bishops should ensure that all members of the delegation support the position of the entire nation, resolving any differences of opinion internally. Any delegate refusing to conform with his nation’s policy should be sent home to England.65


If Crowder's explanation is correct and sufficient, then it appears that Fleming was hardly a sincere, committed reformer, and was instead simply the mouthpiece of official policy. And given both the obvious and more subtle instances of self-promotion which are apparent in his sermons, including his eulogy for Zabarella, it would be tempting to see him as nothing more than a cynical careerist. But another explanation may be offered for the change in the English position in September 1417 which, if correct, shows Fleming in a more positive light.

In prefacing his discussion of Hallum's death and Fleming's eulogy for him, Crowder states that during the summer and autumn of 1417 Constance was visited by an epidemic which seems to have been particularly virulent within the English delegation. In addition to Corff, who was probably "one of its earliest victims," Crowder notes that this pestilence also claimed not only Hallum, but also John Shirforde, John Wells, Richard

---

67 See below, pp. 226-7.

68 Crowder suggests that the actual disease was dysentery, but Fleming's eulogy for Corff, with its repeated remarks on how he "fLOURISHED so recently and now is dead" suggests an especially quick killer. In one particular passage in "QUOD", which is not among those edited by Leidinger, Fleming recounts his deathbed visit to Corff in terms which seem to suggest the highly-contagious pneumonic plague; Fleming notes that he was "standing nearby but not too close" ("amoto...circumstante": l. 372); and when Corff later prayed in the presence of his confessor he was "gasing" ("anhelans": l. 360).


70 Both Wells and Shirforde made their wills in August 1417 in which they expressed their wish to be buried near William Corff's tomb at St. Stephen's church in Constance; see F.W. Weaver ed., Somerset Medieval Wills (1383-1500), Somersetshire Archaeological
Dereham,71 and perhaps also Hugo Holbach.72 The sense of urgency which this plague engendered at the council is shown in a letter dated 22 July 1417 in which the representatives of Cologne implored their university to act quickly on certain matters related to the council because "the disease had just begun to rage in Constance, and the consequences are uncertain."73 Oddly, this pestilence is mentioned by neither Fillastre nor Richental,74 and so has not attracted much attention among other scholars.75 But there is one other document, unnoticed by Crowder, that also bears witness to this deadly contagion. This is an undated tract which Hardt dates to the summer of 1417 because it presents the arguments of the election party against the reform party in the priority struggle. One of the five points made in favour of immediate papal election is "because of the danger of pestilent air, to which the present time is


71 See below, pp. 191-2.

72 Crowder also mentions Robert Appleton, noting a report dated to early 1418 that he died at the apostolic see, which was at that time still in Constance.

73 Crowder, "Aspects," 383, n. 160. Crowder notes that, according to Leidinger's dating of "Quod", Corff would have died in late June ("Aspects," 384, n. 162). The redating of this sermon (see above, pp. 143-4) places Corff's demise in mid-July when this letter was sent.

74 For their accounts of the period from May to Oct. 1417 see Loomis, Constance, 156-61 (Richental) and 363-421 (Fillastre). Cerretano's journal concludes in Sept. 1416.

75 The only historian besides Crowder to mention this particular outbreak is Jacques Lenfant; see Histoire, p. 505).
especially prone, according to the astronomers and physicians".  

While Crowder may be correct in suggesting that Henry V was primarily interested in prosecuting his campaign against France in order to press the advantage gained at Agincourt in October 1415, for the English delegates at Constance the greater concern was surely this pestilence. It seems reasonable to suppose that the English reformers -- men such as Bubwith, Spofforth, Bernard de Plange, Robert Appilton, and perhaps Fleming -- agreed to compromise on the reform-election issue because of their fear that the plague might bring the council to sudden and fruitless closure. In addition, the English natio, as the smallest contingent at the council, would have surely felt every death within its ranks as an erosion of its influence, both in terms of promoting reform and in the eventual election of a new pope. The final straw, then, was the death of Hallum, who had always been at the forefront in leading his nation in the struggle for reform at Constance.

76 "...propter periculum pestilentis aeris, ad quem secundum judicium astronomorum & medicinae peritorum tempus valde disponitur": Hardt, Concilium i., 925.

77 Crowder does note that "there is no reason to think that [Henry V] was indifferent to the need for reform in the Church, but this was not his primary concern. He could count on the power of his prerogative, aided as necessary by a façade of parliamentary legislation, to curb objectionable excesses on the part of the Curia, so he stood to lose little if the Council succeeded in passing only a limited programme of reform": "Henry V," 105. As Jeremy Catto has shown ("Change," 97-115), Henry was indeed concerned with and actively involved in the improvement of religious life in his realm.
This is not to suggest that Crowder's theory on the king's motivations is incorrect; indeed, both military considerations and the new conditions brought on by the pestilence were probably factors contributing to Henry's decision. The point is that the latter must have also made it easier for the king to change his policy, both in terms of his future relations with Sigismund and in retaining the good will of the reformers in the English delegation. Thus, both the emperor and the English reformers would have been appeased by the fact that the new policy was intended to ensure that at least some significant reforms would be enacted before the council came to an end; for, if the deadlock continued and the plague carried off even more victims, as it apparently did with Zabarella a few weeks after Hallum, the council might dissolve without achieving either reform or union.

This concern probably underlies the urgency apparent in "Spiritus" where, following his proposal for a compromise, Fleming implores the nations to act not merely "citius" but rather "citissime" in resolving any internal issues so that limited reform and then union can proceed apace. It also

Crowder ("Henry V," 105) points out that, because Hallum was clearly the foremost supporter of Sigismund and proponent of the reform cause, "his death...made the the English volte-face a much smoother operation to put over among the English delegates themselves than it would have been otherwise." In using the term "volte-face", Crowder was surely referring to the English reversal of their policy of unqualified support for Sigismund; he was not suggesting that they had switched sides in the priority struggle. As he says in his thesis, "the English did not replace their understanding with the Germans by an understanding with the cardinals and their friends. They aimed at holding an intermediate position from which they could work for a compromise": "Aspects," 387.
explains Fleming’s citation, in his sermon’s prothema, of a series of authorities which recommend prudence and caution in response to threatening danger:

"The greater the losses are expected to be, the more quickly and completely precautions should be taken" ...because "the gentle blow comes from an anticipated evil." ...O we are indeed miserable and (alas!) too liable to the blindness of our minds, who so lazily ignore these future perils unseen by us.... "The downfall of predecessors teaches posterity, and a former error is also a warning in the future, and he who is heedless after an example is given is very foolish." ...Indeed, he who is not stricken with fear by the destruction of another is extremely reckless; but he who is alarmed by the misfortunes of others is cautious."79

Therefore, Fleming’s role in helping to break the stalemate occasioned by the priority struggle should probably not be viewed as the act of a hypocritical careerist, employing his impressive preaching skills in blind obedience to the shifting interests of his political masters. His announcement of the new English policy did not necessarily compromise the principles he had expressed in his reform sermons and in his eulogy for William

79 "Nam quanto maior timentur esse dispendia, tanto promptior et perfectior debet esse cautela (Petrus Ravenniensis in quodam sermone), quia precogitati mali mollis ictus venit (Seneca, epistola 87).... O miserrudos sane nos et (heu!) nimie mencium cecitati obnoxios qui futura nobis hec pericula improvida oblivione tam segniter preterimus. Inprudencia enim ob tenebracio mentis, qua quis nimis providus in previdendo futura (Tullius, 2 Retorice). Ruina precedencium posteros docet, et caucio est super in reliquum lapsus anterior, et ignarus nimis est qui post exemplum invenitur incautus (Seneca in Proverbiis). Vehementer quidem infrenis est cui non incutitur timor alio perseunte; providus autem qui sollicitus est cladibus aliorum (Augustinus in libro De singularitate clericorum)".

Klosterneuburg, Stiftsbibliothek, CCl 82, ff. 80va-80vb.
Other English Sermons at Constance in 1417

It has been argued that three of Fleming's sermons stand as strong evidence that, to some extent, he served as a spokesman for the English nation during 1417: "Surge", which probably announced the English policy on the coming priority struggle; "Accipiant", which reiterated that stance in rhetorically powerful terms; and "Spiritus", which announced the shift in the English position by suggesting a compromise between the opposing parties in the reform-election conflict.

Additional evidence for Fleming's role within his nation is seen in an overview of his preaching activities at Constance. The most obvious point is the frequency with which he preached; even if his eulogy for Zabarella, which probably had little to do with his official role within the English delegation, is excluded, he delivered at least five, and probably six, sermons in only nine months, making him a very familiar figure in the conciliar pulpit during the latter sessions of this council. In fact, with the possible exception of Robert Hallum, who

---

80 A brief treatment of Fleming's activities after Constance, given in the final chapter, also examines the issue of Fleming's commitment to reform; see below, pp. 238-44.

81 It is for this reason that this appraisal of Fleming's role within the English delegation is given here, following the discussion of his eulogy for Hallum, rather than at the end of the next chapter, after the treatment of his funeral sermon for Zabarella.

82 See below, pp. 191-4.
delivered seven known addresses over the space of two years (January 1415 to January 1417), Fleming was easily the most prolific English preacher at Constance.

Moreover, the importance of the occasions on which Fleming preached at this council also testifies to his prominence in this regard. His first three sermons were all delivered on major feast days: "Surge" on Epiphany, "Accipiant" on Passion Sunday, and "Ecce" on Trinity Sunday. He presumably would not have received permission to preach on such important feasts unless he had the full backing of the natio Anglicana. Also, two of his

---

83 See Finke, Acta ii., 393-5, 395, 414, 423-6, 445, 453, 486; and Arendt, Predigten, 23, 27n, 29, 37n, 112n, 114n, 136n, 149n, 150n, 151, 152, 174n, 175n, 176n, 185n, 186n, 189n, 192n, 193, 197n, 200n, 216n, 231n, 234n, 241n, 245n, 248n. Note that some of Hallum's speeches were diplomatic orations probably given before small audiences, rather than public sermons, and only three of these seven addresses are known to have survived, the others being known only through references in the Constance diarists and other documents. Hallum may have been the author of a sermon known as "Confortamini in Domino", which Finke ascribed only to an "Anonymous Anglicus": Acta ii., 528. In one manuscript, unknown to Finke, containing this sermon -- Krakow, Biblioteka Jagiellonska, MS 1648, ff. 345rb-349vb -- "Confortamini" is immediately preceded by a copy of Hallum's "Erunt signa"; a note between these sermons reads as follows: "Explicit sermo domini Sarisburiensis Episcopi factus in concilio generali Constanciensis Dominica secunda adventus. Sequitur sermo eiusdem" (f. 345rb). Copies of these two sermons are also found together in four other known manuscripts, though none of these support the ascription in the Krakow manuscript. If "Confortamini" was indeed preached by Hallum, then its date ("Dom. 21 post Pent.") must have been either 13 Oct. 1415 or 1 Nov. 1416, since he died in Sept. 1417. Thus, it could not be one of the four "lost" addresses by Hallum listed by Finke.

Crowder suggests that English preachers may have been aided by the influence of Xanches, bishop of Oleron who claimed "that it was part of his duties as papal sacrist to name the preachers and those who celebrated mass": "Aspects," 380, n. 144. Finke (Acta ii., 479) gives the Latin form of his name as "Sanctius Mulerii ep. Olorensis".
funeral eulogies were given for two of the most important prelates at Constance: Hallum and Francesco Zabarella, cardinal deacon of Florence.

In addition to the possible linkage between "Surge" and the English production of an Epiphany play discussed previously, further indications of Fleming's role as a preacher at Constance during 1417 may be seen in a survey of all other known English sermons which were, or may have been, delivered after he first preached at Constance on 6 January 1417. The first of these is a sermon given just four days later by Geoffrey Schale. Known by itsテーマ, "Unus corpus sumus in Christo", Schale's sermon promotes, in rather general terms, the need for charity among delegates for the sake of unity within the council. As such, it is very different from the very politicized sermon Fleming had delivered a few days earlier; indeed, it is possible that Fleming's frankness in his Epiphany sermon had caused some upset which Schale's sermon was intended to pacify.

---

85 See above, pp. 87-92.

86 A register of these sermons is provided in Appendix Two. The only previous overview of English preaching at Constance is in Crowder, "Aspects," 332, 377-85. The following discussion owes much to his treatment of the topic, although some new information has come to light which suggests different conclusions.

87 Only one copy of Schale's sermon is known to have survived; it has been edited by A. Zumkeller in "Unbekannte Konstanzer Konzilspredigten der Augustiner-Theologen Gottfried Shale und Dietrich Vrie," Analecta Augustiniana 33 (1970): 5-74. It is briefly treated in Crowder, "Aspects," 332.

88 It may be no coincidence, then, that the only known copy of Schale's sermon -- in London, British Library, Royal App. 7, which consists of only nine sermons, all from Constance -- also
Next is Robert Hallum's reported panegyric for Sigismund on 27 January following the latter's return to Constance, though this was probably more of a diplomatic oration than a proper sermon. It may be significant that this was apparently Hallum's last public address at this council; it seems reasonable to suppose that Hallum relinquished his role in the pulpit to Fleming because, after Sigismund returned to Constance, this leader of the English nation was far too busy with conciliar politics during the spring and summer of 1417 to compose and deliver sermons himself.

According to Finke, the next English sermon was one known as "Ascendimus Jerusalem", which he dated to 21 February 1417. However, this date is probably incorrect; Finke knew of only one copy of this sermon -- in Berlin, Staatsbibliothek, theol. lat. fol. 413 (632). The rubric, which he reproduced in a footnote, identifies it only as a "sermo doctoris Gylberti doctoris Anglici predicatus Constancie in concilio" (f. 5r), and there is no colophon. Thus, Finke must have inferred this date from internal evidence. The thema from Luke 18:31 is found among the missal contains a copy of "Surge". It is also worth noting that "Accipiant", which is brutally severe in attacking abuses, especially within the curia, concludes with a call for charity between the factions and unity within the council.

See Finke, Acta ii., 486. This oration is mentioned by Richental, Fillastre and John Forester (see above, p. 80, n. 46), but its text apparently does not survive.

Finke, Acta ii., 486-8; see also, Arendt, Predigten, 114n, 121n, 123n, 134n, 135n, 144n, 146n, 177n, 235n.
readings for Dominica in quinquagesima,\textsuperscript{91} which did fall on 21 February in 1417.\textsuperscript{92} Finke’s reason for supposing that "Ascendimus" was delivered in that year was presumably based on the following passage included in his edition of several long excerpts from this sermon:

\begin{quote}
Very famous and remarkable men who are zealous for the peace of the church have withdrawn their obedience from Pedro de Luna, that notorious patron of schism; and they have been incorporated into this holy Council of Constance.\textsuperscript{93}
\end{quote}

Finke probably assumed that Gilbert was referring here to the defection of the Iberian churches from the Avignon pope in late 1416 and early 1417. However, Schneyer later found a second copy of "Ascendimus" in Krakow, Biblioteka Jagiellonska, MS 1596, which is preceded by the following informative rubric: "sermo Roberti Gilberti doctoris anglici, universitatis Oxoniensis, praedicatus in Constancia tempore Concilii dominica in Quinquagesima anno Domini 1415".\textsuperscript{94} Given this dating, it is likely that Gilbert was referring instead to the representatives of the king of Aragon who reportedly offered in January 1415 to

\textsuperscript{91} See Lippe, Missale i., 46; and Legg, Missal, 48.

\textsuperscript{92} Cheney, Handbook, 124.

\textsuperscript{93} "...famosissimi viri et spectabiles pacisque ecclesiastice zelatores a Petro de Luna, faturus scismatis notorio, suam obedientiam subtraxere et huic sacro Constanciensii concilio incorporati fuerant": Finke, Acta ii., 487.

\textsuperscript{94} Schneyer, "Ergänzung," 387. Schneyer recognized this to be a second copy of the sermon listed by Finke and drew attention to the discrepancy in dating, though he did not attempt to determine which date is correct.
withdraw their obedience from Benedict XIII.95 Although it is certain that Gilbert was present at Constance in 1417,96 there is nothing in the records for his career which would preclude his being at Constance in early 1415 as well.97 It is therefore reasonable to dismiss Finke’s dating of "Ascendimus" and to redate the sermon to 10 February 1415.98

The next known English sermon at Constance was delivered on 10 March by Bernard de Planche, vicar of the bishop of Bordeaux, who on several occasions served as president of the English nation

95 This is according to Richental; neither Fillastre nor Cerretano mention this episode; see Loomis, Constance, 111. If Gilbert was referring to the Aragonese in 1415, then he was rather precipitous in announcing their incorporation into the council, for it was not until early 1417 that the Spanish nation, including the representatives of the king of Aragon, were officially received into the council.

96 Chichele appointed him as warden of Merton College on 3 May 1417; the record notes that he is presently "in concilio generali Constanciensii absentem": E.F. Jacob ed., The Register of Henry Chichele iii. (Oxford: Clarendon Press, 1943): 159-60.

97 He became the rector of All Hallows church, London, on 5 Oct. 1415 (Jacob, Register i., 139). He also reportedly delivered a sermon at the opening of the convocation of Canterbury on 1 Apr. 1416 (Jacob, Register iii., 10). So if Gilbert did preach "Ascendimus" in early 1415 and was also in Constance in 1417 when he was made warden of Merton, he must have gone to Constance at least twice. The fact that his name, like Fleming’s (see below, p. 194), is never mentioned in the official records of the council may be because he was only there briefly and may have served as a messenger between England and the council. Note that Robert Gilbert had served with Fleming on the committee of censors at Oxford, and other parallels between their careers, including service to Repingdon, suggest that they were friends. Thus, Gilbert may have joined John Luke in supporting Fleming when he was charged with upholding heretical tenets in 1409.

98 Cheney, Handbook, 102. This would make "Ascendimus" the earliest known English sermon at Constance.
and was a close ally of Hallum." This very short sermon on the theme "Et nunc reges intelligite" served the purpose of reporting on his embassy to Benedict XIII at Peñíscola. Because it was specifically intended to explain the results of his mission, it is clear that de Planche did not in this sermon serve as a spokesman for his nation in the manner which Fleming seems to have done in "Surge" and "Accipiant".

Besides "Accipiant", "Ecce" and "Quod", the next English sermon which has been dated to 1417 is "Videns civitatem flevit super illam" (Luke 19:41) by John Wells, an Oxford doctor in decretis and canon of Wells Cathedral. Finke dated this sermon to 1 August 1417, citing only one copy in a manuscript that he miscited as "Stettin, Mariengymnasium, MS 33". It is now known that this codex is actually Zeitz, Domherrenbibliothek, MS XII (33). In the copy of "Videns" in this manuscript (ff.

99 According to Fillastre (Loomis, Constance, 391-2), on 5 August 1417 the cardinals attempted to have de Planche, Hallum and Andreas Lascari, the bishop-elect of Posen, removed from the second reform committee, which had been formed in late July after the deposition of Benedict XIII, because they were "notorious enemies of the Roman Church and Curia and cardinals".

100 Crowder, "Aspects," 361. Finke (Acta ii., 493) gives only the incipit of this unedited sermon, which is known to survive in only one manuscript.

101 Emden, BRUO iii., 2010-11.

102 Finke, Acta ii., 505.

103 Finke's miscitation of the Zeitz manuscript as "Stettin, Mariengymnasium, MS 33" was determined by Dieter Girgensohn, "Berichte über Konklave und Papstwahl auf dem Konstanzer Konzil," Annuarium Historiae Conciliorum 19, n. 2 (1987): 351-91 at pp. 357-8. The error was especially egregious because, as Finke himself notes, this manuscript contains by far the largest number
of Constance sermons in any single codex. It is also the only known source for several sermons from this council. The Zeitz manuscript also contains a copy of "Surge" and two other English sermons. I must thank Christopher Crowder for bringing Girgensohn's discovery to my attention.

Lippe, Missale i., 269; Legg, Missal, 182.

This second date is supported by evidence from another English sermon; see below, pp. 192-3.
while it does express a general interest in promoting clerical morality, "Videns" seems to be relatively mild in its attack on "avaricia clerii", never approaching the kind of vehemence seen in Fleming's reform sermons. Moreover, Wells makes no direct reference to the current strife in the council over priorities.

While "Videns" hardly compares with the kind of reform sermon of which Fleming was capable, there was a powerful reform sermon delivered in that month by a preacher who was probably a key member of the English delegation. Hardt and Finke, following the rubrics of the manuscript copies of this and one other sermon, refer to him as "Bernardus Baptizatus", but Crowder argues that this is an alias for Bernard de Planche, who had delivered a sermon in March relating his mission to negotiate with Benedict XIII.106 This sermon, known as "Duo homines ascenderunt in templum", was delivered on 22 August 1417. Crowder studied its text, edited in full by Hardt,107 and describes its message as follows:

He begins by saying that the views that he has held before [as expressed in his two previous sermons] he still holds, and that he will hold them to his dying day. The note of defiant consistency is unmistakable. He then passes to his text which is taken from the

---

106 Crowder, "Aspects," 377, n. 137. Crowder points out that Bernard de Planche and the preacher known only as "Bernardus Baptizatus" were both Benedictines from Gascony. Moreover, in this sermon "Baptizatus" notes that this is his third appearance in the conciliar pulpit, but Finke (Acta ii., 441) lists only one other sermon by this preacher, dated 10 May 1416. If Crowder's theory is correct, then the single sermon by de Planche given on 10 March 1417 may be added to the two ascribed to "Baptizatus" to make up the three alluded to in this sermon of August 1417.

107 Hardt, Concilium i., 879-93.
story of the Pharisee and the publican praying together in the temple. There are Pharisees, he says, those who set themselves apart, still, and they are present in many guises in Constance. With an astonishing command of the rhetorical effects of assonance he flays their vices. It is they who justify the sneer that the Church only loves her sheep for their wool. Such men are not worthy of the companionship of Christ, and if the majores are too depraved in conscience to provide the remedies, then the minores must not be afraid to speak out. There is no doubt that this was aimed against the cardinals and their sympathizers in the curia, and he goes on to tilt at the humbug which he detected in the Council's public prayers and processions. At this time they were directed chiefly to a speedy and fortunate election.... Even so in the last part of his sermon he veers on to a different tack, turning to the election which is known to be near at hand. The Council, he says, must search in high places and in lowly places for the right candidate, and the election must not be tainted with partiality or contention if it is to be accepted.  

Building on his case that "Duo homines" was preached by de Planche, and pointing out that Henry V's letter of 18 July (which he suggests signaled the change of the English policy regarding the priority struggle) had probably arrived at Constance, Crowder posits the following conclusion:

The sermon is delicately balanced on the need for consistency with the preacher's convictions and his acknowledgment of the national interest. He states his views on reform, but in such a way that they can be made to appear as the governing principles for an election. It is not too fanciful to read it as the firstfruits of the awkward change that the English were about to make.  

If Crowder is correct both in identifying the preacher as de Planche, and in his final point that this sermon served to give the first indication of the new English position, then it is

---


indeed an important sermon for the present discussion. But while "Duo homines" is undoubtedly a powerful reform sermon in its own right, it would have simply laid the groundwork for the formal announcement to be made by Fleming two weeks later in his eulogy for Hallum.

There are three other sermons, all undated, which might have been delivered after January 1417 by an English preacher besides Fleming, but the first of these can probably be excluded because internal evidence suggests an earlier date. This is "Tu es qui venturus es", one of the Constance sermons discovered and edited by Schneyer. In the introduction to his edition of this sermon, Schneyer suggests that Fleming may have been its author, though this seems unlikely; that "Tu es" was indeed compiled by an Englishman and an Oxonian is suggested by the preacher’s note that he found a book containing works by Athanasius "in armario copiosissimo conventus Oxoniae".110 This extremely long Advent sermon is a very learned theological and philosophical exposition devoted to confuting pagans, Jews and heretics, the last with reference to magicians and necromancers, rather than to Wyclif or Hus.111 Within the discussion of this form of heresy there is an extended treatment of the nature and extent of conciliar authority and what this means if a pope should be deemed heretical.112 As a sermon for the second Sunday in Advent,113

110 Schneyer, "Texte," 175-221, at p. 181.
111 Schneyer, "Texte," 182.
112 Schneyer, "Texte," 201-11.
it would have been delivered in early December. The year 1414 can be ruled out because the council had only just opened and the position of John XXIII, who would be deposed the following May on charges including sorcery, was still very strong, at least among the English. Moreover, very few English delegates would have been present, the main contingent of their delegation not arriving until early 1415. And it is very unlikely to have been delivered in 1415 because Hallum gave his important sermon, "Erunt signa in sole", on the second Sunday in Advent for that year.\footnote{114} It seems safe to conclude that "Tu es" must have been delivered on 6 December 1416\footnote{115} when the council was preparing its case for the deposition of Benedict XIII,\footnote{116} for it seems highly improbable that such a sermon would have been preached in 1417 after the election of Martin V. In any case, it surely was not delivered between 6 January and 2 October 1417, the dates of Fleming's first and last known sermons at Constance.

The second English sermon from Constance which may have been delivered during 1417 is known as "Pax vobis". Finke cites the

\footnote{113} Schneyer says only that it is an Advent sermon; the \textit{thema}, from Luke 7:19, is found only in the readings of \textit{Dominica secunda de adventu} in both the Sarum (Legg, \textit{Missal}, 17) and Roman (Lippe, \textit{Missale}, 3) missals.

\footnote{114} Finke, \textit{Acta ii.}, 423.

\footnote{115} Cheney, \textit{Handbook}, 141.

\footnote{116} This date would allow for Fleming's authorship of "Tu es", but the kinds of sources used and the style seem to suggest another preacher. Indeed, the only thing this sermon seems to have in common with Fleming's sermons is its length, which exceeds even "Accipiant", one of the longest sermons from Constance.
sermon’s rubric in dating it to "Dominica in albis",\(^{117}\) ascribing it only to an "Anglicanus anonymus",\(^{118}\) but the catalogue for the only known manuscript containing this sermon cites a passage in which the preacher identifies himself as an Oxonian.\(^{119}\) Nothing more can be said of this sermon at present because there is no edition of the text and the manuscript has not been seen.

However, it is virtually certain that the third undated English sermon, the anonymous funeral sermon for Richard Dereham known as "Nunc abscondita sunt",\(^{120}\) was delivered during the period of Fleming’s preaching activities, in mid-August 1417. Although Emden claims that Dereham died at Constance sometime before February 1417, he does not cite his source for this information.\(^{121}\) A different, and more precise date for Dereham’s death is provided by John and J.A. Venn who state that Dereham died on 10 August 1417.\(^{122}\) The source for this date is

\(^{117}\) This is the first Sunday following Easter, also known as Low Sunday or Dominica Quasimodo. The possible dates would be 7 Apr. 1415, 26 Apr. 1416, 18 Apr. 1417, and 3 Apr. 1418; see Cheney, Handbook, 94, 102, 124, 140.

\(^{118}\) Finke, Acta ii., 537.

\(^{119}\) J. Valentinelli, Bibliotheca manuscripta ad S. Marci Venetiarum ii. (Venice, 1869): 321.

\(^{120}\) Vidal ("Recueil," 499) does not cite the sermon’s thema, only its incipit: "Cogitis me, o amatores et amici reverendi hujus patris..."; he also renders Dereham’s name as "Richard Decham".

\(^{121}\) Emden, BRUC, 184-5.

\(^{122}\) John Venn and J.A. Venn, Alumni Cantabrigienses i. 2. (Cambridge: Cambridge Univ. Press, 1922): 35.
something of a mystery, for the Venns cite John Venn's previously published history of Gonville and Caius College, but the entry for Dereham here states only that he "probably died [in] 1417".\footnote{John Venn, Biographical History of Gonville and Caius College i. (Cambridge: Cambridge Univ. Press, 1897): 4; Dereham was a fellow of Gonville Hall.} John Le Neve adds to the confusion by noting that Dereham "resigned" as archdeacon of Norfolk before 18 February 1418;\footnote{Le Neve, Fasti iv., 29.} but a more reliable indication of events is probably seen in his entry for Dereham's vacation of the prebend of Seaford in Chichester Cathedral by 30 September 1417.\footnote{Le Neve, Fasti vii., 38.} Crowder accepted Venn's date of 10 August in grouping Dereham with Corff, Wells, Hallum, and others whom he believed died of a pestilence in the late summer and autumn of 1417.\footnote{See above, pp. 174-5.}

The eulogy for Dereham supports the August 1417 date for his death. The citation of the \textit{thema} from Luke 19:42 notes that it is from "the Sunday Gospel reading of the present week which is concerned with the city of Jerusalem over which the Saviour wept when He saw it."\footnote{"Intuens ergo Dominicale evangeliu em bodomade iam currentis in quo de Jerusalem civitate agitur quam salvator videns flevit...": Klosterneuburg, Stiftsbibliothek, CC1 82, f. 85ra.} The reference here is to the same Gospel passage from which John Wells took his \textit{thema}: "\textit{Videns civitatem flevit super illam.}"

Thus, there can be little doubt that Dereham's eulogy was delivered sometime between 16 and 22 August
1417, perhaps in the week following Wells' Sunday sermon, if "Videns" was in fact given in that year and took its *thema* from the Sarum, rather than the Roman, Missal.\textsuperscript{128}

While it is fairly safe to assume that the preacher of "Nunc" was English, the only other hint of his identity comes *ex silentio*: in mentioning Dereham's connections to Cambridge, his eulogist never identifies himself with that university, as Fleming readily did with Oxford in his eulogies for Corff and Hallum. If Dereham did die on 10 August 1417, Fleming was surely present and available, and he had quite recently proven himself in "Quod" to be an able funereal preacher. The fact that the only known copies of this sermon -- in Klosterneuburg, Stiftsbibliothek, CCl 82 and in Vidal's manuscript\textsuperscript{129} -- occur between unascribed copies of "Quod" and "Spiritus" should probably not be given too much weight; they may have been grouped together simply because they are all eulogies for Englishmen. Nevertheless, Fleming is the only English preacher who is definitely known to have delivered funeral sermons at Constance, and in the absence of any other candidate, "Nunc" may be tentatively ascribed to him. If he did compose and deliver the eulogy for Dereham, and if the date of 10 August for his death is

\textsuperscript{128} See above, p. 186. The reference in Dereham's eulogy to the text which formed Wells' *thema* may suggest that "Videns" was indeed preached on 15 August 1417.

\textsuperscript{129} Thus, the same difficulties in compiling a reliable edition which have hindered a closer study of "Spiritus" (see above, p. 165, n. 50) also apply to "Nunc". Again, it was not considered feasible to edit Dereham's eulogy for this thesis.
correct, then Fleming would have been busy writing yet another funeral sermon in mid-August; this may explain why it was another English preacher, probably Bernard de Planche, who delivered a reform sermon the following week.\footnote{130}

Although the foregoing survey of English preaching at Constance in 1417 contains some uncertainties and leaves much room for further research, it nevertheless demonstrates that Fleming was clearly the most important English preacher at Constance during the most critical phase of that council.\footnote{131} Moreover, except for Fillastre’s single reference to him as a royal legate after Hallum’s death, Fleming’s name does not appear in any of the surviving records from this council, except in the rubrics of copies of his sermons. This is in sharp contrast to figures like John Wells, Thomas Polton, Robert Hallum, Nicholas Bubwith, Thomas Spofforth and other English delegates who are often mentioned in the official Acta, in the three Constance diaries, and in surviving letters.\footnote{132} Thus, Fleming presumably did little else of importance at Constance besides compose sermons and preach them, at least until he became a royal legate, probably in early September 1417. It therefore stands to reason

\footnote{130}{See above, pp. 187-8.}

\footnote{131}{In his thesis, Crowder entitled his chapter on the period from April to November 1417 “The Decisive Months” (“Aspects,” 349).}

\footnote{132}{At the end of the fourth volume of Acta, Finke provides a useful index which not only provides references for persons mentioned in his collection, but also in Hardt’s Concilium; this was no doubt the source for Emden’s long list of citations for the activities of individuals such as John Wells at Constance.
that he had been brought or sent to Constance for this express purpose, probably after impressing the right person or persons with an example of his preaching skills.

Fleming's last known sermon at Constance, his eulogy for Francesco Zabarella, seems to have also been designed to impress his audience, but in a manner which is very distinct from the approach he had taken in his eulogies for Corff and Hallum, and indeed all of his other sermons at this council. For, as the following chapter will show, Fleming's funeral sermon for the deceased Cardinal of Florence expresses values which are clearly associated with Italian humanism.
Preface

Richard Fleming’s nephew, Robert Fleming (1418-83) is commonly regarded as having been one of the most important of England’s earliest humanists. He studied Greek in Italy under Guarino da Verona, wrote a long Latin poem in classical style dedicated to Sixtus IV, and collected dozens of patristic, classical, and humanist books, most of which he left together with his scholastic manuscripts to the library of Lincoln College, Oxford.\(^1\) In considering what may have originally prompted him to pursue his classical studies, Roberto Weiss and others have assumed that he probably became attracted to humanist learning upon seeing the manuscript collection of Duke Humphrey of Gloucester, which came to Oxford in 1439, about five years before he travelled to Italy to study at Padua and Ferrara.\(^2\)

However, another explanation for Robert Fleming’s academic interests is suggested by the sixteenth-century humanist bibliographer John Leland, who referred to Richard Fleming as

---


\(^2\) Weiss, *Humanism*, 102. Vivian Green, (*Commonwealth*, 35) concurs with Weiss but also suggests that Robert Fleming’s friendship with William Grey, the future bishop of Ely, may have also been an important influence on his interest in Italian learning.
Robert's "patron and also a great lover of the good arts." This claim of patronage is attested by a papal dispensation granted to Robert on 20 January 1429, "at his own petition and that of Richard, Bishop of Lincoln, whose nephew he is," which permitted him to hold any canonry or subdeaconal prebend without cure once he will have reached the age of twelve, his being only ten years old at the time. This was duly followed by Robert's installation as a canon of Lincoln Cathedral with the living of Milton Ecclesia on 5 August 1430. Clearly, Bishop Fleming did take his nephew under his wing, and by the time he died in January 1431, Robert had been in residence at University College, Oxford, his uncle's alma mater, for almost three years.

But to what extent Richard was, as Leland put it, a "bonarum

---


4 Emden (BRUO ii., 699) gives the year of this letter as 20 Jan. 1427, rather than 1429.

5 CPL vii., 497. This is the only known contemporary evidence for the familial relationship between Richard and Robert Fleming.

6 Emden, BRUO ii., 699. Emden does not mention an entry in Le Neve (Fasti ii., p. 187) which states that Robert Fleming held the Lincoln canonry of Fardon cum Balderton from 2 Apr. 1428, long before he would have been permitted to do so under the dispensation of Jan. 1429.

7 Emden (BRUO ii., 699) notes that Robert Fleming rented a room with "John F." in 1430-1 from University College, but he does not mention a record two years earlier which notes the receipt of five shillings for the rent of the "camera Iohannis, Iohannis, et Roberti Flemmynge": University College Bursar's Accounts, Pyx EE, fasc. 5/9 (Whitsun 1428-Whitsun 1429). However, Emden does mention this earlier record in his short entry for the otherwise unknown John Fleming (BRUO ii., 697).
artium amator magnus" in the same sense that Robert would later be, and whether the uncle may have instilled in his nephew an interest in Italian humanism, are questions which have hitherto received only scant attention. Besides Leland, the possible connection between the intellectual interests of Richard Fleming and his nephew has only been briefly treated by two German scholars, Georg Voigt and Walter Schirmer, though neither was apparently aware of Leland's comment. Voigt merely notes in passing that "Richard Fleming distinguished himself in orations and sermons at the Council of Constance where a spark of the New Learning may have touched him which was then passed on to his relative, Robert Fleming."* Schirmer, building upon Voigt's suggestion, goes so far as to suggest that the elder Fleming may even deserve his own place in the history of early English humanism. In addition to his presence at Constance, Schirmer cites further circumstantial evidence of Fleming's possible contact with Italian learning: in 1420 he was consecrated as bishop of Lincoln in Florence and in 1423 he led the English delegation at the Council of Pavia-Siena where he reportedly delivered an "energetic speech" before Martin V.* Schirmer then

---


9 A short excerpt from one of Fleming's two known sermons at Siena is in F. Palacky and E. von Birk eds., Monumenta conciliorum generalium saeculi decimi quinti, (Vienna, 1935): 64; the sermons apparently do not survive. For Fleming's role at
explains that, unfortunately, more direct evidence is lacking:

We cannot further determine the possible humanistic influences on him because the speeches and writings ascribed to Richard Fleming -- the *Librum super Etymologia Anglie* and the *Orationes in Concilio Senensi* -- which, according to Pits, were at Lincoln College, are now missing, and the only extant source does not support such a conclusion. This is one of his sermons given at Constance which is indeed very learned and composed in spirited Latin, but of course it contains nothing that is humanistic: a sermon is no humanist diplomatic oration.\(^{10}\)

The sermon referred to here is "Surge", which Schirmer knew only by the copy in British Library, Royal Appendix 7; and, indeed, he was correct in seeing no evidence of humanist interest in that sermon. It is curious, though, that Schirmer overlooked Voigt's footnote regarding sermons by Richard Fleming in several

\[\ldots\]

this council, where he supported the pope against the conciliarists, see Walter Brandmüller, *Das Konzil von Pavia-Siena: 1423-1424*, (Münster: Aschendorf, 1968-74): passim.

\(^{10}\) "Diese eventuellen humanistischen Einflüsse können wir nicht mehr abschätzen, da die nach Pits in Lincoln College verwahrten Reden und Schriften verschollen sind, da gleichfalls die anderen Richard Fleming zugeschriebenen Werke, das *Librum super etymologia Anglie* und die *Orationes in Concilio Senensi*, uns nicht erhalten sind und da die einzige überlieferte Schrift derartige Schlüsse nicht erlaubt. Denn dies ist eine auf dem Konstanzer Konzil gehaltene Predigt, die zwar sehr gelehrt und in schwungvollem Latein abgefaßt ist, aber naturgemäß nichts Humanistisches enthält; eine Predigt ist keine humanistische Gesandtschaftsrede": Walter Schirmer, *Der englische Frühhumanismus*, (Tübingen: Niemeyer, 1963): 133. For Pits' account of Fleming's books see *Relationem*, 615; but compare his predecessor John Bale (Index, 346) who reports seeing a book containing Richard Fleming's "*Protestatio contra Hispanos, Gallos et Scotos facta in concilio generali Senis, et ethimologia Anglie*" in Thomas Bickley's room at Oxford. Bickley was a fellow of Magdalen College who later served as warden of Merton College and then bishop of Chichester under Elizabeth; see A.B. Emden, *Biographical Register of the University of Oxford, A.D. 1501 to 1540*, (Oxford: Clarendon Press, 1974): 91. Fleming's book does not seem to have been left by Bickley to the libraries of either college or to the cathedral library at Chichester.
manuscripts at Vienna, including Ö.N.B., MS lat. 4922, which contains five sermons attributed to him. Also, he was evidently not aware of Finke's scholarship on Fleming's preaching activities at Constance which had been published several years earlier. If Schirmer had examined the eulogy which was probably Fleming's last sermon at Constance, either in Ö.N.B., MS lat. 4922 or in the edition by Hermann von der Hardt,¹¹ he would have no doubt been surprised to find that, although it is not a "humanist diplomatic oration", it does in fact contain very strong indications of Italian humanist thought.

The evidence for Fleming's authorship of this eulogy for Francesco Zabarella, "Absorpta est mors in victoria" (1 Cor. 15:54), is derived from only one of the six known manuscript copies of the sermon; all other copies, including the one used by Hardt for his edition, do not provide the preacher's name.¹² However, one of the unascribed copies -- Munich, Universitätsbibliothek, MS 84, ff. 110v, 112r-115v -- occurs immediately after an ascribed copy of Fleming's eulogy for William Corff; both sermons were copied by the same scribal hand, and a binding error, probably contemporary to the copying of these texts, mingles the texts of these two sermons. This admittedly weak evidence is bolstered by the fact that the manuscript which contains the largest number of Fleming's sermons -- Vienna, Ö.N.B., MS lat. 4922 -- does ascribe "Absorpta" to

¹¹ Hardt, Concilium i., 546-52.

him, and this copy is found in the midst of four of his other Constance sermons, including "Accipiant", whose ascription in this codex is supported by the rubric of an independent copy in a manuscript at Berlin. However, the ascription in the Vienna manuscript is not found in a rubric or colophon, neither of which are provided. Rather, Fleming is mentioned as its author in the register at the end of the manuscript; but it is fairly certain that the same scribe who copied all of Fleming's sermons in this manuscript also compiled this index, which immediately follows the last of these, the fragmentary copy of "Spiritus". Following the entry for "Accipiant" which cites it as "Sermo magistri Richardi Flemming...", the next entry in the index reads as follows: "Sermo eiusdem cuius thema absorbta est mors in victoria et cetera" (f. 308v). It was from this evidence that Michael Denis ascribed "Absorpta" to Fleming in his catalogue of the Vienna manuscripts; Finke later perpetuated this ascription, although he altered Fleming's first name to "Heinrich". It seems reasonable to give credence to this ascription for, although "Absorpta" is very different from the two eulogies which surely are Fleming's, the authority of the Vienna manuscript is such that, until evidence may be found to the contrary, the tradition of Fleming's authorship of this sermon may be regarded as accurate.

13 See above, pp. 98-101.

14 Denis, Codices ii. 1, 1444.

This funeral sermon, delivered on 2 October 1417, was the second of two official eulogies given at Constance for the deceased cardinal of Florence, the first having been delivered a few days earlier by none other than Poggio Bracciolini. Also, two additional orations in memory of the cardinal, who died on 26 September, would later be composed by such other notable humanists as Pierpaolo Vergerio the Elder, who had served as Zabarella's secretary at the council, and Pietro Donato.16

It has been argued that Fleming served as a spokesman for the English delegation at Constance in 1417, but this would not, in itself, have made Fleming a candidate for delivering a eulogy for such a prominent non-English figure as Zabarella. Thus, the fact that he was chosen (or allowed) to deliver an official eulogy for one of the council's most honoured prelates indicates that Fleming had already, in his short time at Constance, shown himself to be worthy of such an honour; his earlier sermons had no doubt made an impression upon the gathered representatives of the church, perhaps even on Zabarella himself who seems to have served as a censor of conciliar sermons.17 And in his recent eulogies for Corff, Hallum and perhaps Dereham, Fleming had clearly established himself as something of a specialist in this


17 Stump points to a document edited by Finke (Acta ii., 376) which suggests that Zabarella "acted as official censor of the sermons preached at the council, in which some of the strongest reform demands were expressed": Stump, Reforms, 43.
particular genre. The fact that it was deemed necessary to have two eulogies for Zabarella also enters into this issue. This unprecedented (for Constance, that is) dual commemoration may simply be a reflection of Zabarella's stature at the council. But it may also be explained in terms of the stylistic differences between the eulogies by Poggio and Fleming; perhaps the conciliar officials felt that the cardinal's obsequies should include both the declamatory oration delivered by the Italian Poggio and the thematic sermon preached by the northerner Fleming so that Zabarella's memorials would be accessible and relevant to the entire council, the importance of unity being paramount because of the impending papal election.\footnote{As noted below (p. 216, n. 37), Zabarella himself would have probably become pope if he had lived longer. Thus, the eulogies delivered in his memory served not only to describe the virtues of the deceased, but also to prescribe the qualities to be sought by the coming conclave.}

The extent to which the Council of Constance may have served as a nexus for intellectual exchange, especially for the transmission of humanist learning to the lands north of the Alps, is a question which has thus far received very little attention;\footnote{See, for example, Roberto Weiss, \textit{The Spread of Italian Humanism}, (London: Hutchinson, 1964); and P.O. Kristeller, "European Diffusion of Italian Humanism," \textit{Italica} 39 (1962): 1-14. Although both authors treat the period following 1350, neither mentions the Council of Constance or any other late medieval council.} scholars have typically been more interested in the political and ecclesiastical significance of what transpired there. Most discussions of the role of humanists at the Council
have focused on the opportunity it gave Poggio Bracciolini to search monastic libraries for copies of lost classical works. The only exception to this is seen in the work of Ernst Walser; but according to Ansgar Frenken, whose impressive bibliographical survey of Constance scholarship occupies an entire volume on the *Annuarium Historiae Conciliorum* (1993), Walser only considers the Councils of Constance and Basel in terms of their influence upon the development of early humanism in Italy, France and Spain.

On the presence of humanist ideas and sources in sermons delivered at Constance, no further scholarship has apparently resulted from the following statement by Paul Arendt who, in a short section devoted to this issue, notes that

> the attempt of our preachers to shine with learnedness in the pulpit shows itself in a number of them in a completely striking, hitherto unrecognized enthusiasm for classical antiquity. Certainly earlier preachers had already used classical literature, as far as it was known and alive during the Middle Ages, especially the "golden eight" poets whom they gladly moralized, but we have yet to consider it in terms of something else, namely the new driving spirit of early humanism which now asserted itself in sermons. Indeed, there came to Constance from Italy with the Curia a whole succession of young humanist talents (Poggio, Vergerio, Salutati, Chrysoloras, and others), and such ones are also already found among our preachers, although still in inferior numbers: Bishop John of Fermo, O.F.M., a translator and commentator on Dante; the Dominican General, L. Statius; P. Fengeronis, O.F.M.; Andreas Graecus, O.P.; and others. The enthusiasm, indeed the fanaticism for antiquity which these men exhibited is

---


21 Frenken, "Erforschung," 6, n. 4.
expressed in nearly all of their sermons: here they allow the whole of Olympus to rise again; they permit the old gods and heroes into their ceremonial feastday sermons and even their serious penitential sermons; they cite without compunction passages from classical authors beside passages from the Holy Scriptures; they attempt to incorporate as many classical passages as possible and in places that, according to our taste, there is little or almost no room for it; nor do they merely employ the ancient poets and authors commonly used since antiquity, but also those seldom read or newly discovered, indeed even the new authors of Humanism themselves. Of course they wanted to arouse the attention of their audience and make the sermon interesting, but even more they wanted to express their enthusiasm and joy in the rediscovered classical world and, like all humanists, to reap fame and honour.22

It is curious that Arendt did not perceive a similar interest in Fleming’s sermon for Zabarella; but he is not alone in this, for

the same is true of John McManamon who authored the only published study of Fleming's sermon for Zabarella.23 McManamon, who compares "Absorpta" to the oration delivered by Poggio on this occasion, is quite astute in assessing the differences of form and style between Fleming's sermon and Poggio's eulogy, which was intended to revive the classical mode of epideictic oratory.24 However, he overlooks important aspects of the former which reveal Fleming's awareness of, and probable interest in, contemporary Italian intellectual currents. In his desire to highlight the revival of classical standards of oratory by Vergerio and Poggio, McManamon depicts Fleming's sermon as an example of conservative, scholastic attitudes.25 But while "Absorpta" is framed within a thematic sermon and treated in terms of the scholastic syllogism, Fleming's discussion of

23 Crowder, in his unpublished thesis, remarks that, in contrast to his elegant eulogy for William Corff, Fleming's sermon for Zabarella is "leaden-footed [because] it is overloaded with its author's desire to display his humanistic learning": "Aspects," 383. Crowder does not develop this appraisal of "Absorpta" in his thesis, nor is it mentioned in any of his published work.

24 Poggio himself berated the thematic sermon form in an earlier oration at Constance during the summer or early autumn of 1417; McManamon sums up his complaints as follows: "Sermons typically [begin] with a quotation (sententia). The body of the sermon [follows] immediately and simply [piles] up the opinions of learned men. The sermon then [closes] with an exhortation to practice virtue and avoid vice. Bad persons using bad rhetoric [leads] to a woeful condition for the believing community. Who would heed the exhortations of those who constantly [seek] their own advantage and [ignore] the common good?": McManamon, Oratory, 65-6.

25 McManamon, Oratory, 11-14, 65-68. Following Finke, he incorrectly attributes the sermon to "Henry Fleming, an English cleric" (p. 11).
Zabarella's victory over death reveals his sensitivity to the humanist emphasis on the duty of leading an active public life, and especially on the enduring fame after death which is derived from such service.

The "cult of fame" is of course a key element in Renaissance culture as conceived by Jacob Burckhardt. A more recent treatment of this topic is offered by Quentin Skinner:

the most important new element the humanists introduced [in terms of political philosophy] was a distinctive vision of the goals of political society, especially the goals appropriate to those entrusted with its leadership.... Petrarch and his disciples added an overriding emphasis on the characteristically Roman ideals of honour, glory and fame. A more complete reversal of the values of scholastic political philosophy would be hard to conceive. Thomas Aquinas and his pupils had of course been aware of this strand of Roman thought, but had always denounced it with vehemence.... The early humanists also provided a new and characteristic account of how these goals are to be attained. Drawing above all on Cicero, they argued that the key to glory lies in the possession of virtus generalis.... By the end of the fourteenth century, this assumption had become firmly entrenched as the leading tenet -- almost the defining characteristic --


27 As McManamon points out, this theme is also present in Poggio's oration for Zabarella in his suggestion that "the council should sponsor a tomb bearing an inscription that recorded Zabarella's exemplary deeds for Christendom. Those present should imitate Zabarella and conserve his memory perpetually": Oratory, 14.

of humanist political thought.  

The following analysis of "Absorpta" suggests that Fleming's tribute to the late Cardinal of Florence reflects precisely this dual interest in virtue and fame; however, the political context in which it occurs is not the secular state, but the respublica Christiana.

"Absorpta"

Following his address to the "most distinguished lords and fathers, most worthy in kindness, honour and refinement, and other most learned men" (ll. 1-2), Fleming begins his sermon with a quotation from "laureatus Petrarcha": "Gods, why have you stolen such a great man away to rich heaven from this small and wretched earth?" (ll. 4-6). Fleming then explains that he was relieved of his sorrow when "suddenly reason counselled me...and presented to my mind that Apostolic sentence which the priest Paul wrote to the Corinthian Church, saying, 'Death has been absorbed in victory'" (ll. 6-9). He then expands upon this theme by calling upon Ambrose, Augustine, and several biblical passages, all of which help to give "solace from tears" by pointing out how death liberates us from the wretchedness of

---

Fleming next turns to the idea that life is fleeting. Beginning with a quotation attributed to Ambrose and a similar sentence from Job 14:1-2, he then cites "Quintilian" as follows: "Every hour drives us through a silent and unnoticed journey to our fate, and in this disgraceful contemplation of our mortality we are dying through each instant of fleeting time" (ll. 51-4). This sentiment is seconded by Seneca: "Daily we are dying. Daily another part of life diminishes. And even as we are growing up, life is slipping away" (ll. 54-6). Then follows a discussion of the longer and better life to come after death in which Augustine, "Mercurius" Trismegistus, and Lactanctius are quoted, the last of these as follows:

If a longer and better life remains to humans -- which we learn from the arguments of the great philosophers, from the response of the poets, and from the holy voices of the prophets -- then it is wise to condemn this present life, every sacrifice of which is ended in death (ll. 58-63).

The pagan querela from Petrarch notwithstanding, up to this point in the sermon Fleming's argument seems to be quite similar to "Quod" and "Spiritus" in advocating the rejection of this world and promoting a life spent in preparation for the hereafter. Indeed, this is how McManamon appraises the sermon in concluding that "Fleming set out to prove that Zabarella's death had been absorbed in a true, Christian victory." But this condemnation of the present life is immediately followed by a

---

30 McManamon, Oratory, 15.
discussion of the notion of sacrifice being ended in death, the idea which will provide the framework for the crux of Fleming’s argument. This shift is immediately apparent in his next quotation, from Seneca’s *On the Brevity of Life* to Paulinus:

Most humans, Paulinus, are overcome by the malice of nature because we are born with a brief life and because the space of time given to us rushes by so quickly and rapidly, that, except for a few, life departs from them just when they are beginning to live. Nor is it only the most turbulent and shameful ones who groan at this supposedly universal evil; this feeling also evokes the complaints of famous men.... The life given to us is great and fully capable of many things, if it is all spent well. But if it is spent in luxury and negligence, when the final necessity is concluded, we do not understand how it goes nor do we sense how it has passed. We do not receive a brief life; but we make it so. Nor are we lacking of it, but rather we are wasteful of it (11. 76-87).

This quotation, the longest in the sermon, is followed by a discussion citing Peter Damian and Luke 12:37 with its gloss on how humans are called to the next life at different times and in different ways, and so must be ever ready for unexpected death. Yet, in the context of the passage from Seneca which precedes it, the implication is not that our lives should be spent merely in anticipation of the hereafter, but that we must make the most of every day since death can come upon us suddenly.

At this point Fleming directly addresses his audience, especially singling out the late cardinal’s loved ones and members of his household, his "cari et domestici" (1. 102), and consoles them with words attributed to Ambrose: "Although the life given to us by nature is brief, the remembrance of a good life is eternal" (ll. 106-7). This line, which is actually from
Cicero's Philippic orations, is the first of many quotations and statements focusing on immortality through fame; for this is the primary argument by which Fleming sought to console Zabarella's friends by showing how his "death has been absorbed in victory."

In the very next line Fleming demands of his audience, "Who dares to say that the life of such a man, 'whose memory is blessed', 'who is praised by the whole Church', ceased with the death of his flesh? 'A life which is unchanged does not end'" (ll. 108-11). Then Lactantius is again cited, this time in promoting the value of an active life: "How much better those are said to live 'who have resolved that life is to be lived by works so that they shall be conveyed to a better and more certain life for their merits’" (ll. 113-15). Fleming next employs the rhetorical device of anaphora to drive his point home:

Therefore no, friends, therefore no: that life is not to be called the best which exists in both body and spirit. I say: that life is best which 'thrives in the memory of all ages, which posterity nourishes, and which eternity itself will always preserve' (ll. 116-19).

He concludes this part of his sermon by noting that "it is the testimony of deeds that determines" (l. 120).

The main body of Fleming's sermon is a treatment of Zabarella's character which, although it is certainly of a more general than personal nature as compared to the almost biographical approach of Poggio's oration, further reveals Fleming's classicizing tendencies in this sermon. He begins by

---

31 McManamon, Oratory, 12-16.
noting that Zabarella's life "has shone forth" in four ways -- in *virtutibus*, in *doctrina*, in *fama*, and in *laudibus* (ll. 125-6) -- and then proceeds to expand on each of these categories.

In beginning his lengthy discussion of Zabarella's moral character, Fleming notes that the cardinal's life

has especially shone forth in those virtues, from which others are derived, which are called moral or civic virtues, of which Macrobius says in his *On the Dream of Scipio*: "Good men give counsel to the republic, protect their cities, honour their parents, love their children, ensure the safety of citizens, defend their friends with circumspect foresight, maintain their support through just generosity, and make others remember them for their merits" (ll. 127-32).

He then goes on to describe Zabarella's life in terms of the four civic virtues: justice, temperance, fortitude and prudence. But of the three ecclesiastical virtues -- faith, hope and charity -- which Christian moralists added to them, Fleming mentions only charity, and that only briefly and within his discussion of one of the classical virtues.\(^{32}\) That Fleming, an Oxford-trained theologian, chose to depart from the conventions of scholastic moral theology and revert to the ethical system of classical antiquity is not remarkable in itself. The conception of the four classical virtues was well known during the Middle Ages and had some influence;\(^ {33}\) therefore Fleming's use of the classical virtues

\(^{32}\) In the discussion of justice, Fleming notes that Zabarella "lacked hatred because he was forgetful of injuries and loved all in charity" (ll. 142-3).

\(^{33}\) See Paul Henry, *Plotin et l'Occident*, (Louvain, 1934): 248-50, who discusses three medieval commentators on Macrobius' ethics: Bonaventure, Albertus Magnus, and Vincent of Beauvais. There are also several tracts in the corpus of medieval pastoralia which are based upon the four classical virtues; perhaps the most
virtues alone can hardly be construed as evidence of his interest in humanist thought. But in the context of his classicizing theme of immortality through worldly fame and his stress on public service, Fleming's use of Macrobius' ethics is consistent with the overall approach of his eulogy.

First, under the heading of _justitia_, Fleming notes that Zabarella's "principles were so great in the rectitude of knowledge that, according to his confessors, he never gave counsel against the dictates of conscience, and never practised simony" (ll. 133-6). Moreover, "what is rather amazing in a jurist, he was so removed from those four things by which, according to Isidore, judgement is perverted and justice is ruined, that he was shunned...by the corruptors of justice." These four are fear, hatred, lust, and avarice" (ll. 134-7). In Fleming's discussion of these four perils to justice, one is especially worthy of note. In discussing Zabarella's indifference to worldly goods (census), Fleming notes that he was contemptuous of coveted wealth since he was a giver of alms. First, let members of his household give testimony; second, his colleagues, the procurators and advocates; third, his relatives and close friends; and fourth, the poor. At Padua, where for a long time he most gloriously directed the schools of both laws by

---

Influential was the _De quatuor virtutibus_ of pseudo-Seneca (Martinus Dumiensis). See Morton Bloomfield ed., _Incipits of Latin Works on the Virtues and Vices_, (Cambridge, Mass., 1979): 376-7; for other examples, see Bloomfield's title index (p. 721).

3 This comment that Zabarella's virtue was unusual for someone in the legal profession recalls Fleming's call in "Accipiant" for more theologians in the prelacy. In that case, though, he was careful not to offend the lawyers in his audience; see above, p. 133.
lecturing, writing and disputing, he nourished the scholars, the poor and the needy not only with the food of learning, but also with material food, and not without great expense, like a fostering father of paupers. In the papal curia, especially in the place of the present council, what he did for paupers and miserable persons is told by the impoverished bishops and miserable clerics, to whom he continuously provided not only the things necessary to them, since he was an impoverished cardinal, but also things borrowed from another (ll. 144-55).

Zabarella's generosity to such "paupers" leads Fleming to exclaim on their behalf, "'who is this and we shall praise him, for he worked miracles in his life, for he did not chase after gold or put his hope in riches'" (ll. 157-9).

Turning next to temperancia, Fleming extolls Zabarella's self-control in terms of abstinence, fasting, and sobriety, noting that, according to his confessors, the late cardinal's "chastity not only kept him celibate but also, what is given to very few, a virgin" (ll. 163-5). Citing Bernard, Fleming notes that "this most devout lord knew that 'abstinence, fasts, and vigils, by which not only the fires of passion are extinguished, are healthy for chastity'" (ll. 165-8). Zabarella also, except on rare occasions, reportedly ate only one meal each day and spent his evenings in vigils and studies rather than vice for, as Fleming reminds us, Jerome enjoins us to "'love the knowledge of the

35 McManamon notes that Pietro Donato's funeral oration for Zabarella, which was delivered in Padua, praised him for being "especially generous to indigent students, often taking them into his home and paying their expenses. Humanist spirituality emphasized action and commitment in the public sphere according to the virtues of generosity and beneficence": Oratory, 66-7. In this connection, McManamon also notes Fleming's depiction of Zabarella as a "pater pauperum" (p. 201, n. 18).
Scriptures and you shall not love the vices of the flesh'" (ll. 169-72).

In treating Zabarella's fortitudo, Fleming turns from the more personal virtues discussed under the headings of justice and temperance to the public virtues suggested by the quotation from Macrobius. Fleming states that Zabarella's courage raised him above fear of the danger involved in working for the unity of the Church, especially in the matters of the present council, in which no one has been more fearless, no one bolder. For he preferred rather to die happily in such turmoil than to live unhappily with injury to God and to the detriment of the Church. Because of this he is revered by learned men with such veneration that he seems to have been sent from heaven to remove the long-standing schism and to conclude the unification of the Church (ll. 173-80).

This assertion is supported by a passage from Seneca:

"If you see a man unafraid of dangers, untouched by desires, happy among adversities, quiet in the middle of storms, will not veneration for him overcome you? Will you not say, this one comes from heaven? Such strength descended from the divine. Such a great thing could not be done without divine aid" (ll. 181-5).

Fleming's treatment of the virtue prudencia is also linked to Zabarella's public virtues: "Such was the wisdom in him...that he brought everything that had to be done, everything to be said, everything to be considered to a glorious conclusion" (ll. 188-94). Fleming adds that, because of his great prudence, Zabarella also possessed "'reason, understanding, circumspection, foresight, willingness to learn, and caution' which are derived from it, according to Plotinus" and Macrobius (ll. 195-6).

---

36 One manuscript has "Platonem" instead of "Plotinum"; but this idea of ancillary virtues in Macrobius is not found in the works of either of these philosophers; see below, p. 420.
Turning next to a discussion of how Zabarella’s life "shone forth" in doctrina, Fleming returns to his theme that the cardinal shall live on after the death of his body because the books he wrote truly speak of the brilliance of his life in learning: the apparatus on two books of decretals with keys, the tract on the schism, concilia, questiones, letters, sermons, the book on happiness, and other thoughtful little works in which his "life continues and shall not end." ...Learned and just men "for no other reason have chosen to live in such a way that they might achieve something" by teaching or writing "which is clearly worthy of their life," says Lactantius.... For this reason does not Paul live on in his epistles? Does not Jerome in the Bible, which he translated, and in his books? Does not Augustine in his books and teachings, and other doctors as well? Truly, they do live since their words are "life and spirit" (ll. 201-12).

The next topic discussed is Zabarella’s fama, which Fleming proclaims to be so great that Italy attests and the Roman Curia attests to the splendour of his life in his fame -- but I have spoken inadequately: it is attested by the entire church in which he was regarded as being so excellent that he was, by the judgement of all, worthy of being the highest priest (ll. 214-17).

This is clearly a reference to Zabarella’s candidacy for the papacy, vacant since the deposition of the Avignon pope, Benedict XIII, in late July. The stage was now set at Constance to elect a new pope and finally end the schism, a situation made possible by the recent resolution of the priority struggle in which Fleming had played such an important part. Obviously, Fleming is not only praising the qualities which would have made Zabarella a good pope, but also suggesting that the council keep those
attributes in mind for the impending papal election.\textsuperscript{37} This is especially important in that it shows that Fleming's promotion of ecclesiastical reform -- as seen in "Quod", "Accipiant" and "Surge" -- continued beyond his eulogy for Robert Hallum. But here his call for reform is defined within the context of the compromise he had proposed in that sermon: once it was determined that only limited reforms would be realized by the council, the hope for thorough reform of the church would rest to a great extent in the person of the future pope. This concern surely informs the emphasis on Zabarella's moral integrity, sense of public duty, perseverance and self-sacrifice as Fleming praises the man who would have been pope. But the role of the church at large, as represented by this council (and future councils, as would be required by the decretal "Frequens") is also treated in this passage, thus striking a balance between the extreme positions of papalism and conciliarism.\textsuperscript{38} Expanding on his point in the previous passage that not only the curia, not only Italy but the entire church thought him worthy of being pope, Fleming then asserts that

\begin{quote}
truly, his fame was derived not only from his learnedness, but also appropriately from his deeds and
\end{quote}

\textsuperscript{37} McManammon notes that all four of Zabarella's eulogists made this claim in the context of praising him as an ideal churchman, implying that "those about to proceed with a papal election should take note" (Oratory, 67 and p. 201, n. 24).

\textsuperscript{38} For evidence of Fleming's moderate conciliarism in "Surge" and "Accipiant", see above, p. 65, n. 26; p. 85, n. 54; p. 110, n. 40.
great merits in the republic, and especially in the present holy council which is composed of every nation under heaven. Therefore, his fame was approved by the testimony of both every great man and also the multitude. Because of this he shall live in kings, he shall live in princes, he shall live in prelates, and he shall live in commoners, he shall live in cities, he shall live in universities, he shall live in doctors, and he shall live in scholars (ll. 217-24).

Turning finally to the related topic of laudes, Fleming first cites Aristotle's *Rhetoric*, "Praise is a sentiment revealing the greatness of virtue" (l. 217), and notes his own unworthiness to offer praise for such a man. He then quotes the Bible, Ambrose, and Bernard in arguing that praise should be left until after one's death, for only then are the fruits of one's works complete. In concluding his discussion of Zabarella's qualities, Fleming again addresses the late cardinal's friends and loved ones, offering them consolation from Cicero's *Paradoxa Stoicorum*: "Although death is terrible for those who are completely extinguished by it, it is not so for those whose praise cannot be

---

39 This reference to the "res publica" is particularly interesting in that the term was especially used by Italians at Constance, and Zabarella himself in particular, to describe the institutional church; see Stump, Reforms, 252.

40 Unlike the example in "Quod", Fleming's statement of humility in this sermon is not qualified by equating himself with the deceased. The same is seen in "Spiritus" at the beginning of Fleming's introduction of the *thema*; after recounting how the procession to Hallum's funeral occasioned bitter wailing among the poor and the bishop's servants, and earnest weeping among prelates and lords and even the emperor, Fleming characterizes himself as "the least of these" ("ego suorum minimus"): Klosterneuburg, Stiftsbibliothek, CCl 82, f. 81ra). This difference between "Quod" and his later eulogies is probably a reflection of status; as a doctor of theology who wore "no collar or mitre", Corff was Fleming's social equal. Hallum and Zabarella, however, were both prelates.
forgotten" (ll. 246-8). Thus, Fleming repeatedly emphasizes posthumous praise and fame derived from great deeds accomplished in public life as the basis for Zabarella's victory over death; yet he skillfully incorporates this earthly immortality founded in human praise and memory with that afforded by the Christian dispensation. Bidding his audience to "dry your tears; put an end to your weeping", he then calls upon Seneca's Ad Marciam de consolatione and Cicero's De republica:

Indeed, if this most devout lord "has overcome the limits which seemed to bind him, true eternal peace has received him. His spirit is not assailed by dread of poverty, or the care for riches, or by desires for pleasure, or consuming torments; it is not touched by envy of others' happiness or overwhelmed by his own. Finally, he is now where nothing touches him, nothing frightens him." ...Indeed, if [I may quote] from both human and divine writers, "for all who have preserved, supported, and aided their country, there is ordained in heaven a definite place where the blessed enjoy eternal life," as Cicero supposed in The Republic, book 4. How much more is this so for those who run into their death while labouring constantly for the preservation and reparation of the Church (ll. 251-64).

McManamon identified this latter text as a commonplace in humanist consolatory literature that was used especially in reconciling pagan philosophy and Christian theology:

Italian humanists were often harmonizers in their praise, willing to blur distinctions.... The propensity to harmonize was perhaps nowhere more evident than in the manner in which rhetorical humanists fused pagan and Christian ideals to elaborate their ethic of public service,...often expressed in wording like "if the pagans...how much more Christians." ...[One vision] of the afterlife grounded in a special way their advocacy of public service. In

---

"It should be pointed out, however, that this interest in worldly fame was not the exclusive property of Italian humanists in this period; see below, p. 229.
the De república (6.13.13), Cicero recounted Scipio’s dream, in which those who preserved, aided, and enlarged the state were rewarded with eternal beatitude.\footnote{42 McManammon, Oratory, 156-7.}

Fleming concludes this sermon in a manner similar to his eulogy for Corff, by recounting Zabarella’s moment of death because, as Isidore says, "the end reveals what kind of a person someone was in life" (ll. 272-3):

Having received the sacraments of the Church most devoutly and having poured out tears, he was placed in a state of light and peace...as no doubt must be believed because of the works of his pious life. So indeed "his place has been made in peace and his home is in Zion" (ll. 277-81).

Then, Zabarella’s intimates are addressed for a third and final time as Fleming returns to his sermon’s thema:

Therefore, you, his friends and loved ones, since "light is the sadness which counsel can overcome" (as it says in the tragedy of Troy), "do not grieve as do those who have no hope" for the happy passing of such a devout lord of famous memory. And this is because it can now be seen that he has gained a more certain life, he has attained a better state, and he has acquired better fruit; and because of this, as says the theme, "death has been absorbed in victory" by this most devout lord, which victory is conceded to us by the blessed Son of God Himself, who lives and rules forever. Amen (ll. 281-90).

Was Richard Fleming a Humanist?

Clearly, Fleming obtained an understanding of certain key aspects of humanist thought while at the Council of Constance which he expressed in his funeral sermon for Zabarella. It is important to recognize that he did not merely sprinkle classical
citations through his text in order to show off his knowledge of ancient authors; rather, he shows a profound insight into the more subtle aspects of the classical revival in terms of its impact on the philosophical values regarding public service.

While such ideas and sources might be expected from one of the Italians, such as Vergerio or Poggio, who belonged to the circle of humanists supported by Zabarella, it is remarkable to find them in a sermon preached by an English theologian, especially at such an early date. In fact, Fleming surely knew that his audience would not expect such a sermon from him. Thus, his employment of the quote from Petrarch at the outset of his address was probably intended to alert his audience to the fact that this sermon would be very different from his previous funeral sermons at Constance for his countrymen which, in contrast to his sermon for Zabarella, are quite conventional and present the sort of ideas and sources which would have been expected from a person of Fleming's background. His delivery of this humanist-style sermon raises two fundamental questions: first, how did he obtain these sources and gain an understanding of humanist consolatory values; and second, why did he choose to incorporate them into his funeral sermon for Cardinal Zabarella.

The first question may be answered by considering the text of another funeral sermon from Constance which had been delivered about eighteen months earlier, on 23 March 1416, by the learned Florentine cleric Leonardo Dati, Minister General of the
Dominican order; Dati delivered this eulogy, known by its thema, "Ingressus est ad Dominum," for his fellow Dominican Federico Freschi, bishop of Foligno. A short excerpt of the sermon was edited by Finke. There has apparently been no previous work done on the full text of "Ingressus", which survives in two known manuscript copies. This sermon is replete with classical and humanist citations, and a comparison of Dati's sermon with "Absorptum" suggests a common connection between these eulogies. There are eleven citations which these short sermons share in common; while several of these are biblical quotations which are commonly used in eulogies, including Fleming's thema from 2 Corinthians, several others deserve consideration because they develop ideas consistent with humanist consolatory values.

One of these is the passage from Cicero's De republica, known through Macrobius' Commentary on the Dream of Scipio, which

---

Dati, also known as Statius, the Latin version of his name, is one of the Italian friars mentioned by Arendt as displaying humanist tendencies in their sermons at Constance; see above, pp. 204-5. For his activities at Constance, see W. Mulder, "Leonardus Statius auf dem Konstanzer Konzil," Abhandlungen aus dem Gebiete der mittleren und neueren Geschichte und ihrer Hilfswissenschaften, (Münster, 1925): 257-69; Mulder mentions "Ingressus" briefly on p. 263. Thomas Izbicki of John Hopkins University is currently working on two of Dati's other Constance sermons.

Finke, Acta ii., 440.

The manuscript copies of "Ingressus" are in Vienna, Ö.N.B., MS lat. 4300, ff. 212r-214v; and Wloclawek, Biblioteka Seminarium Duchownego, MS 53, ff. 370v-373r.

"Ingressus": Vienna, Ö.N.B., MS lat. 4300, f. 213v; and Wloclawek, Bibli. Semin., MS 53, f. 372r.
McManamon identifies as a locus classicus in humanist funeral orations. As he points out, humanists found this text to be ideally suited not only for consoling the bereaved, but also for motivating them to public service. Indeed, Dati cited this passage not only in his eulogy for the bishop of Foligno, but also in his sermon for Easter Sunday, 1409, which was delivered on the opening day of the Council of Pisa.

Probably the most striking citation which is common to Fleming’s and Dati’s sermons is the quotation from Petrarch’s *Bucolicum Carmen* in which the gods are asked why they have taken away such a man. Significantly, both Fleming and Dati misquote Petrarch’s verse in precisely the same way, by omitting "rarum" and interchanging "subtrahitis" and "terre", thus destroying the metre. According to Nicholas Mann, who is currently compiling a new edition of the *Bucolicum Carmen*, there is no known copy of the poem which contains such an altered version of these lines. On the basis of this evidence, it would seem likely that Fleming appropriated this and some of the other common citations directly from a copy of Dati’s sermon. Because of the large number of

---

47 The sermon, which is unedited, survives in two known manuscripts: Göttweig, Stiftsbibliothek, MS 479, ff. 148v-160v; and Paris, Bibliothèque Nationale, MS lat. 12543, ff. 85v-95v; see Thomas Kaepelli, *Scriptores Ordinis Praedicatorum medii aevi iiii.* (Rome: Istituto storico domenicano, 1980): 75. Only the Göttweig manuscript has been seen; the citation from *De republica* is found on f. 157r.

48 *Ingressus*: Vienna, Ö.N.B., MS lat. 4300, f. 213r; and Wloclawek, Bibl. Semin., MS 53, f. 371v.

49 Personal communication, 5 Jan. 1995.
surviving sermons from the council, and the abundance of manuscripts, it is likely that copies were circulated at Constance; thus, Fleming probably would have had an opportunity to mine Dati’s eulogy for humanist and classical loci to be used in his sermon for Zabarella.

However, this theory is called into question by another text cited by both Fleming and Dati. The quotation is attributed to Lactantius, De vero cultu, which is the title of the sixth book of the Divine Institutes. Yet this text does not appear in the Institutes or in any other known work by Lactantius. Unlike the passage from Petrarch, there are some significant variants between Dati’s and Fleming’s versions of this text:

Fleming: "qui ita vivendum esse operibus censuerunt ut ad meliorem certiorumque vitam meritis transferentur" (ll. 113-15).

Dati: "qui ita vivendum esse censent ut ad meliorem securomque vitam meritis transferantur".

The presence of "operibus" in Fleming’s but not Dati’s quotation means that either Fleming interpolated the word or Dati excluded it; if the latter, then Fleming could not have derived the quotation from his sermon. Support for the second scenario is seen in the fact that Fleming gives a more precise citation of the source than Dati does: in "Absorpta" the text is cited as

50 In a personal communication, David Rutherford, who is currently studying the reception of Lactantius during the Italian Renaissance, suggested that this text may be a paraphrase from Lactantius’ Institutionum epitome. If so, it is a very loose paraphrase indeed. See below, p. 415.

51 "Ingressus": Vienna, Ö.N.B., MS lat. 4300, f. 212r; Wloclawek, Bibl. Semin., MS 53, f. 370v.
follows: "Firmanus Lactantius in De vero cultu, capitulo xv"; but in the two surviving copies of "Ingressus", Dati does not provide the number of a chapter in his citation. This suggests that Fleming, rather than gathering citations directly from a copy of Dati's sermon, probably obtained some of his quotations in "Absorpta" from a source that was also used by Dati. This inference is supported by the fact that Fleming cites several classical literary texts which were not used by Dati, such as the quote from Cicero's Paradoxa and the misascribed citation from Seneca's tragedy, Medea. This common source might have been a florilegium or commonplace book of the type often used in composing sermons, except that this source specialized in classical, scriptural, patristic and humanist loci useful in producing works of humanist consolation.\footnote{I have contacted several scholars working on consolatory literature in the Renaissance -- Margaret King, George McClure and John McManamon -- inquiring about the possibility of such a florilegium, but they all report that they know of no such text.}

The question of why Fleming resorted to such a source is easily answered: he obviously recognized that his own exposure to classical literature and humanist ideas was inadequate for composing such a sermon.\footnote{Also, he would have had very little time in which to compose the sermon. As in the case of "Quod" and probably "Spiritus", he presumably turned to a handbook; see below, pp. 377-9.} The important issue is why he wished to deliver a sermon of this kind in the first place.

There seem to be two different, but not necessarily conflicting explanations for this. The first is that Fleming was
simply attempting to tailor his eulogy for Zabarella to suit the tastes of the cardinal’s humanist friends. In preparing this sermon, Fleming, who was no doubt well-schooled in rhetorical theory, sought to adhere to the principle of *accomodatio*, a practice advocated both in the classical and Christian rhetorical traditions.\footnote{For the classical tradition, see Aristotle’s *De rhetorica*, passim; Quintilian’s *Institutio oratoria*, book 11, and Cicero’s *De oratore*, passim; for the medieval tradition, see Gregory the Great’s *De cura pastoralia*, book 3.} For an oration or sermon to be effective, it must be appropriate to the status, education and, indeed, the tastes of its intended audience. It is surely significant that Fleming, on three separate occasions, directly addresses Zabarella’s "cari et domestici" or "amici et cari" -- his loved ones, friends and members of his household -- a group which would have included such men as Poggio and Vergerio. Moreover, he clearly distinguishes this group from his wider audience of "domini" and "patres": "Et ergo preclarissimi domini, potissimeque cari et domestici eius..." (11. 102-3); it is probably the latter which he also had in mind in his opening address to the most famous lords, the most worthy fathers, "ceteri doctissimi viri" (1. 2). Thus, Fleming was very conscious of his specific audience, and the content of his sermon proves that he was fully aware of what their interests and tastes were. He was determined to deliver a message of consolation couched in ideas and sources that would speak to their specific cultural milieu.

The second and perhaps more important explanation for
Fleming’s motivation in composing a humanist-style sermon is that he may have been trying to convince his audience that he was conversant with Italian intellectual trends, probably in order to gain preferment in the church. When Fleming delivered this sermon, negotiations over the procedure for electing a new pope were coming to a conclusion; the resolution of the schism was imminent. Fleming might have anticipated that, like Zabarella, the next pope would probably be an Italian prelate interested in the intellectual culture now labeled "renaissance humanism". Thus, Fleming would have seen his eulogy for Zabarella as an opportunity for self-promotion by advertising his intellectual and moral qualifications for receiving papal patronage in the future; this would certainly be consistent with all of his other Constance sermons. Subsequently, a few months after Fleming delivered this sermon, Martin appointed him as papal chamberlain and sent him as his envoy to Henry V. And in November 1419 Fleming was appointed bishop of Lincoln by papal provision; the following April, in Florence, Martin personally consecrated him in this office. While Fleming’s rapid advancement under papal patronage may well have had more to do with his role in bringing about the end of the priority struggle at Constance, his remarkable eulogy for Zabarella certainly could have only enhanced his candidacy for preferment under Martin V.

This conjunction of humanist learning (or the pretense of it) and papal patronage in the case of Richard Fleming parallels that of his nephew Robert Fleming, who would go much farther with
humanism but did not attain so high an office as his uncle had. This, indeed, might be that very "spark" of humanist learning which Voigt suggested Richard Fleming may have acquired at Constance and later passed on to his nephew. It seems very likely that the elder Fleming impressed upon his nephew the fact that his chance for advancement in the church through papal patronage would be enhanced if he had a greater knowledge of classical and humanist literature, and of the values associated with them, than was available to students at Oxford in the early fifteenth century. Thus, it may have been his uncle's advice, long before his exposure to Duke Humphrey's humanist library, which originally motivated Robert to go to Italy in the 1440s to study, gather books, and cultivate contacts in Rome.

While Richard Fleming probably did regard humanist learning as a means of securing papal patronage, this does not mean that he did not also find intrinsic value in it. The only evidence that Fleming did regard the classical revival in Italy to be worthy in itself is found in his preface to the statutes of Lincoln College, Oxford, which he founded in 1427. In this document, written a decade after he preached at Constance, Fleming applied to his own situation the same argument which had defined his

55 As Weiss (Humanism, 99-100) notes, his family's connection to the Lancastrians precluded Robert Fleming's advancement under Edward IV; in fact, he immediately lost his post as royal proctor to Rome in 1461 on the accession of the Yorkist king. Thus, the fact that he attained no higher office than dean of Lincoln was largely due to English politics, rather than a lack of support from Rome.

56 Weiss, Humanism, 97-102.
eulogy for Zabarella: earthly immortality through fame gained by acts of public service; and, as also in Zabarella’s case, those memorable deeds were done in support of the church. Having noted that his foundation is to be dedicated to theological studies in an attempt to counter the spread of heresy, Fleming then reveals another, more personal motive:

Ancient princes, prelates and nobles of immortal memory...have founded colleges in the venerable town...of Oxford, for the praise of the divine name and especially for the exaltation of the orthodox faith, which are most beautiful and are notable in the sciences of philosophy and theology. And although they are of mortal flesh, yet they live on with perpetual praise for their magnificent achievements. For as Ovid says: I have done such a deed as this so that "I shall live, if the prophesies of the poets are true, forever."57

This statement and the quotation from the closing lines of Ovid’s Metamorphoses seem quite unusual, coming as they do from a man who was a theologian, bishop and educator in early fifteenth-century England, especially considering the context. But this interest is not necessarily derived from his exposure to humanist thought at Constance and perhaps during his later visits to Italy. As Pietro Boitano points out, the issue of fame was

57 "Antiqui ergo et immortalis memoriae Principes, praelati, et proceres, in suarum mentium reverberantes intuitu quod super fluído et labente suppositorum concursu non valet solida construī Universitatis materia, sed ad hoc quod eius in aevum duret et accrescat prosperitas, ex dotatis collegiis, quae permaneant, ipsius oportet erigī solidarique structuram, ad divīni nominis laudem et exaltationem praecipuam fidei orthodoxae, in venerabili oppido sive urbe Oxoniae super praedictis philosophiae et theologiae scientiis notabilia collegia pulcherrimaque fundarunt; et, licet in carne mortui, in magnificis tamen eorum operibus perpetua laude vivunt. Ex illo Ovidii -- Tale opus hic feci, quod ego per saecula cuncta, Si quid habent veri vatum praesagia, vivam.": Bond, Statutes i., 8.
certainly alive both in academic (Robert Holcot) and literary (Chaucer) circles in late medieval England. Fleming may have also been influenced by an apparently significant current of insular classicism in late fourteenth- and early fifteenth-century England, which is only now beginning to be studied. Moreover, Fleming's interest in personal fame might simply be a natural product of his forceful personality, as seen in his bold stand as a student accused of heresy at Oxford, in his confident commentary on "Haec sancta" in his first sermon at Constance, and in his harsh rebuke of the curia in "Accipiant". Finally, Fleming's epitaph, which is the only other known surviving document written by him except for his Constance sermons and a diplomatic letter, reveals a quite different attitude towards worldly achievements and fame:

---


59 Beryl Smalley's, English Friars and Antiquity in the Early Fourteenth Century (Oxford: Blackwell, 1960) treats the "classicizing friars" at Oxford as an ephemeral movement, spawning no successors. However, Siegfried Wenzel has recently discussed a pronounced classical interest in certain English macaronic sermons from the end of that century and the beginning of the next; see Siegfried Wenzel, "The Classics in Late Medieval Preaching," in Medieval Antiquity, Mediaevalia Lovaniensia ser. 1, studia 24 (Leuven: Leuven Univ. Press, 1995): 127-43. An extensive study of apparently insular classicism in this later period is currently being conducted by James Clark of Merton College, Oxford, for his D.Phil. thesis. Clark's work focuses primarily on Benedictine monks, both at Oxford and in their cloisters.

60 Vienna, Ö.N.B., MS lat. 4710 contains a letter addressed to Henry, duke of Bavaria, and dated 11 Apr. 1422 which was signed by both Richard Fleming and a layman, William Miles, as "legati regis Angliae" (ff. 337r-337v). It seems reasonable to suppose that Fleming was the author of this epistle.
You who walk there, I ask that you read for a moment; stay, considering what you shall be in me, who is now food for worms. I was formerly an attractive young man, a bright lad studying the arts at Oxford. Then a thriving master of the divine law, a minister of Pope Martin with the honour of chamberlain. He made me a bishop in the see of Lincoln. And with his own hands he consecrated me with marvelous piety. Serene after the splendour of the title of York. I, a formerly charming man, lie under the heavy soil. The pomp of the world, beauty, applause, various high offices; What are they, I ask, if not dreams and follies? Let flatteries be silent in worship; mockery carries venom in it. Therefore, why do they not take heed whose flesh is nothing but fodder? What labour in logistics, what doctoral eminence? What episcopal mitre, what light of fleeting fame? What do delights provide, what does praise, what does wealth bestow? All are chased away like shadows by the cruelty of death. O most ominous death, not sparing the rich, formerly sublime, I am now placed by you in the lowest. Brief life vanishes; this glory has this end; the grave remains a hole in which I lay down my dead members. Remember this, you who fly with praise and prosper in the body; here you learn what you will become; pray for me, pious one.

61 "Istac qui graderis paulisper perlege queso;
Sta speculans quid eris in me nunc vermbus eso.
Qui fueram pridie juvenis forma speciosus
Artes Oxonie discens puer ingeniosus.
Iuris divini crescents exinde magister,
Pape Martini camerarius honore minister
Hic cum presulis me Lincoln sede locavit.
Et propriis manibus mira pietate sacravit.
Post Eboracenseis tituli fulgore serenus.
Sub glebis densis iaceo quondam vir amenus.
Mundi pompa, decor, applausus, culmina queque;
Quid sunt ista precor nisi sompnia stultitieque?
Cultu blanda favent, gerit in se cauda venenum;
Cur non ergo cavent quorum caro nil nisi fenum?
Quid labor in logicis, quid doctorale cacumen?
Quid mitra pontificis, quid fame labile lumen?
Quid dant delicio, quid laus, quid opes operantur,
Omnia sevicie mortis, velut umbra, fugantur.
O mors dira nimis, non parcens rebus opimis,
Antea sublimis per te iam ponor in ymis.
Vita brevis vanet; habet hunc hec gloria finem;
Fossa cubile manet quo mortua membra reclinem.
Hinc recolas qui laude volas et corpore flores;
Hic sapies quo devenies; pro me pius ores."
The obvious divergence between this epitaph and the passage cited above from Fleming's preface to the collegiate statutes may simply be explained by the different contexts. While the epitaph would have been accessible to any Latin scholar who visited Lincoln Cathedral and passed Fleming's tomb, the preface to the statutes would have been seen only by a few select academics. Thus, the different attitudes expressed in these documents may represent Fleming's private wishes as a patron of learning and his public image as a pious bishop.

Another possible interpretation sees the epitaph as a sincere statement. It is probable that this poem, which was surely written after his failed translation to York in 1425, came after the preface to the statutes, which was presumably composed in 1427 when Lincoln College was founded. While the absence of any mention of his foundation at Oxford in his epitaph might suggest that he wrote it during the two-year interval between 1425 and 1427, this lacuna is not necessarily significant; he also neglects to mention some of the other major accomplishments of his career, such as his leadership of the English nation at the Council of Pavia-Siena in 1423-24. Moreover, it also seems

This text has been extracted from Salter's edition of Stoon's metrificatio (Formulary, 138-43), the only surviving source for Fleming's epitaph, which is preserved in Oxford, Bodleian Library, Bodl. MS. 496 (s.c. 2159), ff. 225r-227r. While Salter's edition is a great improvement over the transcription by Anthony Wood (History, 235), there is one error in Salter's rendering; in the last line he and Wood give "prius" for "pius" (f. 227r).

62 This is clearly alluded to in his comment that he was "serenus" after losing that exalted title.
reasonable to suppose that it was written shortly before his death in January 1431 because the text itself suggests that Fleming composed it as he was reflecting on his own imminent death. The epitaph clearly consists of two parts: the first which details some of Fleming's attributes and achievements, and the second which reflects on the ephemeral nature of worldly beauty, honour and fame. What this may indicate, then, is Fleming's own spiritual growth from his earlier egoism, still apparent in his foundation at Lincoln, to a mature humility as he confronted his own mortality.

But perhaps the best insight into Fleming's intentions, and hence his character, may be gained by a more critical reading of this epitaph; instead of considering the obvious differences between it and the preface to the Lincoln statutes, it might be more useful to observe their subtle similarities. It is pointed out in the analysis of Fleming's eulogy for William Corff how, in the process of making a statement of humility, he essentially associated himself with the moral and intellectual qualities of his "father" and thus succeeded in promoting himself as he praised the deceased. A similar effect is apparent in Fleming's epitaph where, in the very act of renouncing worldly fame, he effectively secured it. For while the first half of his elaborate epitaph functions almost as an autobiographical obituary, the second half serves to impress the reader with the author's pious wisdom. If Fleming really was unconcerned with

---

his own remembrance, he presumably would have followed the example of his humble predecessor, Philip Repingdon, who insisted on being buried in sackcloth in a pauper's grave.\textsuperscript{64} Thus, Fleming's splendid perpendicular style tomb and chapel, built into the wall on the north side of the Angel Choir, is not unlike the epitaph which was once mounted on it: they both not only serve as a memorial to the man, but also bear witness to his consistent preoccupation with his own posthumous fame.

However, such an interest does not in itself indicate a commitment to the broader cultural attitudes of the Italian humanists whom Fleming addressed in his eulogy for Francesco Zabarella. Unfortunately, there is little other evidence at present either for supporting or refuting the contention that Richard Fleming was himself a humanist. Besides the interest in personal fame in his preface to the Lincoln College statutes, there is nothing to sustain Schirmer's claim that its foundation was Fleming's "principal humanistic achievement".\textsuperscript{65} The books

\textsuperscript{64} Repingdon's will is found in Chichele's register (Jacob, Register ii., 285-7). It is discussed by Margaret Aston in "'Caims Castles': Poverty, Politics, and Disendowment," in The Church, Politics, and Patronage in the Fifteenth Century, R.B. Dobson ed. (Gloucester: A. Sutton, 1984): 45-81, at p. 66.

\textsuperscript{65} "So bleibt für uns Richard Flemmings humanistisches Hauptverdienst, die Gründung von Lincoln College, Oxford (1427)"; Schirmer, Frühhumanismus, 133. He goes on to say that "if Fleming is still not regarded as a humanist in this connection, it is because this foundation occurred not for humanistic, but for anti-heretical purposes" ("Wenn Richard trotzdem in diesem Zusammenhang nicht als Humanist gewertet wird, so deshalb, weil diese Gründung nicht zu humanistischen, sondern antihäretischen Zwecken geschah"). Schirmer does not mention Fleming's preface to the Lincoln statutes; indeed, he provided no evidence to support this assertion.
left to Lincoln College Library are typically scholastic. The only classical materials within these manuscripts are contained in his copy of the *Manipulus florum* by Thomas of Ireland and a few notes on the flyleaves at the beginning of a preaching manual. Yet it is possible that any books with classical texts which he may have had were left to his nephew; thus, while it is certain that many of Robert Fleming’s classical and patristic manuscripts were acquired by him while he was in Italy, others could have been originally owned by his uncle and bequeathed to him, perhaps on the condition that Robert leave them to Lincoln College upon his own death. But once again, the lack of evidence precludes a determination, for Richard Fleming died intestate and his goods were distributed under the jurisdiction of Archbishop Chichele. Nor has Robert Fleming’s testament been found.


67 Lincoln College, MS lat. 58. The notes, citing mainly Virgil, Seneca and Cicero, are in a highly abbreviated form and the text is in very poor condition. None of them seem to match the classical sources cited in "Absorpta". The two works contained in this manuscript are Simon Alcock’s *Modus praedicandi divisivus* (see above, p. 161, n. 38) and the *Sermones dominicales* of Nicholas of Gorham, O.P. See H.O. Coxe, *Catalogus codicum MSS. qui in collegiis aulisque Oxoniensibus hodie adservantur* i. (Oxford, 1852): 46-7.

68 See Albinia de la Mare, "Vespasiano da Bisticci and the Florentine MSS. of Robert Flemmyng in Lincoln College," *Lincoln College Record*, (1962-3): 7-16. The younger Fleming also transcribed his own copy of Cicero’s *De officiis* (Lincoln College, MS lat. 84) and several other classical texts during his several visits to Italy.

69 Jacob, *Register* ii., p. 459. Chichele appointed Thomas Bredon, probably a notary public, to administer Fleming’s estate. Although the entry states that Fleming died "ab intestato", it also notes that the settlement of Fleming’s affairs has fallen
testament been found. The only known sources for which books were donated by the Flemings to All Souls Library, Lincoln College, are the two late fifteenth-century catalogues edited by Weiss and the former spine labels which were later pasted onto the flyleaves of these manuscripts. A close study of the Lincoln College manuscripts which are designated ex dono Roberti Flemmyng might reveal evidence that some of them were formerly owned by his uncle.

As with the lost manuscript owned by Nicholas Pontius which supposedly recounts his victory over Fleming in the disputation which led to the latter’s censure, a definitive answer under the jurisdiction of the archbishop because "the executors named in his will have refused to carry out the administration of his goods." ("...executores in testamento suo nominati administracionem bonorum suorum in se suscipere recusarunt.") Thus, there may still be an extant document which might reveal whether he left some of his books to the library of his foundation and reserved others for his nephew, perhaps on the condition that Robert leave them upon his own death to Lincoln College.

Le Neve (Fasti ii., 33) notes in his entry for Robert Fleming’s tenure as dean of Lincoln Cathedral that "he died 12th Aug. 1483" and that "his will was proved on the 23rd of the same month." He cites as his source "Coll. Featley, MS. p. 222". The Featley manuscript is now Dean and Chapter, DJ 18 B, in the Lincoln County Archives. But the note on Robert Fleming on p. 222 relates his election as dean in 1452, not the proving of his will three decades later. Other references to Robert Fleming in this manuscript are also silent with regard to his testament.

See above, p. 196, n. 1. Coxe’s catalogue for the Lincoln College manuscripts is sometimes inaccurate or vague as to which Fleming was the donor of particular manuscripts. But even accounting for these discrepancies, it is clear that Richard Fleming left no other manuscript with classical texts besides noted above, p. 235, nn. 66 and 67.

See above, pp. 33-5.
regarding Richard Fleming’s attitude towards Italian humanist culture might only be offered if the lost manuscript containing his sermons from the Council of Siena and his "Etymologia Angliae" is ever discovered." Given the meagre evidence which is presently available, it may be concluded that the elder Fleming was probably not, as Leland implies, a "great lover of the good arts" in the same way his nephew Robert Fleming later would be.

---

73 Although Leland himself does not mention this manuscript (his Commentarii does not include an entry for Richard Fleming), it may have been the source of his comment that Robert Fleming’s uncle shared his nephew’s intellectual interests.
Chapter Six: Fleming’s Career after Constance

In the above discussion of Fleming’s eulogy for Robert Hallum, in which he announced a new position for the English nation and proposed a compromise between the two opposing sides in the priority conflict, it is argued that Fleming’s role in that episode does not necessarily mean that he cynically jettisoned the reformist ideals he had expressed in his earlier sermons at Constance. In fact, he and other members of his delegation may have believed that only by seeking a compromise and accepting limited reform would any reforms be achieved at all at this council.¹ This interpretation, however, must be balanced against the strong evidence that Fleming was constantly seeking at Constance to promote himself for ecclesiastical office through his sermons, most obviously in "Ecce" and "Absorpta". But the pursuit of high office is not in itself indicative of naked ambition; if Fleming was indeed sincerely committed to reform, his desire for promotion would have been merely the means to that end, not an end in itself.

It is of course impossible to determine with any certainty the true motivations of any person, living or dead. But it is still, in Fleming’s case, worthwhile to attempt to discern whether his advocacy of reform at Constance was genuine. It seems likely that the king and the leaders of the English church thought so; for the fact that he was chosen to serve as a spokesman for his

¹ See above, pp. 176-9.
nation at the council in 1417 was probably not due merely to an awareness that he was an effective preacher, but also because he seemed to be committed to the ideals which defined the English position at Constance under Robert Hallum. The only indication of whether they may have been correct in this second point (for they surely were in the first one), is seen in a survey of Fleming’s career after 1417.

Following his eulogy for Francesco Zabarella, Fleming’s next appearance in surviving records is from 31 January 1418 when he was appointed papal chamberlain by Martin V and sent to Henry V as the new pope’s envoy, together with Thomas Spofford, abbot of St. Mary’s, York; the papal letters of credence which Fleming presented to Henry V also recommended his talents to the king’s service.² Nothing more is known of Fleming until almost two years later when, on 20 November 1419, he was appointed bishop of Lincoln by papal provision, following Repingdon’s resignation.³ Early the next year he travelled to Italy, having been empowered by Henry V on 18 February to serve as the king’s proxy in receiving the fealty due to him by the Normans and French at the Roman curia.⁴ On 28 April he was consecrated as bishop of Lincoln in Florence, where the papal curia was then in

² CPL vii., 5.
³ CPL vii., 134.
⁴ Rymer, Foedera ix., 864.
By Fleming's own account, this was done by Martin himself. A few weeks later the temporalities pertaining to the Bishopric of Lincoln were duly restored to him by Henry V. It is not known how long Fleming was abroad, but the first record of his presence in his diocese is dated to mid-August 1420.

In the early years of his episcopate, Fleming was often absent from his diocese, serving Henry V on a diplomatic mission to Sigismund for most of 1422, and then attending the Council of Pavia-Siena from March 1423 to early 1424 where, as one of the leaders of the natio Anglicana, he supported Martin V against the conciliarist party and defended, as had Thomas Polton at Constance, the right of the English to sit as an independent nation. Before Fleming's return to England, Martin translated him to the archbishopric of York, but Henry VI's regency council opposed this provision and Fleming was forced to accept translation back to Lincoln in 1425.

---


6 See above, p. 230.

7 CPR, 1416-22, 278.


10 See above, pp. 125-6.

11 Brandmüller, Pavia-Siena i., 195, and passim.
Following these early political and diplomatic involvements, Fleming was more regularly resident in his see. But a full appraisal of his activities as bishop is difficult because only a small part of his episcopal register has thus far been edited, and some of that is the sede vacante records for the period between Repingdon's and Fleming's tenures. Moreover, as A.H. Thompson points out, "the very incomplete state of his register during the later years of his rule affords us very little idea of his doings during this period." Nevertheless, thanks to Thompson, Fleming's episcopate has been studied in terms of his visitation of monasteries in Lincoln diocese, and other scholars have discussed his foundation of Lincoln College, Oxford in 1427 with the stated intention of training theologians so that the threat of heresy could be countered by strengthening the hand of orthodoxy.

While a detailed study of Fleming's attention to pastoral care as bishop of Lincoln will not be attempted here, there is one aspect of Fleming's episcopate which may be explored in attempting to appraise his commitment to his pastoral role. Part

---

12 See Bennett, Register, passim.

13 Thompson, Visitations, p. xvi.

14 Thompson, Visitations, passim.

15 See above, p. 152, n. 25.

16 This is in fact the subject of a doctoral thesis currently being prepared by John Whitehead of Oriel College, Oxford. It is in deference to his efforts that the present discussion is limited to a few points.
of this evidence comes from a contemporary of Fleming's, Thomas Gascoigne, the cantankerous chancellor of Oxford who was often critical of English prelates who, in his opinion, were neglectful of their pastoral office. Gascoigne praised Fleming for introducing at Oxford, around 1420, a new method of preaching which Jeremy Catto describes as being "less formally academic and more flexible and responsive to the needs of differing congregations." Catto suggests that Gascoigne was mistaken in dating this innovation and that Fleming probably promoted this plain style of preaching before 1414, when he was still teaching at Oxford, rather than as the new bishop of Lincoln. But the evidence of Fleming’s episcopal register supports Gascoigne’s date, for between September 1420, shortly after he arrived in his diocese, and March 1421 Fleming issued twenty-two preaching licenses. Several of these preachers were men he had known at Oxford, such as Rowland Byres and probably John Kexby. And

---

17 Catto, "Wycliffism," 257-8. Inexplicably, this passage has been previously cited as evidence that Fleming introduced a novel method of disputation; see Emden, BRUO ii., p. 697; Poole, "Fleming," 283. But the passage clearly refers to preaching; see Gascoigne, Loci, 183-5. In another passage from his long section devoted to preaching, but one which is not included in Rogers’ edition, Gascoigne commends those who attempt "to preach in such a way that the people may understand the Word clearly and to preach daily in such a plain style" ("...optantes tali modo predicare populo ut populus clare verbum intelligeret et... cotidie tali modo plano predicare...": Oxford, Bodleian Library, Lincoln College, MS 118, f. 399rb.

18 There in only one preaching license in the published portion of Fleming’s register, and it is dated Feb. 1420, during the sede vacante; see Bennett, Register, p. 3.

19 See above, p. 28, n. 66.
many of them had held licenses under Repingdon.20 Also of interest is the fact that on 12 March 1412, at the end of this flurry of preaching licenses, Fleming commissioned John Castell and William Berford "ad elegendum predicatores" at Oxford. Castell, who was at that time the chancellor of the university, had served in this capacity under Repingdon.21 The continuity between Fleming’s and Repingdon’s pastoral practices is very suggestive. While Fleming was not often resident in his diocese, at least in the early years of his tenure, it seems that he did nevertheless take a keen interest in the provision of pastoral care in his bishopric. As with Repingdon, part of the motivation for this was probably the threat of heresy, the same relationship between pastoral reform and heresy which has been inferred from his discussion of heresy in "Surge" and in his eulogy for William Corff.22 This emphasis on preaching is also clear in the several books which Fleming left to the college he founded to

20 The licenses for Repingdon’s former preachers are found in LAO, epis. reg. xvi. (Fleming) as follows: f. 210r: William Belton (BRUO i., 163); f. 214r: Adam Redford (BRUO iii., 1562) and William Fylham (BRUO ii., 734-5); 214v: Walter Fryskney (BRUO ii., 730) and John Everton (BRUO i., 655). The other recipients of preaching licenses from Fleming between Sept. 1420 and March 1421 are found on f. 210r: Henry Whitehead (BRUO iii., 2037); f. 210v: Richard Pennymaster (BRUO iii., p. 1460); f. 214r: John Hamberton (BRUO ii., p. 862); 214v: Richard Harleton (BRUO ii., p. 876), Thomas Lovecoeke (BRUO ii., 1165), and Richard Chester (BRUO ii., 407-8); f. 215r: Patrick White (BRUO iii., 2042), John Cras (BRUO i., 508), John Humbreston (BRUO ii., 983), and "the prior of Wakingford" (not found); and f. 245r: Walter Bell (BRUO i., 162), Richard Roderam (BRUO iii., 1593), and Richard Heth (BRUO ii., 898).

21 See above, p. 38.

combat heresy.\textsuperscript{23}

Obviously, much remains to be done to bring the picture of Fleming’s career as bishop of Lincoln into sharper focus in order to determine to what extent he literally practiced what he had preached at Constance. But the evidence of his monastic visitations, his promotion of university preachers, and his patronage of clerical education shows that, at the very least, Richard Fleming did not abandon the interest in reform which is so prevalent in his sermons at the Council of Constance.

\textsuperscript{23} See above, p. 235. Of course, the most famous (or infamous) action Fleming took against heresy was his exhumation and destruction of Wyclif’s remains in early 1428.
BIBLIOGRAPHY

Manuscript Sources

Berlin, Staatsbibliothek, theol.lat.fol. 413 (632)
Erlangen, Universitätsbibliothek, MS 534
Göttweig, Stiftsbibliothek, MS 479
Klosterneuburg, Stiftsbibliothek, MS 82
Köln, Stadtarchiv, GB 4° 268 (Sammlung Alfter 146)
Kracow, Biblioteka Jagiellonska, MS fol. 1648
Kremsmünster, Stiftsbibliothek, MS 4
Lavanttal, Sankt Paul Stiftsbibliothek, MS 30/4
Leipzig, Universitätsbibliothek, MS 179
Lincoln Archives Office, D & C, DJ 18 B
     epis. reg. xiii (Beaufort)
     epis. reg. xiv (Repingdon)
     epis. reg. xvi (Fleming)
London, British Library, Royal Appendix 7
     Lambeth Palace Archives, reg. archiepisc. Arundel i.
     reg. archiepisc. Arundel ii.
Merseburg, Domstiftsbibliothek, MS 39
Munich, Staatsbibliothek, clm 28433
     Universitätsbibliothek, MS 84
Oxford, Bodleian Library, Bodl. MS. 496 (s.c. 2159)
     Lincoln College MS lat. 58
     Lincoln College MS lat. 98
     Lincoln College MS lat. 118
     County Archives, UC Bursar’s Accounts, Pyx EE, fasc. 5/9
     University Archives, NEP/supra/register C
Pommersfelden, Schönbornische Schlossbibliothek, fol. 167
Vienna, Österreichische Nationalbibliothek, Cod.ser.n. 4845
MS lat. 4300
MS lat. 4710
MS lat. 4922
MS lat. 4958
MS lat. 5071

Wloclawek, Biblioteka Seminarium Duchownego, MS 53

York, Borthwick Institute, reg. episc. 5A (sede vacante)
reg. episc. xviii (Bowet)

Zeitz, Domherrenbibliothek, MS 33

Printed Sources


Archer, Margaret, ed. The Register of Bishop Philip Repingdon,
1405-19. 3 vols. Lincoln Record Society 57 (1963), 58
(1964), 74 (1982).

Arendt, Paul. Die Predigten des Konstanzer Konzils: Ein Beitrag
zur Predigt- und Kirchengeschichte des ausgehenden
Mittelalters. Freiburg: Herder, 1933.

Aston, Margaret. "Lollardy and Sedition: 1381-1431." Past and
Present 17 (1960): 1-44.

____ "'Caims Castles': Poverty, Politics, and Disendowment." in
The Church, Politics, and Patronage in the Fifteenth
Century, R.B. Dobson ed. (Gloucester: A. Sutton, 1984):
45-81.

Bale, John. Scriptorum illustrium maioris Brytanniae catalogus.

____ Index Britanniae scriptorum: John Bale’s Index of British
and Other Writers. Edited by R.L. Poole and M. Bateson.
(Oxford, 1902). Repr. with an introduction by C. Brett and

Bennett, Nicholas ed., The Register of Richard Fleming, Bishop of

Betcherman, L.B. "The Making of Bishops in the Lancastrian
Period." Speculum 41, no. 3 (July 1966): 397-419.


Boynton, Mary Fuertes. "Simon Alcok on Expanding the Sermon." Harvard Theological Review 34, no. 3 (July 1941): 201-16.


Eubel, Konrad and others eds. Hierarchia catholica medii aevi. 8 vols., Regensburg, 1898-1978.


____ ed. Historia litteraria reformationis. 3 vols. (Leipzig, 1717).

Harvey, Margaret M. "English Views on the Reforms to be Undertaken in the General Councils, with Special Reference to the Proposals Made by Richard Ullerston." Oxford University D.Phil. thesis (1964).


Mansi, J.D. ed. Sacrorum conciliorum nova et amplissima collectio. 31 vols. (Florence and Venice, 1759-1798).


Rymer, Thomas (ed). Foedera, conventiones, literae, et cujuscunque generis acta publica, inter reges Angliae et alios... (1740).

Salter, Elizabeth. Nicholas Love’s "Myrroure of the Blessed Lyf of Jesu Christ". Analecta Cartusiana, no. 10 (Salzburg, 1974).


Schum, Wilhelm. *Beschreibendes Verzeichniss der Amplonianischen Handschriften-Sammlung zu Erfurt.* (Berlin, 1887).


*Testamenta Eboracensia: A Selection of Wills from the Registry at York.* Surtees Society, no. 30 (1855).


Thompson, A.H. *Visitations of Religious Houses in the Diocese of Lincoln.* Canterbury and York Society, no. 7 (1915).


Appendix One: Index of Fleming’s Sermons and their Manuscripts

A = "Accipiant qui vocati sunt"
E = "Ecce sedes posita in celo"
I = In Christo reverendissimi patres et domini... "Quod mortuus est, mortuus est semel"
O = O maiestatis regie patrum et dominorum preclara convencio... "Spiritus erit in gloria"
P = Prestantissimi domini et patres... "Absorpta est mors in victoriam"
S = "Surge illuminare Iherusalem"

23 Manuscripts:

A  Berlin, Staatsbibliothek, theol.lat.fol. 413
I0  Klosterneuberg, Stiftbibliothek, MS 82
E  Klosterneuburg, Stiftbibliothek, MS 640
P  Köln, Stadtarchiv, GB 4° 268
S  Krakow, Biblioteka Jagiellonska, MS 1648
A  Kremsmünster, Stiftbibliothek, MS 4
P  Leipzig, Universitätsbibliothek, MS 179
S  London, British Library, Royal Appendix 7
P  Lübeck, Stadtbibliothek, theol.lat. 155 (missing)
I  Memmingen, Stadtbibliothek, MS 6
P  Merseburg, Domstiftbibliothek, MS 39
I  München, Staatsbibliothek, clm 5424
I  München, Staatsbibliothek, clm 14175
S  München, Staatsbibliothek, clm 28433
IP München, Universitätsbibliothek, MS 84
A  Pommersfelden, Schönbornische Schlossbibliothek, MS 167
<table>
<thead>
<tr>
<th>AEIS</th>
<th>St. Paul in Lavanthal, Stiftbibliothek, MS 30/4</th>
</tr>
</thead>
<tbody>
<tr>
<td>IO</td>
<td>Wien, Österreichische Nationalbibliothek, Cod.Ser.n. 4845</td>
</tr>
<tr>
<td>I</td>
<td>Wien, Österreichische Nationalbibliothek, lat 3296</td>
</tr>
<tr>
<td>IO</td>
<td>Wien, Österreichische Nationalbibliothek, lat 4710</td>
</tr>
<tr>
<td>AIOPS</td>
<td>Wien, Österreichische Nationalbibliothek, lat 4922</td>
</tr>
<tr>
<td>S</td>
<td>Wien, Österreichische Nationalbibliothek, lat 4958</td>
</tr>
<tr>
<td>S</td>
<td>Zeitz, Domherrenbibliothek, MS 33</td>
</tr>
<tr>
<td></td>
<td>(Finke: &quot;Stettin, Mariengymnasium, MS 33&quot;)</td>
</tr>
</tbody>
</table>
Appendix Two: Other English Sermons at Constance

The following list is derived from Finke’s Predigtenregister, with additional information from Crowder, Schneyer and Kreuzer and from searches I have conducted using various manuscript catalogues and microfilm copies of manuscripts.

A. "Pater beatissime. Almificentie tue in summo..."

Address to John XXIII by Robert Hallum given on 22 Jan. 1415

1. Bernkastel-Kues, St. Nik.-Hospital, MS 54, ff. 121r-123v
2. Rome, Vat. Pal., MS 595, ff. 95r-97v

Excerpts in Finke, Acta ii., 393-5.

B. "Illustrissime princeps... Tempus est ut iudicium..."

Address to Sigismund by Robert Hallum given on 22 or 23 Jan. 1415

1. Rome, Vat. Pal., MS 595, ff. 97v-99v

Excerpts in Finke, Acta ii., 395.

C. "Erunt signa in sole et luna. . . ."

Reform sermon by Robert Hallum given on 2 Advent 8 Dec. 1415

1. Berlin, Staatsbibl., theol.lat.fol. 413, ff. 339v-352r
2. cod.lat.fol. 860, ff. 56v-63r
3. Bremen, Staatsbibl. MS a.26, ff. 143v-148v
4. Erlangen, Universitätsbibl., MS 535, ff. 127v-134r
6. Mar.F.300, ff. 165r-171v
7. Harburg, Schloßbibliothek, II.1.2° 137, ff. 151ra-160rb (olim Maihingen, Fürstlichebibliothek)
8. II.1.2° 173, ff. 20r-31v
D. "Confortamini in domino... Patres reverendissimi egregique doctores et domini... Supplicantes ut agnus..."

Sermon by an "anonymous Anglicus" delivered at Constance on the 21st Sunday after Pentecost (probably either 13 Oct. 1415 or 1 Nov. 1416)

Probably by Robert Hallum; in MS #3 the sermon is preceded by Hallum's "Erunt signa"; the note between the sermons reads: "Explicit sermo domini Sarisburiensis Episcopi factus in concilio generali Constanciensis Dominica secunda adventus. Sequitur
sermo eiusdem." Also, 4 of the 6 manuscript copies of "Confortamini" occur either directly before or after copies of Hallum's "Erunt signa".

1. Berlin, Staatsbibl., theol.lat.fol. 413, ff. 330r-339v
2. Bremen, Staatsbibl., MS a.26, ff. 110v-115r
3. Krakow, Biblioteka Jagiellonska, MS 1648, ff. 345rb-349vb
4. Kremsmunster, Stiftbibl., MS 4, ff. 242r-248r
6. Wloclawek, Seminarium Duchownego, MS 53, ff. 310v-316v
7. Zeitz, Domherrenbiblithek, MS 33, ff. 312rb-316vb

Excerpts in Finke, Acta ii., 528.

E. "Ascendimus Jerusalem..."

Sermon by Robert Gilbert given on 10 Feb. 1415

Finke dated the sermon to 21 Feb. 1417, but he incorrectly inferred that date from internal evidence.

1. Berlin, Staatsbibl., theol.lat.fol. 413, ff. 5r-15v
2. Krakow, Biblioteka Jagiellonska, MS 1596, ff. 193v-199v

Excerpts in Finke, Acta ii., 486-8; from MS 1.

F. "Sitis repleti fructu iusticie..."

Reform sermon by Henry Abendon given on 27 Oct. 1415

1. Munich, Staatsbibliothek, clm 6479. ff. 333r-343r
2. Pommersfelden, Schlossbib., fol. 167, ff. 101r-105r
3. Stuttgart, Staatsbibl., Theol.Q.366, ff. 35v-41r
4. Vienna, Ö.N.B., MS lat. 4958, ff. 419v-427r

Edition: Walch, Monimenta i. 2, 183-205; from MS 2.
G. "Cogitis me... Nunc abscondita sunt..."

Anonymous funeral sermon for Richard Dereham, Chancellor of Cambridge University, probably delivered 16-22 Aug. 1417 (probably by Richard Fleming)

1. Klosterneuberg, Stiftsbibliothek, CCl 82, ff. 84vb-88rb
2. Vienna, Ö.N.B., Cod.ser.n. 4845, ff. 110va-115ra


H. "Unus corpus sumus in Christo"

Sermon by Geoffrey Schale delivered on 10 Jan. 1417

1. London, British Library, MS Royal App. 7, ff. 6-11


I. "Pax vobis... Honorandissimi patres etc. Fons vite..."

Sermon by an Oxonian on Dominica in albis (Quasimodo)

1. Venice, Bibl. Marciana, lat. IV.XX, ff. 287-292

Incipit in Finke, Acta ii., 537.

J. "Tu es qui venturus es"

Sermon by an anonymous preacher, probably English, delivered on 2 Advent, probably on 6 December 1416

Many English authors, especially Grosseteste, are cited; and the preacher notes that he found a book by Athanasius "in armario copiosissimo conventus Oxoniae" (p. 181).

1. St. Paul (Lavantal) Stiftbibl. 30/4, ff. 86-107

K. "Tristitia vestra..."

Reform sermon by an anonymous preacher, probably English, given on 10 May 1416

Margaret Harvey ("Views", p. 180) noticed that the sermon quotes a passage from Ullerston's Petitiones almost verbatim and that the preacher uses the word "appropriatio" instead of "unio" to describe the appropriation of parishes by religious houses, a peculiar English usage of the term.

1. Koblenz, Gymnasialbibliothek, Nr. 90, f. 111

L. "Videns civitatem flevit super illam"

A reform sermon delivered by John Wells, probably on 1 Aug. or 15 Aug., 1417

1. Berlin, Staatsbibliothek, MS 413, ff. 118v-129v
2. Erlangen, Universitätsbibliothek, MS 534, ff. 303v-307r
3. Munich, Stadtsbibliothek, clm 6479, ff. 404v-421r
4. Zeitz, Domherrenbibliothek, MS 33, ff. 283vb-289rb
Incipit in Finke Acta ii., 505, from MS #4.

M. "Et nunc reges intelligite"

A report perhaps by Bernard de Planche on an embassy to Benedict XIII, delivered on 10 Mar. 1417

The manuscript does not provide the preacher's name or a date for the sermon; Finke must have inferred the date and de Planche's authorship from a passage in Fillastre's journal relating how de Planche reported to the council on the events of his embassy to Benedict.

1. Berlin, Staatsbibl., theol.lat.fol. 413, ff. 28v-30r.

Incipit in Finke, Acta ii., 493.
"Florabitis et flebitis vos"

A reform sermon by Bernardus Baptizatus (perhaps also known as Bernard de Planche) delivered on 10 May 1416

1. Bremen, Staatsbibl. MS a.26, ff. 106v-110r
2. Karlsruhe, Landesbibliothek, MS Rei 23, ff. 75r-77v
3. Krakow, Biblioteka Jag., MS 1596, ff. 189v-
4. Lübeck, Stadtbibl., theol.lat.59, ff. 38v-
5. theol.lat.121, ff. 310r-313r
6. Munich, Staatsbibliothek, clm 5421, ff. 96r-102v
7. clm 6479, ff. 71v-80r
8. clm 13421, ff. 59v-65r
9. Rome, Vat. Pal., MS 593, ff. 149r-159r
10. Stuttgart, Landesbibl., Theo.Phil. 2° 50, ff. 47v-51v
11. HB I.116, ff. 47v-52v
12. Szczecin, Bibl. Publ., MS 23, pp. 335-52
13. Vienna, Ö.N.B., MS lat. 3759, ff.211v-214r
14. MS lat. 4292, ff. 87r-94v
15. MS lat. 4958, ff. 228r-335v
16. Zeitz, Domherrenbibliothek, MS 33, ff. 266-
Excerpts in Finke, Acta ii., 441

"Duo homines ascenderunt in templum"

A reform sermon by Bernardus Baptizatus (perhaps also known as Bernard de Planche) delivered on 22 Aug. 1417

1. Berlin, Staatsbibl., theol.lat.fol. 413, ff. 248v-255v
2. Bremen, Staatsbibl. MS a.26, ff. 136r-139r
3. Isny, Nikolaikirchebibliothek, MS 56, ff. 245r-252v
4. Karlsruhe, Landesbibliothek, MS Rei 23, ff. 169r-176v
5. Munich, Staatsbibliothek, clm 6479, ff. 282v-292v
6. clm 13421, ff. 150v-156r
7. ff. 530r-535v
9. Rome, Vat. Pal., MS 593, ff. 159r-168r
10. Seville, Biblioteca Cap. y Col., MS 5-3-33, ff. 95r-
11. Stuttgart, Landesbibl., Theo. Phil. 2° 50, ff. 120v-125v
12. HB I. 116, ff. 117r-121r
13. Szczecin, Bibliol. Publiczna, MS 23, pp. 522-46
14. Tübingen, Universitätsbibl., Mc 282, ff. 89-
15. Vienna, Ö. N. B., MS lat. 4292, ff. 116r-176r
16. MS lat. 4958, ff. 326r-333r
17. Wilhering, Stiftsbibl., Cod. IX. 45, f. 29-
18. Wloclawek, Seminarium Duchownego, MS 53, ff. 392-
19. Zeitz, Domherrenbibliothek, MS 33, ff. 23-

Edition: Hardt, Concilium i., 879-93.
Appendix Three: Editions

Editorial Principles

All abbreviations have been silently expanded, except for references to certain biblical books which remain in an abbreviated form. Quotations have been italicized to the extent that they match the texts in modern editions. A quotation which exactly matches the text in the modern edition is simply cited in the note, followed by the word "sic"; but when a cited text varies from the modern edition, the latter is given in the note for ease of comparison. The exception to this practice with regard to quotations is in the edition of "Quod", for reasons explained in its introduction. Orthographical variants which are clearly the same word have been noted only in cases of proper names of persons or places.
"Surge illuminare Hierusalem": Richard Fleming’s Epiphany Sermon at the Council of Constance, 6 January 1417

There are seven known manuscript copies of this sermon:

K = Krakow, Biblioteka Jagiellonska, fol. 1648, ff. 279rb-283vb
L = London, British Library, Royal Appendix 7, ff. 19r-27r
M = Munich, Staatsbibliothek, clm 28433, ff. 1r-8v
S = St. Paul (Lavantal, Austria), Stiftbibl., 30/4, ff. 139r-146r
W = Vienna, Ö.N.B., MS lat. 4922, ff. 270r-279v
Ö = Vienna, Ö.N.B., MS lat. 4958, ff. 387v-398r
Z = Zeitz, Domherrenbibliothek, MS 33, ff. 249ra-253va

Short excerpts from the sermon were published by Finke in Acta ii., 482-3, from W, Ö and Z.¹ A complete edition was later published by Thomas E. Morrissey in "Surge, Illuminare: a lost address by Richard Fleming at the Council of Constance [Clm 28433]," Annuarium Historiae Conciliorum 22 (1990): 98-130. This edition, however, is based only on M. Morrissey mistakenly assumed that W, Ö and Z are only fragmentary copies because Finke had only edited a few short excerpts from them, hence his claim to have found the "lost" sermon in M. However, these three copies are complete, as are those in K, L and S which were unknown to Finke and Morrissey.

The primary justification for a new edition is that the text in Morrissey’s edition is significantly flawed. While many of the transcriptional errors were due to difficult abbreviations or

¹ The Zeitz manuscript is the codex erroneously cited by Finke as Stettin, Mariengymnasium, MS 33. See above, p. 185.
genuine variants from the original text, others were simply 
errors in transcription or typographical errors in printing. For 
instance, of the first one thousand words in Morrissey’s edition, 
sixty words (6%) vary from the present edition (not counting 
spelling variants). Many of these variants result in 
significantly different readings:

...opifex rerum huius mundi fabricamtionam uno artifice 
verbo fundaret atque onus viscerum generando sermone 
parturiens in digestis sensibus eructaret cum infra 
palacium domini preceptoris... (Morrissey, p. 99)

...opifex rerum huius mundi fabricam totam uno artifice 
verbo fundaret atque onus viscerum gravido sermone 
parturiens indigestis sensibus eructaret cum infra 
palacium divini pectoris... (11. 29-31)

Secondly, Morrissey’s punctuation is often incorrect or 
insufficient, and he did not divide the text into paragraphs as 
an aid to readers. And he did not italicize quotations, though 
he did reproduce cited texts in his footnotes.

Thirdly, although Morrissey identified most of the sources 
cited in the sermon, several of the sources which he was unable 
to find, and some which he incorrectly identified, have now been 
located, although a few have still not been found.

Fourthly, some of the texts which Morrissey did find are cited 
to their editions in Migne’s Patrologiae which have been 
superceded by more reliable editions, for example, the Sancti 
Bernardi opera and the CCSL series.

For ease of comparison with Morrissey’s edition, its page 
numbers are given in bold font within brackets, eg. [M 98], in 
the text of the present edition.
Rubrics

S: Sermo factus Constanciense ipso die Epiphanie Domini coram sacro generali concilio per magistrum Richardum Flemmyng doctorem in sacra theologia alme universitatis Oxoniensis anno Domini m. cccc. xvii.

L: Sermo factus Constanciense ipso die Epiphanie Domini coram sacro generali concilio per magistrum Richardum Flemmyng doctorem in sacra theologia alme universitatis Oxoniensis anno Domini millesimo quadringentesimo decimo septimo

M: Sermo factus per magistrum Richardum Flemmyng doctorem in sacra theologia ambaxiatorem alme universitatis Oxoniensis in festo Epiphanie Domini coram sacro generali concilio Constanciensi anno Domini m. cccc. xvii.

Ö: Sermo factus per magistrum Richardum doctorem Oxoniense

Abbreviations

CCSL  Corpus Christianorum, series Latina
CIC  Corpus iuris canonici, E. Friedberg ed.
CSEL  Corpus scriptorum ecclesiasticorum Latinorum
Firmin  Aristotelis opera omnia Graece et Latine, A. Firmin-Didot ed.
Loeb  The Loeb classical library
SBO  Sancti Bernardi opera, J. Leclerq ed.

All biblical references are to Biblia sacra iuxta vulgatam versionem, 2 vols., Deutsche Bibelgesellschaft, Stuttgart, 1969; abbreviations are also according to this edition.
[M 98] Surge, illuminare Iherusalem (Ysaie 60 capitulo et in hodierne sollemnitatis epistolari inicio): Reverendissimi patres et domini preclarissimi, ad ipsam in exordio sceptrigeram et sublimem celorum reginam salutacione nos decent consueta recurrere que circa presens Dominice nativitatis misterium in ternario nostri thematis triformi laudum mistice sublimatur fastigio.

Primo, ex commendabili obediencia virginee puritatis notata in surge; nam dilectus suus, id est Dei filius, misit manum suam per foramen, id est fortitudinem suam Gabrielem archangelum, ad virginis aurem, et intumuit venter eius ad tactum eius. Surrexit ut aperiret dilecto suo (Cantic. 5), quia ecce, inquit, ancilla Domini (Luc. 1).

Secundo, ex admirabili prefulgencia eximie claritatis notata in illuminare. In terram enim illam sanctam uteri virginalis

---


8-11 Cant. 5,4-5: dilectus meus misit manum suam per foramen et venter meus intremuit ad tactum eius / surrexi ut aperirem dilecto meo....

11-12 Luc. 1,38 sic
descendit de celo angelus habens potestatem magnum, quia magni consilii angelus et Deus fortis, et terra [M 99] illuminata est a gloria eius (Apoc. 18).

Tercio, ex ineffabili precellencia deifice dignitatis notata in Iherusalem, quia hec est illa sancta et celestis Iherusalem quam elegit Dominus ex omnibus tribubus Israel (3 Reg. 11), pulcherrima mulierum, amica altissimi, suavis et decora sicut Iherusalem (Cantic. 6), in qua civitate sanctificata incorporanda Dei patris sapiencia requievit, et in Iherusalem postestas sua (Ecc. 23). Ut ergo nostrorum cordium tenebris impartiri pia velit gracie sue lucem, offeramus ei: Ave Maria, que surrexit gracia plena, illuminata Iherusalem.

Surge, illuminare Iherusalem. Celeberrime senatus militantis Iherusalem turmaque honorabilis insignium ceterorum: cum Deus opifex rerum huius mundi fabricam totam uno artifice verbo fundaret


15-17 Apoc. 18,1: ...angelum descendentem de caelo habentem potestatem magnum et terra inluminata est a gloria eius.

19-20 III Reg. 11,32: ...Hierusalem civitatem quam elegi ex omnibus tribubus Israel.

21-2 Cant. 6,3: pulchra es amica mea suavis et decora sicut Hierusalem.

22-3 Sir. 24,15: in civitate sanctificata similiter requievi et in Hierusalem potestas mea.

25 Luc. 1,28 sic
atque, onus viscerum gravido sermone parturiens, in digestis
sensibus eructaret; cum infra palacium divini pectoris adolescerent
elementa et in cubiculo sacri cordis dormirent creanda, loquitur
Deus et mox cuncta creatur natura; cum ex sacris visceribus
deductor fabrice proficiscitur sermo illico pependit celum, terra
scetit et mare defluxit; deinde factus est homo similis Deo,
roboratur, corpore pingitur, spiritus spiritu adimpletur, vestitur
aspectu, constituitur et mundi possessor (verba sunt Augustini, in
sermone [M 100] secundo de annunciacione Virginis). O quam
gloriosa dicta erant de te tunc, civitas Dei, civitas scilicet nova
Iherusalem quam in angelice reparacionem ruine edificare disposit,
et speciali ymaginis signatura dotare, peculiariterque eligere ut
sit nomen suum ibi (2 Para. 6), ille mirificus conditor, quem non
ante te plasmatam scripture textus Dominum appellare decrevit,
signante hoc Augustino, Super Genesim ad literam, super illo:

30 gravido] gravide W, digestis] digestis K; 31 palacium]
palocium K, adolescerent] adolesceret Z; 32 dormirent] dormitet K; 33 mox]
morum K, creatur] causatur Œ; 34 proficiscitur] perficiscitur W,
celum] et add. W; 35 defluxit] defluit K; 36 vestitur aspectu]
vestitura spiritu W; 37 possessor] professor KZ; 39 tunc] nunc W,
om. KZ, dei civitas] dei civita L; 40 angelice] ewangeliste W; 41
W

37-8 Not found in Augustine’s three sermons on the Annunciation (PL
39, col. 2103-2110).

38-9 Psa. 86,3: gloriosa dicta sunt de te civitas Dei.

41-2 II Para. 6,6: elegi Hierusalem ut sit nomen meum in ea.
plantaverat Dominus Deus paradisum voluptatis. In qua quidem voluptatis amenissime paradiso habitabant primi cives tui!

Conversacio eorum nichil indigencie, nichil molestie senciebat, odoriferis stipati fructibus, fulciti floribus, gloria et honore coronati, constituuti super omnia opera plasmatoris; et erat illis sors atque societas cum plebe angelorum et cum omni milicia celestis exercitus (Bernardus, super Cantica sermone 38). Quam immensis ergo bonis stabilita eras et in quanta laude posita civitas, O Iherusalem! (Ysa. 62). Sed quia nulla est felicitas que non habeat inimicum (Augustinus in sermone quo supra), venit Nabuchodonisor rex Babilonis, ex interpretatione nomini sedens in


43-5 A reference to Augustinus Hipponensis, De Genesi ad litteram libri duodecim, 8,1-3 (CSEL 28.3.2, pp. 229-35); the exact locus is uncertain.

45 Gen. 2,8: plantaverat autem Dominus Deus paradisum voluptatis.


51-2 A reference to Isa. 62,7: ...donec stabiliat et donec ponat Hierusalem laudem in terra.

52-4 Presumably a reference to the Annunciation sermon by Augustine cited on 11. 37-8, and also not found in PL 39, cols. 2103-2110.
angustia [M 101] invidissimus, ille serpens et princeps omnis confusionis, ad Iherusalem istam obsedit eam et perfecta est obsidio (Dan. 1) quia, dum oblectantis dyaboli circumventa blandicie, a primevi culminis honore deciderat. Et in Ihericho, vallem huius exilii ab Iherusalem, pacis scilicet regione, descendens, pro inmortalitatis luce corrupcionis tenebras et pro lumine glorie penarum calignem in omnem suorum civium posteritatem retorsit (Crisostomus in De reparacione lapsi). Peccatum magnum peccavit Iherusalem, propterea instabilis facta est (Thren. 1), super hanc enim Iherusalem angelus divine indignacionis descendit ut perderet [M 102] eam (2 Reg. 24), quia eiecit Dominus Adam et


55-6 An allusion to Isidorus Hispalensis, Etymologiarum libri vii (PL 82, col. 281): Nabuchodonosor...interpretatus est...sessio in agnitione angustiae....

54-8 Dan. 1,1: venit Nabuchodonosor rex Babylonis Hierusalem et obsedit eam.

63 A reference to Iohannes Chrysostomus, Paraenesis sive adhortatio ad Theodorum lapsum (PG 47, cols. 277-316); not found.

63-4 Lam. 1,8: peccatum peccatavit Hierusalem propterea instabilis facta est.

65-6 II Sam. 24,16: ...angelus Dei super Hierusalem ut disperderet eam.
collocavit ante paradisum voluptatis cherubin et flammeum gladium (Gen. 3).

Deserta ergo erat a Deo Iherusalem quia civitas ei rebellis (1 Esdre 4), cuius quidem rebellionis virus in tantum prevaluit quod, non solum inmisit in posteros corporee mortis toxicum ex processu (Augustinus, 13 de civitate), sed post illius mortis pregustatas tenebras electissimi cives civitatis predicte digni erant carere luce, visione scilicet divini nominis que eterne beatitudinis merces summa promittitur (idem, 1 de Trinitate) et, in primum 75 limbo, pati carcerem tenebrarum (Sap. 18). Et sedens in hiis tenebris, veneranda illorum cohors treno sitis Thobie verbis illum pregravis dampni penam cum merore recoluit: quale, inquit, gaudium


66-8 Gen. 3,24: eiecitque Adam et conlocavit ante paradisum voluptatis cherubin et flammeum gladium.

69-70 I Esr. 4,15: urbs rebellis est.

71-4 A reference to Augustinus Hipponensis, De civitate Dei 13,1,3 (CCSL 48, p. 386, ll. 5-6): Quo pacto igitur bona esse possit bonis, quae accidere non posset nisi malis?

74-5 Augustinus Hipponensis, De trinitate 1,9,14 (CCSL 50, p. 54, ll. 15-16): ...in eius visione merces tota promittitur dilectionis et desiderii nostri.

73-76 Sap. 18,4: dignique quidem illi carere luce et pati carcerem tenebrarum.
michi qui in tenebris sedeo et lumen celi non video?’ (Tobie 5).

Et clamaverunt ad Dominum cum tribularentur: Illuminare hiis qui in tenebris et in umbra mortis sedent (Luc. 1 capitulo). Condolens ergo divina pietas humane civitatis sic periisse gloriam numina pertemptantis, reverti [M 103] in Hierusalem voluit in misericordiis (Zacha. 1). Et per suorum sacra preconia prophetarumque, celebrati iam adventus praeludia pertendebant, orbato taliter homini et a luce iusticie ad peccati tenebras declinanti, iterum a tenebris ad lucem venire sospondit quia etsi precessit nox, dies autem appropinquabit (Augustinus in sermone de sabbato sancto). De quibus luce et tenebris prophetica tuba cecinit, ob misterii certitudinem de futuro preteritans: Populus enim gencium qui ambulabat in tenebris vidit lucem magnum;


78-9 Tob. 5,12 sic
80-1 Luc. 1,79 sic
83-4 Zach. 1,16: revertar ad Hierusalem in misericordiis.

habitantibus in regione umbre mortis, lux orta est eis (Ysa. 9).
Exortum est in tenebris lumen rectis misericors et miserator et iustus Dominus (David in psalmo). Et que lux sive lumen ille, inquam, parvulus qui natus est nobis, filius qui datus est nobis, qui et lumen de lumine, candor eternae lucis, splendor glorie et figura substantie Patris, et sine macula speculum in quo relucent omnia, predicatur et colitur, cuius preclare nativitatis limpido illustratur lumine totus orbis terrarum (Sap. 17).

Surge ergo Iherusalem et circumspice ad orientem hanc lucem et vide iucunditatem a Deo tibi venientem (Bar. 4). Gaudete et exultate simul, deserta Iherusalem, quia consolatus est Dominus populum suum, redemit Iherusalem (Ysa. 52). Iherusalem, venit


90-2 Isa. 9,2 sic
92-3 Psal. 111,4 sic
94-5 Isa. 9,6: parvulus enim natus est nobis filius datus est nobis.


98-9 Sap. 17,19: omnis enim orbis terrarum limpido luminabatur lumine.

100-1 Bar. 4,36: circumspice Hierusalem ad orientem et vide iucunditatem a Deo tibi venientem.

101-3 Isa. 52,9: gaudete et laudate simul deserta Hierusalem quia consolatus est Dominus populum suum redemit Hierusalem.
tuum et gloria Domini [M 104] super te orta est (ibi 60), in loco videlicet nostri thematis ubi hodiernus noster epistolator, ipse sanctissimus Ysaia, ex causa effectum inferens, sic assumpti thematis preinducit tenorem, surge, inquiens, illuminare Iherusalem.

Sane, reverendissimi patres, quamvis civitatem Iherusalem ad varia varie applicet tradicio seniorum, ad tria tamen me determinans cum Philosopho in primo De celo et cetera, ipsam michi significare tria considero de presenti: primo, civitatem ecclesie generalis; secundo, civitatem anime rationalis; et tercio, civitatem nature hic mortalis. Fundatur ista nominis transsumpcio ad hec tria ex scripture textibus et commentis doctorum. Pro primo super isto textu prophetici nostri thematis, illuminare Iherusalem: manifestum est Iherusalem esse fidelium civitatem, id est ecclesiam (Maximus episcopus in sermone quodam de hoc festo). Iherusalem


103-4 Isa. 60,1 sic

111 A reference to Aristotle, De caelo, 1,1,2-3 (Firmin 2, p. 367).

edificatur ut civitas. Rogate que ad pacem sunt Iherusalem, innumerous quoque textus tales commentante doctorum cetu, de ecclesia viatrice. Pro secundo, vocabitur Iherusalem solium Domini (Ier. 3), id est anima que est templum Dei, commentante Crisostomo illud Mattheum: Iherusalem, que occidis prophetas, quociens volui et noluisti, de anima peccatrice. Pro tercio, dabo Iherusalem in acervos arene (Ier. 9), commentante concorditer Gregorio illud Lucis: Iherusalem, non relinquetur in te lapis super lapidem sed ad terram prosternent te, de natura defectrice, mortali scilicet nostro corpore.


118-19 Psa. 121,3: Hierusalem quae aedificatur ut civitas....
119 Psa. 121,6 sic
121-2 Ier. 3,17: Vocabunt Iherusalem solium domini.
122-3 A reference to Iohannes Chrysostomus, Paraenesis sive adhortatio ad Theodorum lapsum, (PG 47, col. 297)
123-4 Mat. 23,37: Hierusalem quae occidis prophetas et lapidas eos qui ad te missi sunt quotiens volui congregare filios tuos quemadmodum gallina congregat pullos suos sub alas et noluisti.
124-5 Ier. 9,11 sic
125-6 A reference to Gregorius Magnus, xl homiliarum in evangelia 2,39,4 (PL 76, col. 1296-7)
126-7 Luc. 19,44: ad terram prosternent te et filios qui in te sunt et non relinquent in te lapidem super lapidem.


130 Isa. 52,2 sic

131-2 A reference to I Reg. 19,5
132-3 A reference to Act. 12,6
134-5 Iob 19,25: in novissimo de terra surrecturus sim.
135-6 A reference to Luc. 15,11-32
137-8 Isa. 52,1: consurge consurge induere fortitudine tuae Sion induere vestimentis gloriae tuae Hierusalem civitas sancti.
138-40 Bar. 5,5: exsurge Hierusalem et sta in excelso.
Genesim contra Manicheos, et oppositorum disciplina est eadem ex Philosopho.

Surge prima Iherusalem de tenebris nequicie et erroris et *illuminare* lumine veritatis et iusticie, de quibus luce et tenebris Salvator meminit (Io. 3): *Dilexerunt homines magis tenebras quam lucem*, cum commento Augustini. Surge secunda Iherusalem de tenebris accidie et torporis et *illuminare* lumine sanctitatis et mundicie, de quibus luce et tenebris Apostolus meminit (ad Ro. 13):

Hora *est iam nos de somnno surgere*. Abiciamus ergo opera tenebrarum et induamur arma lucis. Et surge tercia Iherusalem de tenebris angustie et terroris, corporalis scilicet mortis, et *illuminare* lumine claritatis et leticie, de quibus luce et tenebris beatus ille Iob meminit in 17 capitulo: *In tenebris stravi lectulum meum*, sed *rursum post tenebras spero lucem*.  


142-3 A reference to Aristoteles, *De anima*, 2,7,3 (Firmin 3, p. 453): Videtur et tenebris contrarium esse lumen; atqui tenebrae sunt talis habitus e pellucido absentia.

146-5 Ioh. 3,19 sic

147 A reference to Augustinus Hipponensis, *In Iohannis evangelium tractatus* 12,13 (CCSL 124, pp. 128-9)

149-51 Rom. 13,11-12 sic

154-5 Iob 17,12-13: sursum post tenebras spero lucem / si sustinuero infernus domus mea est in tenebris stravi lectulum meum.
Fundantur ergo hec tria in themate, Iherusalem surge illuminare, et fundamentum hoc sermonis, iuxta tres eiusdem particulas preconceptas, alia pro presenti poemata non ornabunt, nisi circa tria festi presentis miracula triplex scripture sensus, cuius floribus nec rose desunt nec lilia. Primam partem ornabat allegoria quedam oblacionis munera auri, thuris et mirre; secundam tropologia baptismi Christi in Iordane, ubi in baptismo spirituali anime paterna vox et columba, Iohannes, et Iordanis devotissima potuerint aperire misteria; et terciam ornaret anagogia conversionis aque in vinum in nupciis cum, desponsatis corpore et anima glorificandis, sex ydrie aque mutabantur in vinum, quatuor scilicet condiciones corruptibilis corporis in dotes quatuor oppositas ut in vinum incorruptionis; et ex parte anime due ydrie aque, fides scilicet et spes, que sicut aqua labentur et excident, claram fruicionem et securam apprehensionem habebunt eisdem
glorifice succedentes. Caritas vero ydria aque non est quia sicut aqua nec labi novit nec excidit; licet intension in patria beatorum amor erit. Hee ergo forent, venerandissimi domini, pro materia dicendorum tres principales partes sive rami, quos mistica manus elicit thematis ex radice; sed quia delicata plus gaudent brevitate moderni, omissurus duas partes ulteriores predictas.

De prima, [M 108] Iherusalem, contentabor ad ipsam thema, directurus medullamque processus in integrum pro hac vice. Locuturus ergo ad cor Iherusalem (Ysa. 40): surge, inquio, illuminare Iherusalem. Iherusalem, ecclesia militans que iacebas in pulvere nequicie et erroris, excutere de pulvere; consurge et sede (Ysa. ut supra). Illuminare lumine veritatis et iusticie ut in te resplendeant moraliter illa tria, Iherusalem, olim materialis insignia, scilicet sedes regis, fides gregis, et templum legis, que tamen in te collapsa fuerant miserabiliter iam a diu quia sedes regis, supremi scilicet in regali sacerdocio pontificis, per execrabile istud scisma dissipatur et dividitur, fides gregis per


168-173 An allusion to I Cor. 13,8-13

178-9 Isa. 40,2: loquimini ad cor Hierusalem.

181-2 As above, l. 130
hereticancium nova dogmata inpugnatur et pervertitur, et templum legis in enormi ecclesiasticorum vita famosaque infamia maculatur et polluitur.


191-2 Apoc. 16,19: facta est civitas magna in tres partes.

192-4 Mic. 3,10: *...qui aedificatis Sion in sanguinibus et Hierusalem in iniquitate.*

196-7 Bar. 4,8: obliteri autem estis eum qui nutrivit vos et contristastis nutricem vestram Hierusalem.

197-200 Lam. 1,7-8: recordata est Hierusalem dierum adfflictionis suae et praevaricationis omnium desiderabilium suorum quae habuerat a diebus antiquis / omnes qui glorificabant eam spreverunt illam quia viderunt ignominiam eius.

200-1 Lam. 1,17 sic

Dispersiones Israelis, dispersas scilicet obediencias et obedienciarum ipsarum dispersa supposta, iam in Spiritu Sancto suo synodaliter congregavit (Psalmo ante penultimo). Ecce, veniunt filii tui, quos dimisisti dispersos, collecti ab Oriente usque ad Occidentem. Circumspice ergo et vide collectos filios tuos ab oriente sole, a visceribus scilicet misericordie Dei tui quibus te nunc visitavit oriens (Bar. quinto et Luc. primo capitulis). Et
signanter dicit collectos filios tuos, ubi materia similis et forma concilii sollerter intuenti exprimuntur lucidius, quia ecclesie filii, velut materia, et colligendi unio, velut forma, generale concilium integrant, ecclesiam matrem omnium representans verissime, que synodaliter sic collecta supra omnem ipsius filium, ymmo et papam si actu fuerit, in diffiniendis dubiis circa fidem et decretis seu statutis circa mores condendis, autoritate maternali debet quovismodo preeminere, ponente veritatem hanc super candelabrum penalis decreti, que prius sub vecordie medio delicuerat, hac sacro synodo Constanciensis anni Domini millesimi quadringentesimi quintidecimi, mensis Aprilis, die sexta.

Cum igitur, reverendissimi domini, [M 110] in civitate hac Constanciens, non abs divine forsan provisionis presagio, collecta sit hec sancta Constanciensis synodus, ut illuminacionem matris nostre Iherusalem iuxta thema in unione capitis quo ad primum, in destruccione heresum quo ad secundum, et in reformacione ecclesie in capite et in membris quo ad tercium, constanti et vigili cura avisari et mancipari effectum faceremus, hinc per congruenciam ad hec tria triplex membrum. Concipiens pro primo, scilicet contra scisma, sepe repetiti thematis reassumo tenorem: surge, inquio,
illuminare Iherusalem a tenebris que te obfuscabant perniciosissimi
huius scismatis ut cantum hunc poterimus decantare tripudii:
tenebre transierunt scismatis et lumen verum iam lucet in unitate
pastoris (1 Ioh. 2). Iherusalem, cito veniet salus tua, quare
merore consumeris et nox tua sicut dies illuminabitur illuminacione
prefelic, desideratissime unionis. Nam Pontifex in eternum,
altissimi Patris Filius, pacificus Rex et Presul triumphantis
Iherusalem militantisque, Salus indeficiens ierarchie, licet ex
occulta sui profunditate iudicii variis persecutionum flagellis et
scismatum maxillas eius sinat interdum ubertate fletuum [M 111]
irrorari, veluti tamen pia mater, diu deflentem filium ad ubera
maternalis reinvitans solacii tempore sibi placito, divisionem
terminat et pacis risum provocat post irriguos quos effudit rivulos
lacrimarum. Quamvis enim delinquenti filio seva patris manus ictus
aliuociens infligat et verbera letiferum, tamen, prolis sue casum
preinnati amoris teneritate paterna penitus intueri non valens, cum
in preceptis ire conspexerit, manum adicit adiutorii et enixo conatu
virium levat prolabantem filium a ruina (Gregorius sentencialiter
omelia prima super Ezechialem).

Pie ergo credi poterit quod qui promisit in Iherusalem ponere
gloriam suam (Ysa. 46) tenebrosissimum scisma istud iam instanti
quasi sui xl anno finiet, sicut et xl annis civitatem rebellem
Iherusalem ad conversionem exspectans liberare voluit ab excidio
(sentenciante Beda super Lucam in extollencia quadam numeri
quadragenarii).

O quam ingens tunc succedet per universum orbem concentus
suspirio! Et quam celica nos invadet novitas gaudiorum cum, post
tam diutinum fracture dispendium, illuminande Iherusalem refloret
integritas, et eleccione sancta pacis fimbriam consuet Spiritus
Sanctus affuturus unico cuneo prelatorum! Sed cum evangelii

virium] matrem W, pro labentem] plabentem W, simualiter] finaliter
Ö; 253 super] super add. Ö; 254 promisit in Iherusalem] in
Iherusalem promisit M; 255 tenebrosissimum] tenabrosissimum Z; 256
et xl om. L, rebellem] ribellem M; 257 exspectans] conspectans L,
ab excidio] exilio Ö; 258 in om. Ö, extollencia] excellencia W;
259 quadragenarii] qua dici genarii W; 260 ingens] urgens W, tunc]
incedit tunc add. Ö, succedet] succedit ÖW; 261 suspicio
KZ, invadet] invadat W, gaudiorum] granviorum K; 262
dispensium om. W, reflorebit] reflorebat W; 263 consuet]
conservet KZ; 264 cuneo] timeo KLWZ

251-3 Gregorius Magnus, Homiliae in Hieresechilem prophetam, (CCSL
142, p. 15): ...in praepos ire conspexerit, ubi in mortis
periculum ruat, manum tendit et retinet...;

254-5 A reference to Isa. 46,13

258-9 A reference to Beda Venerabilis, In Lucae evangelium
expositio, (CCSL 120, pp. 88-89, 11. 2732-52), in which Augustine
is cited on the significance of the number forty.
hodierni tenor allegoriis et moralitatibus iuxta tres ipsius integrales materias -- que sunt hee: patula contrarietas regum diversorum, Ihesu scilicet et Herodis; stellaris proprietas, conductrix magorum; et triformis varietas munerum oblatorium -- veritaten in sequentibus dicendas suffulciet, advertamus primo, domini mei, quoniam circa materiam scismatis Herodiana vere erat [M 112] practizata tirannis; nam si recolimus ex quo processit capite, certe velut in convinccione dominorum Arogonensium florentissima magni patris informavit facundia ex adipe prodiit iniquitas. Opulencia enim papalis presidencie plures in ipsius ambicionem inflexit, mistice notata in Herodis cupidine, qui, temporalis regni affectus celsitudine, obcecato ei nium amoe inhesit.

Si secundo inspicimus quo per tot annos et tempora miserabile istud scisma nutriebatur fomite, certe duplicitas et simulacio contendencium hoc fecit. Iurabant se velle cedere pro danda pace


272-3 Morrissey ("Surge," 112, n. 94) suggests that this is a reference to a sermon delivered at Constance on 10 September 1416 by "Sperans in Deo" Cardona; see Finke, Acta ii., 467-8.
ecclesie sed, ut effectus docuit, non magis hoc reali cogitabant in animo quam Herodes magis inquiens, *Ite et interroga* *t* *e* *diligenter de puero et cetera, inventum in eventu adorare proposuit.*

Et si tercio perpensemus quanta mala prodierunt ex sic veterato scismate, certe quod super summe dolendum est: infinitarum — heus! et heus! — pernicies animarum, incomparabiliter illa strage innocentum crudelior que ex Herodiani cordis emanavit furore. Nam illic infantes in matrum sinibus trucidati sideria per martirium cito peciere solacia; hic autem et matres dividuntur cum filiis, ecclesie scilicet cum simplicibus populis, quorum plerique per ipsum scisma forsan passi sunt tormenta penalium inferorum, et sic repletur Iherusalem cruore innocencium (4 Reg. 24).

*Quid ergo? Pulsemus omnes pariter inportunis clamoribus ad graciousissimas ianuas clemencie Dei nostri. Miserere, inquiamus, civitati sanctificationis tue Iherusalem ut sit ex nomine visio pacis et civitas requiei* (Eccl. 35), et ut, semota pro deinceps

_____________________


_____________________

282-3 Mat. 2,8 *sic*

292 IV Reg. 24,4: *implevit Hierusalem cruore innocencium.*

294-6 Sir. 36,15: *miserere civitati sanctificationis tuae Hierusalem civitati requiei tuae.*
Herodiani principatus in papatu protervia, castissima mater omnium, 
que per hanc sanctam synodum representatur ecclesia (nunciante 
angelo fortitudinis Gabriele, id est, puritate vite iusticieque 
constancia revelantibus ecclesie, obumbrante Spiritu Sancto, qui, 
utinam et summe utinam, in future eleccionis regimine superveniat) 
alterum nobis puerum Ihesum et quem invianti ierarchia prestolamur, 
salvatorem puerum (id est, vita purum contra carnis lasciviam, [M 
113] in humilitate parvum contra mentis superbiam, parvoque 
saciatum contra illam detestabilem et mortiferam symoniam, quia metrico inquiente: sunt pueri puri, parvi, parvo saciati), pudicis 
ex visceribus digna sit et valeat felicer generare qui, et in 
throno positus pontificalis fastigii, aurum, quod habet ecclesie 
oblatum a regibus ut crucifixi regis patrimonium, ad ecclesie sui 
atque pauperum honestissimam omnino necessitatem dispenset; nam 
loculos salvator habuit qua ecclesias, sui sponsam, licite loculos 
habituram previdit, ut notat Augustinus super Iohannem. Et pro 

297 principatus] principis KZ; 298 sanctam om. KZ, ecclesia] eciam 
KZ, nunciante] annunciatione KZ; 300 qui] et add. Ō; 302 nobis 
om. Ō, prestolamur W; 303 id est om. KZ; 305 
saciatum] sociatam KZ, sociatum L; 305-6 quia metrico] que merito 
W; 306 inquiente] inquit K, intuente S, pueri om. W, parvi] 
W; 308 fastigii] fastidii W; 308-9 ecclesia oblatum] eciam 
oblatam KZ; 309 patrimonium] patrimonium W, sui] sue MW; 310 
KSZ, loculos] loculis KZ, om. Ō; 312 ut] et KWZ 

306 H. Walther ed., Carmina mediæ ævi posterioris Latina, 30799 
(2.5, p. 209): sic 

310-12 A reference to Augustinus Hipponensis, In Iohannes 
evangelium tractatus CXXIV, 50,2 (CCSL 36, p. 437): Exemplum domini 
accipite.... Quare habuit loculos cui angeli ministraverant, nisi 
quia ecclesia ipsius loculos suos habitatura erat?
disponendis ecclesiis, velut hucusque quasi consuetum deplangimus offerri, sibi aurum a nephariis non procuret. Thus eciam humanarum laudum, veneracionis et preconii, quod offerentes sibi ipsum quasi deificant eum: patrem beatissimum, patrem sanctum, alterum Deum in terris, omnipotentem in plenitudine ecclesiasticce potestatis huiusmodique similium pretitulantes honore; in libra semper ponderet circumspeccionis mature, iuste oblatas laudes papali suo culmini cum omni Dei reverencia et tremore suscipientis, et adulatorias ydolatrancium, ut saluti sue, noxias refellat totis visibus et puniat cum rigore. Mirramque amare correpcionis non renuat, sed hanc amplecti discat animo delibentique a putredine viciorum, et maxime in excelsis constitutos preservat.

Et hic attendant concorditer dignaciones vestre, prestantissimi domini, quod cum ex [M 114] sapientie dicto blandientis osculo prevalent vulnera dilectoris, non maxime pro papali seu presulari culmine facit qui thus ei solum offert extollencie atque laudis, ymmo verius diligit, veneratur et fovet qui simul offert ei mirram


326-7 A reference to Prov. 27,6: meliora sunt vulnera diligentis, quam fraudulenta oscula odientis.
in non tacendo veritatem stimulatorie monicionis. Accedant ergo oblatores predictorum statuum nunciantes laudem, Ambrosius, Augustinus, Bernardus et Lincolniensis; et qualiter offerunt thus et mirram, provido precor cordium reverberemus intuitu.

Honor, inquit Ambrosius, et sublimitas episcopalis nullis certe poterit comparacionibus adequare cum nichil quet in hoc seculo excellencius sacerdotibus vel sublimius episcopis reperiri: ipsi enim stirps levitica, germen sacerdotale, propago sanctificata, duces et rectores gregis Christi. Iam obtulit sanctitas tua thus, offer queso mirram: Nichil, inquit, miserabilius quam si sit honor sublimis et vita penalis. Nomen enim accioni non congruit cum de sancta vita periclitatur episcopus (hec omnia in sermone [M 115] qui dicitur pastoralis).

Adveniat Augustinus: In Romana, inquit, ecclesia semper apostolice cathedre viguit principacio; sibi ergo subiciatur

Bernardus iam appariet, qui in veritatis foro occultari non novit: Quis, inquit, es?, loquens ad Eugenium, secundo De


343-5 Augustinus Hipponensis, Epistulae, 43,7 (CSEL 34.2.2, p. 90, 11. 9-10): ...cum se uideret et romanae ecclesiae, in qua semper apostolicae cathedrae uiguit principatus....


347-9 Augustinus Hipponensis, Epistulae, 232,3 (CSEL 57.2.4, p. 514, 11. 2-3): ...imperii nobilissimi eminentissimum culmen ad sepulcrum piscatoris Petri submisso diadematem supplicare.

349-53 Augustinus Hipponensis, Epistulae, 176,1 (CSEL 44.1, p. 664, 11. 10-12): ...ut nobis potius ad culpam neglegentiae ualeat, si apud tuam uenerationem, quae pro ecclesia suggerenda sunt, tacuerimus, quam ea tu possis uel fastidiose uel neglegenter accipere....


362-5 Bernardus Claraevallensis, De consideratione libri quinque, 3,13,17 (SBO 3, p. 444, ll. 13-14): Tunc denique tibi licitum censeas, suis ecclesias mutilare membris, confundere ordinem, perturbare terminos, quos posuerunt patres tui?

365-8 Bernardus Claraevallensis, De consideratione libri quinque, 3,24,18 (SBO 3, p. 445, ll. 23-28): ...positos vos dispensatores, sed in aedificationem, non in destructionem.... Ubi utilitas provocat, dispensatio laudabilis est.... Nam cum nil horum est, non plane fidelis dispensatio, sed crudelis dissipatio est.
Quererem enim a Bernardo, si viveret, si hec dispensacio dicenda foret an dissipacio, qua permittuntur infelices electi, quos nec bonus papa elegit nec Dominus (nisi sicut elegit Iudam), extra sacros constituti, per annos et annos bona tam sollemnum episcopatum devastare, et postea publice uxores ducere in toto Christianissimo scandalum permaximum ridiculumque paganis. O sancta Romana ecclesia! Cur tam in sancta tolleras, seu pocius, approbare diceris et facere hec delira? Istis ergo lacrimoso calamo salutatis redeo, unde digressus sum.

Coofferat cum premissis [M 117] sancte doctor memorie venerabilis, scilicet ille Lincolniensis, qui personaliter, non per nuncium, persone ipsius pape in publicis obtulit audenciis thus ut ibi: Papalis, inquit, thronus sicut sol positus est in firmamento mundi, per quem toti orbi lumen celitus derivatur, et multa alia consonanter in proposicione quadam coram papam. Et alibi, Dicto 52: Celestium, inquit, principatum manifestissimam similitudinem maxime inter homines gerit unus et summus pontifex, in cuius manu


380-2 A reference to Robertus Grosseteste, Memorandum, 25 (Gieben, pp. 361-2): Haec sedes sacratissima tronus Dei est et sicut sol mundi totius in conspectu eius. Unde, sicut causaliter est in sole tota huius mundi illuminatio....
precipue sunt omnes ecclesiastice dignitates et omnia iura regnorum. Sed in proposicione Dominus noster Iesus Christus et in diversis aliis coram papam intrepidus ei mirram obtulit, planissime scilicet exhortacionis et contra scelera que commiserat correpcionis amare. Cum, inquit, omnia in terris possit, nichil tamen contra Deum potest apostolice sedis sanctitas divinissima quia si contra Deum papa iubeat, cum obediencia summa ei contradicendum est et sicut Petro cum Paulo in facie resistendum.

Gregoriumque et Crisostomum ac plures alios adduxissem ad similia, sed hora non permittit. Hec idcirco pro tanto dixerim quia cum posse in malum sit imposse, nec sub Dei omnipotencia cadat; ymmo ex natura sui removetur ab ea a qua omnis potestas est


383-6 A reference to Robertus Grosseteste, Dicta. To date only the first fifty of the Dicta have been edited; see J. Westermann ed., I-L of the Dicta of Robert Grosseteste, University of Colorado thesis, 1940. The text cited here does not seem to be among those which Westermann edited.

387 A reference to Robertus Grosseteste, Memorandum, the incipit of which is "Dominus noster Iesus Christus"; (see Gieben, p. 350).

390-4 Probably a paraphrase of Robertus Grosseteste, Memorandum, 26 (Gieben, pp. 362-3)

declarare plenitudinem potestatis papalis ad iustos, rectos et sanctos terminos; non est sue potencie fimbrias minuere sed augere. 400
Nec sic intendencium animis super aliquo redderetur suspectus errore; ymmo summa pocius devocione ac pietate predictus. Cum fimbriarum talium, ut liquido constat, dilatacio effrenis viciosaque ecclesiastice potestatis abusio universo quasi scismati ministrabat originem, et nisi contra hec provideat oportunis remediis hec, utinam constans in hoc opere, Constanciensis synodus, ex simili causa deficiente consimilis necessario redibit defectus, et tunc nostre lyra leticie cito verget a verisimili pristinum in lamentum, nec per finalem repulsam scismatis, iuxta thematis assumpti tenorem, perfecte surget illuminanda mater nostra Iherusalem.

Surge [M 119] secundo illuminare Iherusalem a tenebris que te caligabant heretic pravitatis, que tenebre Christianorum operuerunt terras plurimas et false doctrine caligo populos (Ysa. 60). Sed aperiat Dominus oculos talium ut convertantur a tenebris


413-15 Isa. 60,2: tenebrae operient terram et caligo populos.
errorum et heresum ad lucem veritatis et catholice fidei (Act. 26)
Nescierunt enim neque intellexerunt patroni istarum heresum;
ambulabant in tenebris et movere, ymmo subruere moliti sunt, omnia
fundamenta terre, omnia scilicet sacramenta ecclesie (in Psalmo).
Et ecce terremotus factus est magnus, quem generacio ista prava et
exasperans suscitavit. Sed generacio talium multiformis preteriit
et generacio hec advenit; terra autem in eternum stat (Eccles.
primo), terra scilicet ecclesie quam fundavit Deus super
stabilitatem fidei, nec inclinabitur in seculum seculi (in Psalmo).

Et huic membro convenit consideracio illius secundi de quo in
ewangelio ut preinquii hodierno canetur, et est stellaris
proprietas conductrix magorum. Nam stella illa, per Crisostomum,

---

416 heresum] heresis KZ, catholice] catholicis Ö; 417 enim om. KZ;
418 ambulabant] ambulant KZ, subruere] subvertere KZ, subueris M,
subtuerer Ö; 419 psalmo] primo LÖS; 420 et ecce] et om. KZ, quem]
quam W, ista] illa M; 421 exasperans] exasperant M, preteriit]
preteriis W; 423 terra om. KZ; 424 inclinabitur] inclamabitur W,
secunde KZ, om. L, quo] ut add. W; 426 canetur] conetur W,
stellaris] stellatis W; 427 nam om. W, stella illa] illa stella
KZ, illa om. Ö, ista W

---

415-16 Act. 26,18: aperire oculos eorum ut convertantur a tenebris
ad lucem.

417-19 Psa. 81,5: nescierunt neque intellexerunt in tenebris
ambulant movebuntur omnia fundamenta terrae.

420 Mat. 28,2 sic

421-3 Eccl. 1,4: generatio praeterit et generatio advenit terra
vero in aeternum stat.

423-4 Psa. 103,5: ...qui fundasti terram super stabilitatem suam
non inclinabitur in saeculum saeculi.
lumen designans fidei, quam cito magi in Iherusalem pro
investigandis racionibus sensuum humanorum et pro faciendis cum
eisdem questionibus perrexissent, evanuit ab eorum oculis cum merito supernali destituebantur auxilio qui adherebant humano. Et
citato magi in Iherusalem pro investigandis racionibus [M 120] probabuntur. Stellaque fidei recedens ab eis dimittit involutos miserabili in errore.

Sed oportet hereses esse ut qui probati sunt manifeste fiant (ex Apostolo). Expedit enim ut heresiarche et sequaces eorum insuper et secte et fraudes ipsorum publice revelentur ut catholici videant quanta tenebrarum caligine involuti sint heretici, et nos contra moliciones eorum ac versucias simus efficaciter premuniti ne prevaleant verba inimicorum super nos. Et Deo, qui de tenebris nos


427-8 Perhaps a reference to Iohannes Chrysostomus, Homiliae XC in Matthaeum 6,3-4 (PG 57, cols. 65-8)

437-8 I Cor. 11,19: nam oportet hereses esse ut et qui probati sunt manifesti fiant in vobis.

442 Psa. 64,4: verba iniquorum prævaluerunt super nos.
vocavit in admirabile lumen suum, referatur a nobis humilis accio graciarum ut, destructo heretiche abhominacionis errore, gloriam orthodoxe fidei letemur de malivolis suis hostibus efficaciter triumphare. Hec Petri Blessensis in notabili quodam compendio quod edidit de hereticis, diffuse recitans in eodem qualiter omnes fere fabricatores hereticorum do grammum, prius in libro beati Herenei, postea in Ecclesiastica historia, deinde in Historia tripartita, consequenter in consiliis orthodoxorum patrum, demum in corpore canonum et professionibus summorum pontificum, anathematizati sunt et damnati, edisseritque nomina sectarum quam plurium et in quibus damnate erant variarum nomina synodorum.

Ut [M 121] ergo illuminaretur ab hiis tenebris a diu per Wiclevistas et Hussitas dolibiliter impugnata mater alma


442-3 I Pet. 2,9: qui de tenebris vos vocavit in admirable lumen suum.

446-7 There is no known tract on heresy by Petrus Blessensis. Nor are these texts found in Petrus Venerabilis, Tractatus adversus Petrobrusianos (PL 189, col. 719-850), Petrus Veronensis, Summa contra haereses (T. Kaeppeli ed., Archivum fratrum praedicatorum, vol. 17 (1947), pp. 320-35), or the Liber adversus haereses attributed to Petrus Abaelardus (PL 178, col. 1823-46).

448-9 References to Irenaeus Lugdonesis, Libri V adversus haereses (W. Harvey ed., Cambridge, 1857); Eusebius Caesarensis, Historiae ecclesiasticae libri duo (PL 21, col. 461-540); and Cassiodorus, Historia ecclesiastica vocata tripartita (PL 69, col. 879-1214).
Iherusalem, surrexit hec sancta synodus, non abs divino misterio ut suspicor, Constanciensis, et eorum infelices memorias atque sectas sempiterno constanter subiecit obprobrio auctoritate materna, collaudans factum filie, venerandissime scilicet et alme universitatis Oxoniensis, examinantis et reprobantis opuscula illius spine que in illo floridissimo roseto sancte fidei sic altissimi paciencia volente succrevit.

Quociens namque sepius hereticorum consilia commota sunt adversus veram et firmam ecclesiam! Quemadmodum sepius sicut maris fluctus irruebant, comminantes et conterentes per omnia perdere se ecclesie filios arbitrantes! Sed surgens Dominus imperavit demonum ventis et omnes evanescere fecit audaces adversarios fidei magnamque pacem et tranquilitatem dedit ecclesie sue (Origenes in omelia super ewangelio de navicula, Mattheo 8). Sed quia forsan movit multorum animos quod audaces illi adversarii fidei, Huss et Ieronimus, per edacis ignis supplicia vanuere et sic pax ecclesie procurata [M 122] erat, audiatur obsecro et attente heresiarcharum

---


466-9 Mat. 8,26: tunc surgens imperavit ventis et mari et facta est tranquilitas magna. There is no known homily by Origen on this text.
304

malleus Augustinus, in epistola quadam ad Bonifacium comitem: Aliter, inquit, non meruit habere pacem domus David nisi filius eius, in bello quod contra patrem gerebat, fuisset extinctus quamvis in magna cura mandaverit suis ut eum quantum possent vivum salvumque servarent. Quid autem ei restitit nisi perditum flere et sui regni pace acquisita suam mesticiam consolari. Sic catholica mater ecclesia, si aliquorum perdicione tam multos ceteros colligit, dolorem materni cordis linit et sanat tantorum liberatione populorum. Et idem sentenciat in De questionibus evangelistarum, commentans illud evangelicum de zizania et tritico, asserens omnino [M 123] eradicandum zizania ubi de periculo timetur scismatis aut de detrimento fidei orthodoxe. Cum ergo, predignissimi patres, sit iste de precipuis actibus sacre synodi, 


473-8 Augustinus Hipponensis, De correctione Donatistarum (PL 33, col. 792): Sed si aliter non meruit pacem habere domus David, nisi Absolon filius eius in bello quod contra patrem gerebat, fuisset extinctus quamvis magna cura mandaverit suis eum quantum possent vivum salvumque servarent.... Quid ei restitit nisi perditum flere et sui regni pace acquisita suam moestitiam consolari.

481-4 A reference to Augustinus Hipponensis, Quaestiones Evangeliorum cum appendice quaestionum xvi in Matthaeum (CCSL 44B, p. 13), where Augustine comments on Mat. 13,25.
eradicacio scilicet heresum, conentur ex intimis sedulitates vestre ad huius pii negocii plenam expedicionem quo, iuxta thematis verba, ab olim obtenebrata graciose per vos surgat illuminanda Iherusalem.

Surge tercio et illuminare Iherusalem a tenebris que te denigrabant errenee conversacionis; vide ne lumen quod in te est ex officio tenebre sint ex vicio. Lucerna enim corporis tui est oculus tuus, id est episcoporum status qui ex nominis derivacione superspeculantes dicuntur. Blanditur, inquit Bernardus, cathedra? Specula est quod officium sonat episcopi nomen non dominium, in primo De consideracione, qui quidem oculus, si nequam fuerit, totum corpus ecclesie tenebrosum erit. Surge ergo et hora surgendi non te pretereat, id est reformacio tui per hoc fienda concilium (Eccles. 32). Propter multitudinem enim [M 124] impietatum tuarum,
deposita est vehementer, vix habens consolatorem, sed numquid dedit te Dominus in manu de qua non poteris surgere (Tren. primo). Surge ergo et illuminare Iherusalem, que sonant verba thematis; surge ecclesia et reformare in capite et in membris. Ob quorum fastum pessimum, minatur tibi Dominus: conputrescere faciam superbiam Iherusalem multam (Ier. 13); ob eorum symoniacum ambicionis malum, ecce quomodo pro te Psalmista conqueritur: Deus, venerunt gentes in hereditatem tuam, polluerunt templum sanctum tuum, posuerunt Iherusalem in pomorum custodiam (in Psalmo); et ob eorum fornicarum conversations luxum, abstulit Dominus a Iherusalem validum fortem et omne robur consiliarium et sapientem quia effeminati dominantur nobis (Ysa. 3). Hoc enim triplici malo tota confunderis, o mater Iherusalem (Act. 21). Verum propter hæc peccata nostra Iherusalem...

498-500 Lam. 1,5-14: ...propter multitudinem iniquitatum.... deposita est vehementer non habens consolatorem.... dedit me Dominus in manu de qua non potero surgere.


505-7 Psa. 78,1 sic

508-10 Isa. 3,1-4: Deus exercituum auferet ab Hierusalem et ab Iuda validum et fortem omne robur panis et omne robur aquae...et consiliarium...sapientem...et effeminati dominabuntur eis.

510-11 Act. 21,31: tota confunditur Hierusalem.
et populus tuus, Domine, sunt in obprobrium cunctis gentibus, sed avertatur, quesumus, furor tuus a civitate tua Hierusalem, ut iterum edificetur (Dan. 9), et benigne fac in voluntate tua ut edificentur muri Hierusalem (Psa. 50), quia considero muros Hierusalem dissipatos (Nehemie 2).

De tribus tamen istis malis quibus iam quasi ad fundum corruit mater nostra Hierusalem, et presertim de symoniaca peste que domum Dei facit domum negociacionis, in sermone alio ante pascha, per Dei graciam, diffuso scemate tractatus ea solum. Persaluto generaliter in presenti lamentabile illud prophete ad mentem reducens Ysaie 59, quod de nobis ecclesiasticis qui in exemplari conversacione duces essemus luminis, simplex poterit populus iustissime satis conqueri: Exspectavimus lucem et ecce tenebre; splendorem et in tenebris ambulavimus. O ergo infelix hec hora


513-14 Dan. 9,16: avertatur obsecro ira tua et furor tuus a civitate tua Hierusalem.

514-15 Psa. 50,20: benigne fac Domine in bona voluntate tua Sion et aedificentur muri Hierusalem.

515-16 II Esr. 2,13: considerabam murum Hierusalem dissipatum.

518-19 A reference to Ioh. 2,16: nolite facere domum Patris mei domum negotiationis.

524-5 Isa. 59,9 sic
nostra et potestas tenebrarum! (Luc. 22). Ut ergo ab hiis malis inviolabilis et infringende reformacionis anthidoto purgaretur ecclesia in capite et in membris precipue congregata erat sacratissima ista synodus cum non aliter sedebit Iherusalem secura Iherusalem (Zach. 14), [M 126] nec esse poterit Iherusalem sancta (Iohel 3), nec vocari, ut deceret, Iherusalem civitas veritatis (Zach. 8). Alioquin queso quid dicetur nisi quod, per tot dies pro reformacione ecclesie quam congregacionis nostre causam principalem pretendimus, in Constanciense congregati ypocritica simulacione totum orbem delusimus; et fama que fuisset pregaudiosa concilii, iuxta verbum Iob, erit ad instar puncti.

Sed, desideratissimi domini, instigante iam severius solito per satellites suos illo tenebrarum principe, inimico maximo tanti boni, tenebrarum hic binarius (ideo infamis inter numeros quia

525-6 Luc. 22,53: sed haec est hora vestra et potestas tenebrarum.
529-30 Zach. 14,11 sic
530-1 Joel 3,17 sic
531 Zach. 8,3: vocabitur Hierusalem civitas veritatis.
534-6 Iob 20,5: ...et gaudium hypocritae ad instar puncti.
primo pre ceteris ab unitate recedit) illuminationem istam sanctam nostre matris Iherusalem et unionem ecclesie prepedire nimis nititur, nisi salubri providencia fortissima Dei manus nos docuerit et iuverit humanius obviare. Prime, inquio, sunt tenebre dissensionum impiarum que omnimode caritatis extinccionem intendunt, et hee tenebre horribiles super terram concilii facte sunt, ymmo et tam dense ut palpari iam queant quod nemo quasi debite dileccionis oculo videt fratrem suum (Exo. 10 capitulo). Viri enim fratres sumus, ut quid nocemus alterutrum? (Act. 7). Et secunde sunt tenebre excusacionum perfidarum que omnimode iniquitatis contumacionem defendunt et heus hee tenebre facte sunt super universam terram (Math. 27), super universum scilicet statum ecclesie, cum nullus audire velit sed, cum maxima cordis impaciencia, reicere que defectuum in proprio statu reformacionem concernunt, ymmo, quod deterius est, declinans in verba malicie,


545-7 Exo. 10,21-23: et sint tenebrae super terram Aegypti tam dense ut palpari queant.... factae sunt tenebrae horribiles in universa terra Aegypti tribus diebus / nemo vidit fratrem suum.

548 Act. 7,26: viri fratres estis ut quid nocetis alterutrum?

550-1 Mat. 27,45 sic
pro excusandis studet excusacionibus in peccatis (in [M 127] Psalmo). Cum enim peccant homines, tenebre sunt; sed dum peccata que faciunt fucis insuper coloratis defendunt, tenebre tenebrant tenebras (Augustinus super Psalmum 138). Hiis enim biformibus tenebris omnia nobis fecimus tenebras ita quod nichil videmus (Seneca, epistola 110). Hee enim sunt tenebre de quibus prememini: dilexerunt homines magis tenebras quam lucem; et causa? quia erant eorum mala opera; qui enim male agit non venit ad lucem ut non arguantur opera eius (Ioh. 3), ut allegavi supra. Quia igitur, domini mei, in antea erravimus a via veritatis et iusticie lumen non illuxit nobis (Sap. 5), lux iam in tenebris lucet. Absit quod

556-6 Psa. 140,4: non declines cor meum in verba malitiae ad excusandas excusationes in peccatis.


561-3 Ioh. 3,19-20: dilexerunt homines magis tenebras quam lucem erant enim eorum mala opera / omnis enim qui mala agit odit lucem et non venit ad lucem ut non arguantur opera eius.

563-5 Sap. 5,6: ergo erravimus a via veritatis et iustitiae lumen non luxit nobis.
311

de nobis verum sit: Tenebre eam non comprehenderunt (Ioh. primo), quod commentat Augustinus de luce gracie oblata peccatoribus sicut sol est presens ceco, sed cecus non est presens soli, quia presentem gracie lucem corda capere tenebrosa recusant (Omelia illa super Iohannem).

Surge ergo illuminare Iherusalem [M 128] quia venit iam illa lux gracie, illud spectabile lumen tuum, hec videlicet alma et quasi pre ceteris admiranda synodus. Leva in circuitu oculos et vide omnes; isti congregati sunt, venerunt tibi et cum per eorum fideles operas luminare illud maius sol, videlicet ecclesiastice prelacie quod in tui firmamento diei preest, id est regimini spiritualium, et a diebus plurimis obtenebratus iam cernitur (Ezech. 32).


565-7 Ioh. 1,5: et lux in tenebris lucet et tenebrae eam non comprehenderunt.

567-70 A reference to Augustinus Hipponensis, In Iohannis evangelium tractatus, 1,19 (CCSL 36, p. 11, 11. 6-7): ...quomodo homo positus in sole caecus, praesens est illi sol, sed ipse soli absens est.

571-2 Isa. 60,1: surge inluminare quia venit lumen tuum.

573-4 Isa. 49,18: leva in circuitu oculos tos et vide omens isti congregati sunt venerunt tibi.

575-7 A reference to Eze. 32,7
Receperit iterum lumen suum originalem, supple lumen institucionis primeve; tunc videbis et afflues, videbis in leticia et afflues in omni fama, mirabiturque et dilatabitur cor tuum; utque hec sacra synodus ad felix sui complementum secura persistat, fortitudo gencium venit tibi luminare, scilicet illud minus prelatum nocti, id est regimini temporalium regalis supple dignitas que, ut opera ostendunt, equo pensata oculo zelo magno: zelata est te Iherusalem (Zach. 1), apud quam omnino tuarum esset causarum securitas ne sinaris, o intacta Virgo, inquiete tempestatis tumore turbari (decretis in sentencia, 28 distinccio, capitulo: Ecclesie mee). Et de duobus hiis luminaribus quibus hic mundus regitur decretatur ad propositum (96 distinccio, capitulo: Duo sunt).

583-4 Zach. 1,14: zelatus sum Hierusalem et Sion zelo magno.

586-7 Gratian, Decretum, d.97, c.1 (CIC 1, col. 346-7): Ecclesie mee...et intactam uirginem seruat...et quietam faciem tempestatis insolitae tumore turbari....

587-8 A reference to Gratian, Decretum, d.96, c.10 (CIC 1, col. 304-1)
Omnès ergo de Saba venient aurum et thus deferentes et cetera. [M 129] Saba interpretatur conversio quia conversi filii tui, ecclesiastici scilicet viri, ab enormitatum tenebris et letalis ignorancie in quibus presorduerant, aurum de cetero offerent conversacionis splendide de quo tintinabula iubentur fieri quia doctrine sonitus vitam fulgentem exigit (Exo. 28). Offerent et thus administracionis devote ad Dei omnia refundentes laudem et eius cultum, qui a diu deperiiit, in sacris locis et in divinis cum exactissima perstudebunt diligencia renovare. Et tunc consequenter mirram offerre poterunt correcti, scilicet in seipsis; impendere subditis valent amaram satis mirram correpcionis severe quia dum in seipsis recte vivunt; dum erga Deum devotos se gerunt; dum corrigendis peccatoribus obstinatis non parcunt. Pro certo cum hiis tribus regibus, hii regales sacerdotes de Saba, ut premittitur venientes conversi aurum, thus et mirram regi regum offerunt. Et


590 Isa. 60,6: omnes de Saba venient aurum et tus deferentes.

593-5 A reference to Exodus 28,34
hec est tercia materia evangeli hodierni de qua supra recolebam -- a tenebris primo perniciosissimi scismatis, a tenebris secundo heretice impugnacionis, et a tenebris tercio erronee conversacionis -- per hanc sanctissimam synodum cuius et de hiis tribus precipua cura foret, surgat illuminanda mater nostra Iherusalem. Letabimini tunc cum Iherusalem et exultabitis in ea, omnes qui diligitis eam; gaudebitis cum ea in gaudio universi, qui lugebatis super eam; et replebimini ab uberibus consolacionis eius et deliciis affluetis ab omnimoda gloria eius (Ysa. 66). Summa enim gloria ordinate multitudinis ex tribus constat: si diligit, si fidem habet, si cum admiracione quadam honore dignos [M 130] putet (Tullius, secundo De
officiis capitulo de gloria). Primum potest concernere dileccionem membrorum sub uno capite quoad primum; secundum eorum solidacionem in una fide quoad secundum; et tercium dat notare eorum debitam ordinacionem in virtutis regula que premianda est honore quoad tercium.

Istam ergo perfectam gloriam in nostra Iherusalem militanti stabiliat qui promiserat per Ysaiam: Iherusalem, habitaberis et deserta eius suscitabo, completoque vite presentis decursu nos ad illam transferat Iherusalem matrem nostram que sursum est et libera (Ad Gala. 4), mons et civitas Dei viventis celestis Iherusalem et triumphans (Ad Hebr. 12), in qua nos perhenniter innumeris laudum cum muneribus maiestatem sui Regina adorare concedat, qui hodierna die a magis in Iherusalem inquisitus et in Bethlehem ab eisdem adoratus erat. Amen.


617-20 Cicero, De officiis, 2,9 (Loeb, pp. 198-200): Summa igitur et perfecta gloria constat ex tribus his: si diliget multitudo, si fidem habet, si cum admiratione quaudam honore dignos putat.

626-7 Isa. 44,26: Hierusalem habitaberis et civitatibus Iuda aedificabimini et deserta eius suscitabo.

628-9 Gal. 4,26: illa autem quae sursum est Hierusalem libera est quae est mater nostra.

629-30 Heb. 12,22: sed accessistis ad Sion montem et civitatem Dei viventis Hierusalem caelestem.
There are five known manuscript copies of this sermon:

B = Berlin, Staatsbibl., theol.lat.fol. 413 (632), ff. 82v-95v
K = Kremsmünster, Stiftbibl., MS 4, ff. 281r-291r
P = Pommersfelden, Schönborn. Schlossbib., fol. 167, ff. 7ra-14ra
S = St. Paul (Lavantal), Stiftbibl., MS 30/4, ff. 35v-47r
W = Vienna, Ö.N.B., MS lat. 4922, ff. 250r-264r.

The only complete copy of the sermon is in B, which includes the unique text of the prothema on ff. 82v-84r.

An edition of the sermon without its prothema was published by Hermann von der Hardt in Historia litteraria reformationis (Leipzig, 1717) iii., 17-24. That edition, which was derived from P, is signified as H in the notes; thus, HP denotes a variant common to the edition and its manuscript source. H is always included in cases of omission or transposition and in cases in which H and P agree on a unique word variant, but I have declined to report every instance in which H varies from the present edition because this would nearly double the number of textual notes. For ease of comparison with Hardt's edition, its page numbers are given in bold font within brackets, eg. [H 17], in the text of the present edition.

There are seven cases in which omissions in P are not omitted in H. The first three are in biblical quotations (11. 298, 517, 551), and the fourth (1. 558) is a citation for a biblical text. In the fifth case (1. 639) Hardt supplied the word "non" which was obviously needed for the sentence to make sense. The sixth
case (l. 870) is in a phrase which is repeated from parallel passages which occur earlier in the sermon (ll. 146-9, 506-7). And the last occurrence is another biblical citation (l. 909).

Abbreviations

CCSL  Corpus Christianorum, series Latina
CIC   Corpus iuris canonici, E. Friedberg ed.
CSEL  Corpus scriptorum ecclesiasticorum Latinorum
Loeb  The Loeb classical library
SBO   Sancti Bernardi opera, J. Leclerq ed.

All biblical references are to Biblia sacra iuxta vulgatam versionem. 2 vols.. Stuttgart: Deutsche Bibelgesellschaft, 1969.
Accipiant qui vocati sunt (originaliter ad Hebreos 9 et recitante in epistola Dominice iam instantis). Superni muneriis magnitudo infinita et incomprehensibilis, quam nullus poterit sensus ymmo nec illorum civium beatorum attingere, in virtute omnipotens, in bonitate summa, in sapiencia inestimabilis, in consiliis terribilis, in iudiciis iusta, in cogtacionibus secretissima, in verbis verax et misericordiis copiosa (Augustinus in De speculo ecclesie, 4 et 8 capitulis), que fierent de eis, in occultissimo suo consistorio maiestatis, de hominibus singulis priusquam fierent de eis foret futurum prenovit (idem circa principium libri Soliloquiorum). Singularissimmo quodam eleccionis

1 Hbr. 9,15 sic


3-4 Pseudo-Augustinus, Speculum 10 (PL 40, col. 973): ...guanquam magnitudinem divinitatis tuae infinitam et incomprehensibilem nullus possit sensus attingere, neque enim illorum quoque supernorum civium.

4-7 Pseudo-Augustinus, Speculum 33 (PL 40, col. 984): ...in magnitudine infinitum, in virtute omnipotentem, in bonitate summum, in sapiencia inestimabilem, in consiliis terribilem, in judiciis justum, in cogtacionibus secretissimum, in verbis veracem, in operibus sanctum, in misericordiis copiosum.

10-11 Not found in any of the following texts: Augustinus Hipponensis, Soliloquiorum libri ii (CSEL 89, pp. 3-98); Pseudo-Augustinus, Liber soliloquiorum animae ad Deum, (PL 40, cols. 863-98); Hugo de Sancto Victore, Soliloquium de arrha animae, (PL 176, cols. 951-70); Anonymous, Soliloquiorum caput postremum, (PL 47, cols. 1149-50); Anonymous, Soliloquium (PL 184, cols. 1157-68).
dono carissimos sibi vocat, qui vult omnes homines salvos fieri, et eisdem media suffectura providit ad perhennitatis sue gloriam capescendam. Sibi vocat preordinatos ad vitam, alioque communi vocacionum ternario universaliter omnes vocat. Est ergo prima vocacio eterna divine predestinationis, secunda vocacio interna naturalis inspiracionis, tercia vocacio externa legalis admonicionis, et quarta vocacio superna salutifere redemptio.

De prima meminit Apostolus tantorum conscius archanorum: Scimus, inquit, quoniam diligentibus Deum omnia cooperantur in bonum, ymmo et ipsa peccata (Ysidorus in De summo bono), hiis qui secundum propositum vocati sunt sancti, quos enim vocavit hos et iustificavit (Ad Rom. 8), quos sibi elegit ipse Dominus ante mundi constitucionem ut essent sancti et immaculati in conspectu [f. 83r] eius. Non enim elegit eos quia futuri erant sancti; sed ideo futuri erant sancti quia sic elegit eos; elegit enim ut essent sancti (Augustinus super Iohannem, tractans illud evangeliwm: Non vos me elegistis sed ego elegi vos). Sed de altissime huius

21 A reference to Isidorus Hispalensis, Sententiarum libri tres (PL 83, cols. 538-738); the exact locus has not been found.

19-22 Rom. 8,28: scimus autem quoniam diligentibus Deum omnia cooperantur in bonum hiis qui secundum propositum vocati sunt sancti.

22-3 Rom. 8,30: quos vocavit hos et iustificavit.

23-5 Eph. 1,4: eligit nos in ipso ante mundi constitutionem ut essemus sancti et immaculati in conspectu eius.

25-7 A paraphrase of Augustinus Hipponensis, In Iohannis evangeliwm tractatus, 86,2 (CCSL 36, pp. 542-43)

27-8 Ioh. 15,16 sic
vocacionis misterio, propter infirmos sensus, nil omnino locuturus cum Augustino, loco quo supra. Reverenter ita finio: O altitudo diviciarum sapienctie et sciencie Dei! Quam incomprehensibilia sunt iudicia eius et investigabiles vie eius! (Ad Rom. 11), et firmitate tamen catholica hec conclusens quod nulla sic actus vestros augit divine presciencie vel predestinacionis coactiva necessitas quando vere vos in libertatem vocati estis (Ad Gal. 5). In arbitrio enim vestre facultatis est ut sitis tenebre vel lux (Augustinus, libro annotationum super Iob). Hec sane libertas arbitrii in vobis plane divinum quidam prefulgens est. Ex qua est vobis inter bonum et malum, inter lucem et tenebras cognicio iudicii et operacio eligendi (Bernardus super Canticum, sermone 82).

Tres quidem residue vocaciones universaliter omnes tangunt, quarum prima est vocacio interna naturalis inspiracionis, et hec est naturalis lex inserta homini ex qua est quod ad omne malum naturaliter erubescimus et ad omne bonum, si peccati nimia cecitas non obsistat, naturali quodam instinctu letamur. Hec ante legem scriptam humanum genus docuit: cultum unius Dei, latriam et

30-2 Rom. 11,33 sic
35 Gal. 5,13 sic
35-6 A paraphrase of Augustinus Hipponensis, Adnotationes in Iob, 39 (CSEL 28.3.3, p. 623, 11. 11-12): In voluntate enim cuiusque est, utrum tenebrae sit, an lux.
37-40 Bernardus Claravallensis, Sermones super Canticum Canticorum, 81,6 (SBO 2, p. 287, 11. 17-20): Arbitrii libertas haec est, plane divinum quiddam praefulgens in anima, tamquam gemma in auro. Ex hac nempe inest illi inter bonum quidem et malum, nec non inter vitam et mortem, sed et nihilominus inter lucem et tenebras, et cognitio iudicii, et optio eligendi....
sacrificium, inhesionem virtuti et fugam a vicio, ac proximi
dileccionem (Ieronimus in notabili quadam epistola ad Demetriandam
virginem). Hoc mane, inquit Dominus, pars legis nature consurgens,
scilicet in creacione rerum, locutus sum ad vos homines et non
audistis, vocavi vos et non respondistis; non audierunt nec
inclinaverunt aurem suam michi ut mandata mea acciperent qui vocati
sunt, sed abierunt in voluptatibus suis et in pravitate cordis sui
mali (Ieremie 7 capitulo). Videns enim Deus quod multa malicia est
hominum, penituit eum quod hominem fecisset et induxit diluvium
(Gen. 6 et 7 capitulis).

Sequebatur autem vocacio externa legalis admonicionis, quia enim
facti homines sunt retrorsum, misi, inquit [f. 83v] Dominus, servos
meos ad vos et prophetas per diem consurgens diluculo, in tempore
scilicet legis scripte quod ad meridiem legis gracie ut quodam

58 sunt] sic B, misi] misit B

48-9 Not found in Hieronymus, Epistula ad Demetriandem, 130 (CSEL
56, pp. 175-201) or Leo Magnus(?), Epistola ad sacram virginem
Demetriadem (PL 55, col. 161-180).

49-51 Ier. 7,13: haec dicit Dominus et locutus sum ad vos mane
consurgens et loquens et non audistis et vocavi vos et non
respondistis.

52-3 Ier. 7,24: non audierunt nec inclinaverunt aurem suam sed
abierunt in voluptatibus et pravitate cordis sui mali.

53-4 Gen. 6,5: videns autem Deus quod multa malitia hominum
esset...

54 A reference to Gen. 7,17-24

58-9 Ier. 7,24-5: factique sunt retrorsum et non in ante / a die
qua egressi sunt patres eorum de terra Aegypti usque ad diem hanc
et misi ad vos omnes servos meos prophetas per diem consurgens
diluculo.
diluculum precurrit. Vocavi iterum vos et non respondistis michi quia hec est gens que non audivit vocem Domini (Ieremia signanter capitulo quo supra). Vocatus ergo homo per legislatorem, iudices et prophetas testamenti veteris, vocanti sic per eos Domino, non respondit dum, peccata peccatis accumulans, in ydolatriis, adulteriis, flagiciisque innumeris prevericacionibus contra Deum, novas in dies adinvenit (specifícante eas Crisostomo per varias mundi etates in opere imperfectó, super illa textu: Mane revertens Iesus in civitatem, esuriit). Servum ergo meum, humanum scilicet genus, inquit Dominus, vocavi hac dupplici vocacione et non respondit michi. Veniam ergo ore proprio deprecari illum (Iob 18).

Et hec est vocacio tercia salutifere redempcionis. Nam ideo novi testamenti mediator effectus est ut, morte intercedente in redemptionem earum prevericacionum, que erant sub priori testamento, repromissione eterner hereditatis accipiant qui vocati sunt. Ecce thema meum, directe consequens ex premissis que

71 veniam] veneram B

61-2 Ier. 7,27-8: vocabis eos et non respondebunt tibi / et dices ad eos haec est gens quae non audivit vocem Domini.

67-8 A reference to Pseudo-Chrysostomus, Opus imperfectum in Mattheum, homilia 39 (PG 56, col. 844)

68-9 Mat. 21,18: mane autem revertens in civitatem esuriit.

69-71 Iob 19,16: servum meum vocavi et non respondit ore proprio deprecabar illum.

72-6 Hbr. 9,15: et ideo novi testamenti mediator est ut morte intercedente in redemptionem earum praevicationum quae erant sub priori testamento repromissionem accipiant qui vocati sunt aeternae hereditatis.

Ipsam igitur illibatam Virginem, de qua nascendo sumpserat formam nostri corporis, in exordio dicendorum humilimis precibus imploremus, quatenus apud ipsum suprmi Patris suiique, Filium in cuius societatem vocati [f. 84r] suum per carnem ex ea sumptam, (1 ad Cor. 1) efficaciter pro vobis intervenire dignetur ut dignos

78-84 Gregorius Magnus, Omelia, 2,31,3 (PL 76, col. 1228C-1229A): Ecce anni tres sunt ex quo venio fructum quaerens in ficulnea hac et non invenio. Venit ante legem, quia per naturalem intellectum quid unusquisque exemplo sui salter erga proximum agere debuisset innotuit. Venit in legem quia precipiando docuit. Venit post legem per gratiam, quia pietatis suae praesentiam exhibendo monstravit.

85-8 Augustinus Hipponensis, Contra academicos, 3,19,42 (CCSL 29, p. 60, ll. 12-16): ...cui animas multiformibus erroris tenebris caecatas et altissimis a corpore sordibus oblitas numquam ista ratio subtilissima revocaret, nisi summus Deus populi quoddam clementia divini intellectus auctoritatem usque ad ipsum corpus humanum declinaret atque summitteret....

92-3 1 Cor. 1,9: vocati estis in societatem filii eius.
vos efficiat vocacione sua sancta (2 [lacuna]). Ob quod ei ante cetera salutationem offerrimus, vocantes eam nomine quo vocavit archangelus: Ave Maria gracia. Incipit sermo.

[sermo in BKPSW]

[II 17] Accipiant qui vocati sunt. Preclarissimi patres et reverendissimi domini: Pro exili processu et serie subsequencium omissa, in presenciarum consideracione subtili de divine vocacionis proprietate tripharia quoad cause efficientis, condicione triplici quoad cause materialis, et tripartito modo quoad cause formalis maneries et naturas, que diligencius indagare pro collacionis forma placitum michi foret, si non se obicem poneret prolixitas tediosa, iuxta cause finalis exigenciam, que prima est in intencione nature, ad triformem huiusmodi vocacionis terminum, [II 18] ut ipsi varii accipiant qui varie vocati sunt, materias dirigo dicendorum.

Primus, inquam, terminus concernens promocionem spiritualium in speciali est honor seu prefeccio ierarchice prelacie. Secundus concernens hanc sanctissimam concionem in synodo generali est sanctificacio ve perfeccio ecclesiastice ierarchie. Et tercius

---

93-4 II Thes. 1,11: ...pro vobis ut dignetur vos vocatione sua.
96 Luc. 1,28: ave gratia plena.
certe terminus eleccionem beatorum tangens in universali est cena sive refeccion olympique melodie.

Consideracionem istam satis plenam, scripture sacre textus fundatam, michi offerunt. Pro primo: Nemo sumat sibi honorem, sed qui vocatur a Deo tamquam Aaron (Ad Heb. 5); pro secundo: Non enim vocavit nos Deus in inmundicia sed in sanctificationem (1 Ad Thess. 4); et pro tercio: Homo quidam fecit cenam magnam et vocavit multos (Luc. 14). Ut sic specialiter in curacione fastigio sublimati quoad primum, generaliter in Constancie concilio congregati quoad secundum, universaliterque ad celestis glorie convivium invitati quoad tercium varium vocacionis terminum, ut verba thematis innuunt: Accipiant qui vocati sunt.

Et loco poematum, que non reprobo, flororumque vernancium rethorice, quos commendo, de fecundissimo agro epistolae et ewangelii Dominice iam instantis, pro fulcimento trium membrorum principalium pulcherrimas rosas atque lilia colligere michi volo. Hodierna enim epistola precise se dividit in tres partes. Prima


115-16 Hbr. 5,4: nec quisquam sumit sibi honorem sed qui vocatur a Deo tamquam Aaron.

116-17 I Th. 4,7: non enim vocavit nos Deus in inmundicia sed in sanctificatione.

118-19 Lc. 14,16 sic


129 Hbr. 9,11: Christus autem adsistens...

129-30 Hbr. 9,12-13: neque per sanguinem hircorum et vitulorum... / si enim sanguis hircorum et taurorum...

130-1 Hbr. 9,15 sic

134-5 Io. 8,59: tulerunt ergo lapides ut iacerent in eum Iesus autem abscondit se et exivit de templo.

137-9 Io. 8,51-58 sic

140-1 Io. 8,46-50: quis ex vobis arguit... / est qui quaerit et iudicat.
deviabunt, ymmo vel exhortando vel comminando inferent, quod accipiant qui vocati sunt.

Dixeram ergo antecedenter, preelectissimi domini, et pro primo membro formandi sermonis, quod est primus quidam et peculiaris terminus vocacionis divine virorum spiritualium promocionem in speciali concernens, honor scilicet et prefectio ierarchice prelacie. Angustie tamen michi sunt undique, et quid eligam, ignoro. Promisisse me recolo in die celebri Epiphanie contra nepharium scelus abominabilis symonie impingere singulariter, Dominica aliqua ante Pascha. Sed attenta viscerosius circumstancia temporum, beatum Ieronimum michi video imprecari silencium in libro quem edidit de 12 prophetis: Quando, inquit, vir ecclesiasticus et prudens atque intelligens multas impietates in ea que vocatur domus Dei esse cognoverit, (notate verba, signate mysteria) et non solum multas, sed eciam fortas, que opprimere possunt iusticiam, et intantum doctorum rabiem processisse, ut accipiant precium in iudicio, et omnia pro muneribus faciant, et pauperes devitent in portis, et audire contempnant, scilicet veritatem, taceat, inquit, in illo tempore vir prudens, nec det sanctum canibus, et mittat


149 Dan. 13,22: ...angustiae mihi undique.

149-50 Phil. 1,22: sic
margaritas ante porcos, qui conversi conculcent eas. Et imitetur Ieremiam dicentem: Solus sedebam quia amaritudine plenus eram. Et scio, domini mei, ymno et luce clarius dominaciones vestre sciunt, quod hec est hora illa et potestas tenebrarum. Et licet in tempore huius concilii fructuosissime contra hoc scelus sermones dicti fuerant, dum auditorum lingue, potissimeque magnorum quadam derisionum trufa vertunt hec omnia in choreas, proverbium ridiculum et parabolas. Quid amplius locuturus sum?

Revera, etsi loqui prohibear, ex hac causa tacere tamen non possum, audiens illud in capitulo 23 Deuteronomi: Facies quod promisisti; et illo Numerorum 30: Non faciet vir irritum verbum suum, sed omne quod promisit implebit. Aggredior ergo iuxta promissa compendium primi principalis in quo contra simoniacos, qui non vocati a Deo, sed intrusi ab adversario ecclesiasticos honores


171-2 Dt. 23,23: facies sicut promisisti.

172-3 Nm. 30,3 sic
non accipiunt, sed inique mercando furantur et rapiunt, verba
exclamant thematis quod accipiunt solum illi qui vocati sunt.

Fundabitur hoc compendium ex preassumpto textu super
pertinencium veritatum speculacione trimembri. Nemo sumat sibi
honorem, sed qui vocatur a Deo tamquam Aaron, qui textus circa 180
huius prime et peculiariis divine vocacionis materiam. Tria nobis
advertenda ministrat. Primo: quale est illud ad quod presidentes
huiusmodi vocati sunt quia honor? Nemo, inquit, sumat sibi
honorem. Secundo: qualiter iuste vocantur qui vocati sunt? Textus
exprimit quod qui vocatur a Deo. Et tercio: quales illi forent qui 185
vocacione ista digni sunt? Et textus respondet: tamquam Aaron.

Convenit primo notabili particula prima prime partis epistole:
Christus assistens pontifex futurorum bonorum. Nam ille est honor
pontificum, ut sint Christi Domini quia nichil in terris sublimius
honore pontifici (Ambrosius in suo pastorali). Secundo convenit 190
secunda particula: Tabernaculum non manufactum, id est, non huius


188 Hbr. 9,11: Christus autem adsistens pontifex futurorum bonorum.
189-90 A reference to Sylvester II Papa, Sermo de informatione
episcoporum, (PL 139, col. 171B): Nihil esse in hoc saeculo
excellentius sacerdotibus, nihil sublimius episcopis reperiri. On
the misattribution of this work to Ambrosius Mediolanensis and its
various titles see Migne, In libellum de dignitate sacerdotali
admonitio, PL 17, col. 597-8.

191-2 Hbr. 9,11 sic
creacionis, quia qui manu munerum aut impressione potentum tabernacula fiunt, in celsitudine pastorali, prelati sunt huius creacionis, sed non vocantur a Deo. Et tercio convenit tercia particula: Neque per sanguinem hircorum aut vitulorum sed per proprium sanguinem introivit in sancta, quia non sanguis hircorum, id est fetida vita libidinis, nec vitulorum, id est cultus auri seu terrene cupidinis, quia in vitulis aureis ydolatratibus est populus. Sed per proprium sanguinem, id est virtuosus in propriis sciencia atque meritis, solum introire meretur in hec sancta, nam et talis est tamquam Aaron.


195-6 Hbr. 9,12: neque per sanguinem hircorum et vitulorum sed per proprium sanguinem introivit semel in sancta.

204-5 Petrus Blesensis, Epistolae, 15 (PL 207, col. 53A): Verumptamen Deus non irridetur. Ad honorem vocavit te propter onera....

206-7 This reference is not mentioned in this letter of Peter of Blois, nor is it among the many examples in medieval Latin poetry of the onus-honos conceit which are listed in Hans Walther, Lateinische Sprichwörter und Sentenzen des Mitterlalters, vi. 136. The classical fons for this is probably Ovid, Heroides, 9,31 (Loeb, p. 110): Non honor est sed onus species laesura ferentis.
Aaron: *Corona aurea super caput eius expressa signo sanctitatis et gloria honoris* (Eccles. 45), in quo textu sanctitas honorem precedit quia *gloriam et honorem non debet sequi virtus, sed ipsa virtutem* (Augustinus, 5 De civitate Dei). Nam in templum dedicatum Deo honoris nulli liber ingressus fuerat, qui prius passus non fecerat per templum Dei virtutis. Titus Livius in gestis Romanorum: *Honor enim virtutis est premium, ex Philosopho in Ethicis. Et meritum omne premium morali ordine antecurrit. Hic sane est honor magnus, ierarchica scilicet prelacia, quia regale atrium principis Assueri in quod vir intrans non vocatus, indubia interfectione dignus est (Hesther, 4 capitulo). Est eciam illud insigne talentorum donarium quod, peregre proficiscens, salvator...*
noster vocatis servis suis illis tradidit (Matt. 25 cum glossa Gregorii in omelia). Et vere hii honores aut divicie cause magne dolorum sunt si moraliter non regantur (Seneca, epistola 60). Quia in illis honoribus constituti, propter illos magni non sunt, sed magni videntur (idem, epistola 76). Magnus enim honor presidencia hec quam memini sed grave et nimis grave onus, pondus immensum, conquassans sarcina bene autem portata, magnum comparat gloriam, infideliter autem gesta ad immanissimam precipitat penam (Augustinus in quodam sermone de die anniversario consecracionis eiusdem, quem sane diem pre diebus ceteris infixisse sibi dixit meroris aculeum, quia in illo cum honore suscepto gravissimum et impar sibi onus recolbat iniunctum). Hic est honor et onus cure

219-21 Gregorius Magnus, xl homiliarum in evangelia libri duo, 1,9,1 (PL 76, col. 1106B): Sed homo iste peregre proficiscens servis suis bona sua tradidit. This is a commentary on Mt. 25,14.

221-2 Seneca, Ad Lucilium epistolae, 59,14 (Loeb 1, p. 418): Sed erras, qui inter divitias illuc venturum esse te saperas, inter honores, id est, gaudium inter sollicitudines quaeris. Ista, quae sic petis tamquam datura laetitiam ac voluptatem, causae dolorum sunt.

223-4 A reference to Seneca, Ad Lucilium epistolae, 76,31 (Loeb 2, p. 164): Nemo istorum, quos divitiae honoresque in altiore fastigio ponunt, magnus est. Quare ergo magnus videtur?

226-7 Augustinus Hipponensis, Sermo in die ordinationis suae I, 1 (PL 38, sermo 339, col. 1480): Ideo major est sarcina: sed bene portata majorem comparat gloriam; infideliter autem gesta ad immanissimam praecipitat poenam.
pastoralis: quod tanto nunc durius tolero, quanto me imparem senciens, nulla fiducie consolacione respiro (Gregorius in prologo Pastoralium).

Et quid de modernis nobis miseris veridica diceret et infallens consciencia, qui tantorum patrum calciamentorum corrigias solvere, ut reor, digni non sumus? Et quod est nobis, qui Christi sumus Domini, cum honore illo onus impositum certe, iuxta particulam primam, ut sumus pontifices futurorum bonorum. Quid commodi nobis confert magne in gentibus dominacionis ambicio, quid familiarium fastus, quid transeuntes delicie? Cum hec solummodo presencia bona sint. Vocati in sortem Domini, Iuliani iusticiam sequimur, qui cum fieret imperator fecit se Christianae professionis exortem (Petrus Blesensis, predicte partis epistola 26). Qui ergo honore isto in se et in exemplo ministrando subditis ad eterna bona non utitur, profecto pontifex futurorum bonorum non est. Et in die sue calamitatis novissime, futuris illis bonis privandis, perpetuo lacrymosissimus exclamabit, ut scribit idem venerabilis Petrus,

232-3 Gregorius Magnus, Moralia in Iob, Epistola ad Leandrum, (CSSL 143, p. 2, ll. 25-27): Quod tanto nunc durius tolero, quanto me ei imparem sentiens in nulla fiduciae consolatione respiro.

242-4 Petrus Blesensis, Epistolae, 42 (PL 207, col. 124C): Vereor, ne velis sequi vestigia Juliani, qui cum esset vocatus in Domini sortem, ut fieret imperator, fecit se Christianae professionis exortem.
epistola 7, prime partis: Quid mihi ad divicias et honores? Cur
michī magisterium et cathedram super alios usurpavi? Nam per huius
maledicti honoris assumcionem, tamquam transfuga et desertor, arma
presidencie salutaris abieci. Et futurorum me non exhibens honorum
pontificem, in iehenne supplicii, ad que me aliis viam et pontem
effeceram, heu iam omnino, merear, in eternum involvi. Nemo ergo
sumat sibi honorem, id est ex appetitu proprie extollencie vel
commodi transitorii. Nam magna securitas est, ac magni animi, non
appetere, non nimis sibi querere, sed rei publice causa, dignitates
et honores (Seneca, epistola 118) et tantum de primo huius primi.

Considerandum est secundo qualiter et quomodo vocari debeat
promovendus. Et textus docet quod a Deo: Vocatur enim a Deo, quem
non popularis strepitus acclamacio, non consanguinitatis racio, non
propinquitatis aut munerum contemplacio in prelacie culmen
violenter intrudunt, sed talis in cuius sancta vita honorificatur
ipse Deus, quem adoraturi consurgent principes, qui tam eis ydoneum

249 prime] secunde B, quid] cur B, quo PSW; 251 honoris] honorum
S; 253 iehenne] gehenne KS; 254 iam] nam PW, omnino] omnis P,
merear] mereor KSW, meror P; 255 appetitu] petitu HP, extollencie]
excellencie BP; 257 rei om. HP; 258 primi] secundum primi add. B;
259 quomodo] comodo B, quo non S, quo PW, vocari] non add. PW; 260
enim om. K, vocatur enim a Deo om. B; 261 popularis] popularum
PSW; 262 aut] an B, munerum] muneris HP; 263 intrudunt] intrudivit W

248-52 Petrus Blesensis, Epistolae, 102 (PL 207, col. 315D-316A):
quid mihi ad divicias et honores? cur mihi magisterium et cathedram
super alios usurpavi? ...nunc vero per hujus maledicti honoris
assumptionem tanquam transfuga et desertor arma innocentiae
regularis abjeci.

256-8 A reference to Seneca, Epistolae, 118,4 (Loeb 3, p. 362):
alii honores anniversos petunt, alii perpetuas potestates....
Quanti animi res est solum nihil petere....
presulem elegit et vocavit (Origenes de eleccione Aaron super 16 capitulo Numerorum). Non enim vocatur a Deo sed a carne, quem carnalis revelacio sanguinis, gentis sive patrie, non a Deo sed a Symone, quem falsissime colorata dolorum intervencio commerciumque peccunie incathedrant enormiter et pretitant in honore. Que, queso, domini mei, origo schismatum, nisi prima? Que per totum orbem ecclesiarum confusio, nisi secunda? Respondet consciencia cuiuslibet vestrum quod causa penitus non est alia. Et licet ob huiusmodi deformitatis remedium tota pro presenti congregetur ecclesia, certissime credo quod in diebus nostris non videbitur tam desensati sceleris correccio prestolata cum merito nobis poterit applicari illud propheticum: Heus, heus, pepigimus foedus cum morte et cum inferno fecimus pactum. Et ergo qui non susceperit morbi causa sanitatis antidotum tormentum culpas inquirens, finem nunquam est habiturum (Petrus Blesensis in quadam epistola). Quo enim ad primum membrum huius detestandi facinoris, carnalem scilicet


265-6 Not found in Origen, In Numeros homiliae, 9,10 (PG 12, cols. 624-40), or in Commentarium in Ioannem, 1 (PG 14, cols. 24, 26).

276-7 Is. 28,15: percussimus foedus cum morte et cum inferno fecimus pactum.

277-9 A reference to Petrus Blesensis, Epistolae. This locus is not found in the letters edited in the PL, nor in those published by Elizabeth Revell or by Lena Wahlgren. For the current state of research on the corpus of Peter's letters see Richard W. Southern, "Towards an Edition of Peter of Blois's Letter-Collection," English Historical Review 110, no. 438 (Sept. 95): 925-37.
affectionem in ecclesiasticis promovendis: Quam summe detestabilis ipsorum immanitas qui hoc iniquo scelere omnem lacerant patriam et de ea delendi penitus ipsam occupant impudenter (Tullius in primo De officiis). Quomodo non audent homines loqui quod hominum primates effectualiter auctorizant? Nam sedes tua sancta, o Petre, celorum claviger, hac carnali revelacione nimium fedatur et dividitur, quem tamen beatum vocavit Dominus, quia caro et sanguis tibi minime revelavit. Provideat, inquit Moyses, Dominus Deus spirituum omnis carnis, et signanter dicit, spirituum hominem, qui sit super multitutinem hanc. Et Dominus ad eum: Tolle Iosue filium Nun in quo est spiritus Domini. Non petiit Moyses aliquem de filiis suis constitui ducem. Unde Ieronymus super isto: Moyses, amicus Dei, cui facie ad faciem locutus est Deus, potuit utique successores principatus filios suos facere et posteris propriam relinquere dignitatem, sed extraneus de alia tribu eligitur Iosue ut sciremus principatum in populis non sanguini deferendum esse,


281-3 Cicero, De officiis, 1,17,57 (Loeb, p. 60): Quo est destestabilior istorum immanitas, qui lacerarunt omni scelere patriam et in ea funditus delenda occupati et sunt et fuerunt.

287-8 Mat. 16,17: ...quia caro et sanguis non revelavit tibi.

289-90 Nm. 27,16: provideat Dominus Deus spirituum omnis hominem qui sit super multitutinem hanc

290-1 Nm. 27,18: dixitque Dominus ad eum tolle Iosue filium Nun virum in quo est spiritus.
sed vite merito. Nam et Dominus exprimit quales elegendi sint ubi dixit: Tolle Iosue, in quo est spiritus Domini. Et ideo notabiliter inquit textus quod vocantur a Deo tamquam [H 20] Aaron sacerdotes secundum ordinem Melchisedech, Melchisedech, rex Salem, sacerdos Dei summi, sine patre, sine matre et sine genealogia (Ad Heb. 7). Glossa: Non sit mencio de patre aut matre Melchisedech, qui figurat proprie sacerdotes nove legis ut ostendatur carnalem amorem longe debere esse ab ecclesia nostra.

Hec igitur causa illa originaria tocius scismatis, in Romana scilicet curia: revelacio carnis et sanguinis. Quia nunquam erit ei universus in obediencia orbis indifferens donec ipsa indifferens esse didicerit quoad universas subditorum provincias in proveccione habilium ad fastigia in eadem sciencia et meritis compensanda, quid mirum si domus ruat et paciatur scissuram in fluido fundata sanguine? Ve ergo illis! Et propter illos, ve iam evenit universo


292-7 Hieronymus, Commentarii in epistolam ad Titum, (PL 26, col. 596C): Moyses amicus Dei, cui facie ad faciem Deus locutus est, potuit utique successores principatus, filios suos facere, et posteris propriam relinquere dignitatem; sed extraneus de alia tribu eligitur Jesus, ut sciremus principatum in populos non sanguini deferendum esse, sed vitae.

300-1 Hbr. 7,1-3: Melchisedech, rex Salem, sacerdos Dei summi / ...sine patre sine matre sine genealogia.

302 A reference to Nicholas de Lyra, Postilla (Bibliorum sacrorvm, Paris [1590] vi., col. 862)
mundo, qui edificabant illam cicitatem in sanguinibus et urbem in iniquitate symoniaci huius sceleris (Abacuc 2).

Secundum siquidem membrum enormitatis eiusdem est rapina beneficiorum interventu pecunie. Sed quomodo negari possunt preces, quas tot regales ymagines in florenis commendant? Male enim et pessime res se habet cum, quod virtute effici debet, id temptatur pecunia (Tullius, 2 de officiis), dolenter refero; sed quare dolenter cum ipsi non dolent qui dolendi sunt? Iniquitates perpetrant et gaudere non cessant. De quibus per Salomonem dicitur: Letantur cum malefecerint et exultant in rebus pessimis. Affligi debuerant et in exultacione defluunt, flentur et rident quia tanto tales miseri in magno gaudio se dilatant, quanto et insensibles malum quod paciuntur ignorant (Gregorius, 6 Moralium, capitolo 10). Videmus enim, domini mei, passim in ecclesia quos


311-13 Hab. 2,12: vae qui aedificat cicitatem in sanguinibus et praeparat urbem in iniquitate.

316-18 Cicero, De officiis, 2,6,22 (Loeb, p. 188): Male enim se res habet, cum, quod virtute effici debet, id temptatur pecunia.

319-25 Gregorius Magnus, Moralia in Tob, 6,16 (CSSL 143, pp. 303-304, 11. 190-203): ...iniquitates perpetrant et gaudere non cessant. De quibus per Salomonem dicitur: Qui laetantur cum malefecerint et exsultant in rebus pessimis. ...affligi debuerant; et inde miseri in exsultatione defluunt,...flentur et rident; et tanto in magna exsultatione se dilatant, quanto et insensibles malum quod patiuntur ignorant.
non merita sed pecunie ad episcopatus ordinem provexerunt. Certe nugacem populum et indoctum propter pecunias spiritualiter leprosi ordinantur. Oculis quidem carnalium magni, divinisque obtutibus inspiciuntur leprosi magni. Per pecuniam acquirunt indebitum ordinem et apud Deum perdunt semperitnum salutem (Ambrosius in sermone qui dicitur pastoralis). Quia si quis dator vel acceptor Dei ecclesias vel ecclesiastica beneficiar sub pecunie interventu susceperit, sive dando emerit sive accipiendo vendiderit, a symoniaca non excluditur perdizione, sed etsi perseveraverit, perpetua multabitur dampnacione (1 q. 3 c. Si quis dator).

De hac ergo calamitate bipharia, symonia scilicet in carne et in munere, merito poterit conqueri lugens mater ecclesia: Contricio super contricionem vocata est, et vastata sunt tabernacula mea (Ier. 4 capitulio). Iehenne enim ignis devorabit tabernacula eorum.


325-30 Sylvester II Papa, Sermo de informatione episcoporum, (PL 139, 174C-75A): Et videas in Ecclesia passim sacerdotes, quos non merita, sed pecuniae provexerunt, nugacem etindoctum.... Pecunia spiritualiter leprosum ordinavit.... Oculis carnalibus videtur episcopus magnus, et divinis obtutibus leprosus est maximus. Per pecuniam indebitum ordinem acquisivit, et Deum in interiore homine perdidit.

331-5 Gratianus, Decretum, C.1 q.3 c.2 (CIC 1, p. 412): Si quis dator uel acceptor Dei ecclesias uel ecclesiastica beneficiar (que quidam prebendas uocant) sub pecuniae interventu susceperit, siue dando emerit, siue accipiendo vendiderit, a Symonis non excluditur perdizione. Sed si persevererans fuerit, perpetua mulctetur dampnacione.

337-9 Ier. 4,20: contritio super contritionem vocata est et vastata est omnis terra repente vastata sunt tabernacula mea.
qui libenter accipiunt munera (Iob 15) quia tabernacula talium non subsistent (ibi 8 capitulo). Non sunt hec tabernacula ampliora et perfectiora in virtutum preonio, non manufacta, id est non huius creationis (Apostolus ubi thema), de quibus merito dici poterit: Quam pulchra sunt tabernacula tua, Iacob (Num. 24). In hiis enim sanctis et electis tabernaculis, que ad ierarchiam prelacionis vocata sunt a Domino, illa solent insignia moraliter effulgere, que Exodus et Apostolus recolunt (Exo. 26 et ad Heb. 9 capitulis), candelabra scilicet lucide conversacionis, mensa et panes predicatorie refeccionis, thuribulum interne et sancte devocionis, urna aurea regitive discretionis habens manna dulcedinis quo demulcendos alliciat et equitatis virgam qua feriat obstinatos (Gregorius in prima parte pastoralium), et tabule testamenti


339-40 Iob 15,34: ignis devorabit tabernacula eorum qui munera libenter accipiunt.

340-1 Iob 8,22: tabernaculum impiorum non subsistet.

341-3 Hbr. 9,11: ...amplius et perfectius tabernaculum non manufactum id est non huius creationis.

344 Nm. 24,5: ...quam pulchra tabernacula tua Iacob.

347 A reference to Ex. 25,29-31 and Hbr. 9,2

348-52 A reference to Gregorius Magnus, Regula pastoralis 2,11 (PL 77, col. 49A-50B) in which the church is likened to the ark of the covenant described in Ex. 25,12.

Sed ve michi, inquit ecclesia, tabernaculum meum vastatum est. Filii mei exierunt a me. Stulte egerunt pastores (Ier. 10), manufacti quasi omnes sunt, vel manu intrusoria secularis potencie, vel manu mediatoria supplicacionis auree. Et tales non scriberent in eorum titulis: "Dei et apostolice sedis gracia" sed pocius: "Dei furore" (Osee 13) et nimia tam "sancte sedis approbante malicia" que, ut clamat multitudo fidelium, omnium huiusmodi radix est et magistra malorum. O sanctissima sedes! Cur hoc nephando scelere te vertis in obprobrium? Scio ubi habitas, ubi sedes est Sathane. Nam circa promovendum pocius movetur in te questio "quot in banco


360-1 Ier. 10, 20-21: tabernaculum meum vastata est omnes funiculi mei disrupti sunt filii mei exierunt a me et non subsistunt non est qui extendat ultra tentorium meum et erigat pelles meas quia stulte egerunt pastores.

364-5 Os. 13,11: dabo tibi regem in furore meo.

366-7 I Tim. 6,10: radix enim omnium malorum est cupiditas.
florenos possidet?" quam "quales virtutes habet in animo?" Expedicius enim promovendo fuisset a multis temporibus retroactis in commercio didicisse falsam symonie versuciam quam in studio concepisse sacram theologiae scientiam. Et citius alicui impetrasset ecclesiam deauratus millenarius ducatorum, quam provectissima omnium scientiarum industria et centuplata forsan millenaria meritorum. Hec est ruina tua, o Roma, mater urbiuim! In sede sancta es, sed exterminavit tui gloriam sedencium in te sancta ambicio pessimorum. Exemplas in parietibus et destructis edificiis quomodo per tui regimen, quoad virtutes et gracies, iam pene destruitur totus orbis. Vale, ergo, pro presenti, o invalida iam urbs Rome.

Et pro fine istius primi, consideracionem terciam annexurus: qualis scilicet esse debeat qui ad prelacie culmen vocandus sit? Respondeo cum textu, quod tamquam Aaron, qui ex triplici decoratur condicionis honore: in eloquencia quoad leges Altissimi proferendas (Exo. 9), in condecencia quoad vestes pontificii exercendas (Exo. 28) et in presidencia quoad plebes virga iudicii dirigendas (Num. 17) ut de virga Aaron, que floruit atque fronduit, pulcherimum
insere potuisse mysterium. Sed brevitatis gratia istud tercium omissus cum primo, pro secundo seu medio calamo Petro Blesensis facundo contentor: Sane, inquit, in Levitico legitur quod cum Moyses de mandato Domini proposuisisset Aaron in pontificem consecrare eum prius diligenter abluitum vestivit subucula et baltheo cinxit. In quo ostenditur quod in episcopum consecrandus prius abluitur, ut de antiqua conversacione in novam innocenciam reformatus suscipiat incrementa virtutum. In subucula quadam vitae mundicia designatur, quae baltheo constringitur, ut sub arciori tutela pudicitie nutriatur. Apponitur eciam tunica iacintina, ut sit eius conversacio celestis, ut iam non loquatur verba hominum, ut iam non loquatur aut sapiat nisi Christum. Super racione [H 21] autem adicitur: In quo erat doctrina et veritas ut sit scriba doctus in regno Dei, et cum opportunum fuerit, producat de thesauro suo nova et vetera. Talis enim non per sanguinem hyrcorum aut


vitulorum, sed per proprium sanguinem dicitur introire in sancta
(hec ipse Petrus prime partis epistoluarum, epistola 25). Nulli
ergo hunc honorem, ierarchice scilicet prelacie, accipiant nisi qui
a Deo tamquam Aaron vocati sunt. Accipiant, inquit thema, qui
vocati sunt.

Sed, domini mei amantissimi, nunc vertitur in luctum cythara
nostra. Ecce meror et gemitus pro leticie iubilo. Tulerunt enim
Iudei, id est ecclesiastici, lapides, ut iacerent in Ihesum
(Ambrosius super ipso textu). O quam pauci sunt in tanta
multitudine Christianorum qui Iesum non persequantur, lapident et
occidant! Et illi in persecucione tua sunt primi qui in ecclesia
tua primatum gerere videntur. Hii enim te lapidant, o preciose
lapis, facte in caput anguli, cum Iudeis perfidis produnt cum Iuda,
cum presidibus dampnant, cum Herode illudunt, accusant cum
testibus, flagellant cum Pilato, et cum militibus demum
cruentissime morti tradunt, qui, sponsam Christi opprimentes
ecclesiam, non ad eam ex legitimo vocati coniugio, in populis

404 sanguinem] sanguinis PSW; 405 petrus] pro S, per PW; 410
meror] miror P, enim] eum P; 411 id est] quinque HP, scilicet S,
ipso] isto PW; 413 lapident] lapidant HP; 415 lapidant] lapident
B; 416 facte om. KSW HP, anguli cum] in add. KSW HP; 418
flagellant] flagellabant P

403-4 The citation from Hbr. 9,12 is not included in this letter of
Peter of Blois.

410-11 Io. 8,59: tulerunt ergo lapides ut iacerent in eum.

411-12 A reference to Ambrosius Mediolanensis, De spiritu sancto,
3,17,121-2 (CSEL 79, p. 202, 11. 31-40)

416 Ps. 117,22; Mt. 21,42: hic factus est in caput anguli.
innumeris per eos perditis passionis Christi frustrantes precium, rursum in semetipsis (Apostolo scribente ad Hebreos 6) Dei Filium crucigijunt (venerabilis Beda super Marci illud ewangelii commentans: Abiit Iudas ad principes sacerdotum).

Quid ergo Iesus autem abscondit se et exivit de templo? Doctor Profundus in De causa Dei contra Pelagium, sub auctoritate cuiusdam Babylonici, decem signa notabilia pertractat diffusius, que miraculose quasi observabantur in templo, et deficiencia portendebant ruinam in brevi venturam synagoge Iudeorum. Et ad nostre statum ecclesie moralissimo quodam scemate pertinencius applicanda, notabilem certe huic operi ministrassent materiam. Sed inter decem tria recito, que quondam in nostra mistice viguerunt ecclesia, quorum transitus iam ostendit, quod Iesus noster abscondit se, et exivit de templo. Primum erat: non abortivit mulier propter fetorem carnium sanctuarii; secundum: Non contingebat sacerdoti magno pollucio in die propiciacionis; et


421-2 Hbr. 6,6: ...rursum crucigijentes sibimet ipsis Filium Dei.

423 Perhaps a reference to Beda Venerabilis, In Marci evangeliwm expositio, 4,14,10 (CSSL 120, p. 160, 11. 513-21)

424 Mc. 14,10: Et Iudas Scariotis unus de duodecim abit ad summos sacerdotes ut proderet eum illis.
tertium: Non potuit extingui ignis continue ardens in altari.

Et quid hec tria nobis moraliter dant sentire, nisi quod quoad primum, mulier, id est simplex populus, in tot enormibus non norat abortiri criminibus, quia carnalis vita carnalisque intrusio presidencium in ecclesia Dei, scilicet sanctuario, fetorem illis tam scelerosi exemplo, in illo felici quondam, quod quondam nunc evanuit, per modicum vel minime inferebant.

Quoad secundum, in die propiciacionis, in primitivis scilicet temporibus legis gracie, sacerdoti magno, in superiori scilicet constitutis sacerdocio, pollucio non contigit fetentis infamie. Sed hoc signum iam transit, flebilemque decoris et glorie nostre minatur occasum. Et ut propinquius moralisem, propiciacionis iste dies tempus huius poterit denotari concilii, per quod a toto orbe expectantur tot bona, et a diu offensi Dei propiciacio prestolatur.


An in isto die sacerdotibus magnis abominabilis scandali merito imprecetur calamitas, ob eorum inverecundas pollutissimasque libidines, interrogate, si placet, a vulgaribus in urbe. Ymmo absque interrogacione dicunt palam et predicant, que piis auribus devoti ecclesiastici nimis et supra nimis horribile est audire. Ex qua re est, ut vereor, quod gracia nostri Ihesu abscondit se a nobis, et exire compellitur de templo nostre synodi. Recedite ergo polluti! Recedite, abite, nolite tangere consorcium huius cetus sacri (Thren. 4). O, domini mei! Lacrymosus hec assero: quod, ex quo totus mundus Christianorum, virtualiter hic existens, iam experiencia didicerit oculari lubricissimam et fetidam vitam in personis magni status. Desistent vicium a statu discernere et, heu quam minime reputationis erunt magnorum status propter magna facinora deinceps, proch dolor, toti mundo!

Quoad tercium signum, ignis inextinctus manebat continue ardens in altari nostro quando devotissima conversacio ministrorum altaris, velut thus in igne penes Deum redoluit, et velut quibusdam fasciculis amoris igniti, ad reverencias et amores ecclesiasticorum graduum et miliciam et populum vehementissime inflammavit. Sed aqua nostre in dies invalescentis lascivie extinxit iam ignem

---


457-8 Lam. 4,15: recedite polluti clamaverunt eis recedite abite nolite tangere.

470-1 Sir. 3,33: ignem ardentem extinguit aqua.

472-8 References to II Mcc. 1,19-22; II Mcc. 4,7-10; and Flavius Iosephus, Antiquitates Iudeorum, 12,415-419

480 A reference to II Par. 13,9

481 Nm. 22,7: ...habentes divinationis pretium in manibus.

481-2 Idc. 17,12: implevitque Micha manum eius.
inminet ruinosa subversio, nisi reaccendatur ignis.

Et hec falsissima contra quam invehò symoniaca pestis a matre primo ecclesiarum omnium et deinde a ceteris radicitus extirpetur. 490 Vocavit nos Dominus ad planctum et fletum. Ecce gaudium et leticia. Comedamus et bibamus (Isa. 22) nam vocati sumus ad hanc sanctam synodum pro deflendo lacrimabiliter priorem per pestem hanc ecclesie nostre lapsum. Et ecce gaudium et exultatio extremaque gaudii occupabit luctus (Proverb. 13). Contristabimur in desolacione nostra. Amputabitur exultatio multitudinis nostre. Nec multi anni erunt quod gaudimonium nostrum vertetur in luctum (Bar. 5), si saltem hanc falsissime symonie destruccionem precordiis in timoribus non accipiant quia ad hoc vocati sunt. Valedicit ergo huic materie principale nostrum primum cum epistole et evangelii particulis prelibatis, repetunturque consone verba


491-2 Isa. 22,12-13: et vocavit Dominus Deus exercituum in die illa ad fletum et ad planctum ad calvitioum et ad cingulum sacci / et ecce gaudium et laetitia occidere vitulos et iugulare arietes comedere carnes et bibere vinum comedamus et bibamus cras enim moriemur.


495-8 Bar. 4,33-4: sic contristabitur in sua desolatione / et amputabitur exultatio multitudinis eius et gaudimonium eius erit in luctum.
assumpti thematis. [H 22] Contra hos pestiferos predones sic invehunt: honores ecclesie solum hii accipiant, qui vocati sunt. Et tantum de primo.

Secundo principaliter dixi quod secundus terminus vocacionis divine concernens hanc concionem in synodo generali est sanctificacio ve perfeccio ecclesiastice ierarchie fundata, ut predixeram, in illo textu Apostoli: Non vocavit nos Deus in inmundiciam, sed in sanctificacionem, in quo tria considero circa sanctificacionem, quam intendo, ecclesiastice ierarchie. Primum est miserentis altissimi benignitas graciosa quia vocavit nos Deus. Secundum est status ecclesie pristini calamitas dolorosa, que notatur in inmundicia. Et tercium est expectati remedii felicitas gaudiosa, quia vocavit in sanctificacionem.


Ad sanctificacionem nempe seu reformacionem ecclesie vocavit nos Dominus in Pisano concilio. Sed voce corvina utebamur, dicentes et

______________________________


______________________________

515-31 Augustinus Hipponensis, Enarrationes in Psalmos, 102,16 (CCSL 40, pp. 1466-7, 11. 5-25): Miserator et misericors Dominus longanimus et multum misericors. Uocat undique ad correctionem, uocat undique ad paenitentiam, uocat beneficiis creaturae, uocat impertiendo tempus uiuendi, uocat per tractatorem, uocat per intimam congitationem, uocat per flagellum correctionis, uocat per misericordiam consolationis: longanimitis et multum misericordiae.... Sed observa ne longitudine misericordiae Dei male utendo, tu tibi thesaurizis, quod ait apostolus, iram in die irae. Nam hoc ait apostolus: An diuitias benignitatis et longanimitatis eius contemnis, ignorans quia patientia Dei ad paenitentiam te adducit?... Sunt enim qui praeparant conversionem, et differunt, et fit in illis uox coruina: Cras, cras. Coruus de arca missus, non est reuersus. The gloss in on Ps. 102,8; the citation from Paul is from Rom. 2,4.

529 A reference to Gen. 8,11

531-3 Gregorius Magnus, xl homiliarum in euangelia libri duo, 1,5,1 (PL 76, col. 1093A) sic
promittentes: "cras, cras, et reformabimur." Durabat ergo usque nunc illius scismatis procellosi diluvium, et malis prioribus peiora, proch dolor, secuta sunt. Sique consimiliter, pretendentes nos velle hic facere unionem, reformacionem ecclesie ridiculosius differamus dicendo "cras reformabimur", de quo cras uno, cras puto mille fient, peioribus indubie supervenient pessima quia per vocem hanc corvinam, qua reformacionem frivola procrastinacione perimimus, numquam optate pacis renunciabitur aura placabisilis et serena. Nam impossibilissimum est ut absque reformacione ecclesie in capite potissimum et in membris perseveret aut floreat unio in veritate pastoris. Ecce, inquit Dominus, in sceleribus vestris dimittam matrem vestram quia vocavi et non erat qui audiret (Isa. 50). Locutus sum ad vos et non obedistis michi; misi ad vos servos meos et prophetas (id est, predicatores verbi mei, exponente sic Beda) et non inclinastis aurem, neque auditistis me. Idcirco ego adducam super omnes habitatores Ierusalem universos, scilicet status ecclesie, universam ecclesie afflictionem, quam locutus sum,
eo quod locutus sum ad illos, et non audierunt; vocavi illos et non responderunt michi (Ier. 35). Verentes ergo, priusquam veniat, miserabilem nostri subversionem honoris, videamus attencius hanc vocacionem nostram (1 Ad Cor. 1). Nec paciencia Dei abutamur ad vicium qui vocavit nos ad arcem et ad menia civitatis (Proverb. 9), in Spiritu scilicet Sancto ad hoc sacrum concilium in quo ostenditur primum, quomodo primo Altissimus dulciter vocat, postmodum terribiliter increpat, ad extremum autem irretractabiliter dampnat (Gregorius, 18 Moralium). Et ideo a nobis amplexetur illa miserentis Altissimi benignitas graciosa, qua vocavit nos Deus.

Secundo exprimitur in premisso textu status pristini ecclesie calamitas dolorosa que notatur in inmundicia. Templum enim olim

548-54 Ier. 35,14-17: ego autem locutus sum ad vos de mane consurgens et loquens et non obediestis mihi misique ad vos omnes servos meos prophetas...et non inclinastis aurem vestram neque audistis me.... / idcirco haec dicit Dominus exercituum Deus Israhel ecce ego adduco super Iudam et super omnes habitatores Hierusalem universam adffictionem quam locutus sum adversum eos eo quod locutus sum ad illos et non audierunt vocavi illos et non responderunt mihi.

555-6 I Cor. 1,26: vidite enim vocationem vestram.

557 Prv. 9,3: vocarent ad arcem et ad moenia civitatis.

prophanari solebat hac inmundicia triplici. Prima per adoratas in eo statuas ydolorum contra quod dicitur Ezechialis 20: In ydolis Egipti nolite pollui ego Dominus Deus vester et noluerunt audire me. Unusquisque abominationes non proiecit et ydola Egipti non reliquerunt; et 2 ad Corinthios 6: Quis consensus templo Dei cum ydolis? Secunda inmundicia erat templi per sepulta in eo ossa hominum prophanorum qui descenderunt in infernum cum armis suis, et fuerunt iniquitates eorum in ossibus eorum (Eze. 32). Et inmundicia tercia seu pollucio per effusum in ea sanguinem seu semen aut fluxum inmundorum in fornicacionibus et inmundiciis polluta est, id est ecclesia. Filii Babylonis polluerunt eam in stupris suis et polluta est ab eis (Eze. 23). Polluerunt templum sanctum tuum quia posuerunt morticina servorum tuorum (Psa. 78).


567-70 Ez. 20,7-8: in idolis Aegypti nolite pollui ego Dominus Deus vester / et inritaverunt me nolueruntque audire unusquisque abominationes oculorum suorum non proiecit nec idola Aegypti reliquerunt.

570-1 II Cor. 6,16: ...qui autem consensus templo Dei cum idolis.

572-3 Ez. 32,27: qui descenderunt ad infernum cum armis suis et posuerunt gladios suos sub capitibus suis et fuerunt iniquitates eorum in ossibus eorum.

575-7 Ez. 23,7-17: ...in inmunditiis eorum polluta est.... Cumque venisset ad eam filii Babylonis ad cubile mammaram polluerunt eam stupris suis et polluta est ab eis.

577-8 Ps. 78,1-2: polluerunt templum sanctum tuum posuerunt Hierusalem in acervis lapidum / dederunt cadavera servorum tuorum.
Et huiusmodi tres inmundicie moralitate mistica nobis signant tres spirituales polluciones quibus nostra supra modum coinquinatur ecclesia. Nam prima denotat intollerablem in ea cetum presidencium (proch dolor!) pessimorum qui transsumptive ydola sunt, iuxta illud Zacharie 11: O pastor et ydolum. Secunda significat detestabilem in ea numerum in abusionibus, enormitatibus, et cultu rituum blasphemorum de qualibet ossibus dici poterit illud Ieremie 8: Eiciet Dominus ossa regum Iuda, ossa sacerdotum et ossa eorum qui habitaverunt Ierusalem de sepulchris suis; in sterquilinimum super faciem terre erunt. Et tercia significat abhominabilem in ea luxum quem vita iam exhibet prelugubris prelatorum. Sacerdotes enim polluerunt sanctum; iniuste egerunt contra legem (Soph. 3). Polluerunt sanctuarium meum et sabbata mea profanaverunt (Eze. 23).
In ista ergo radice triplici constat status ecclesie pristini calamitas dolorosa, que notatur in inmundicia. Non enim vocavit nos Deus in inmundicionem, sed accipiant, qui vocati sunt, sanctificacionem videlicet. Quia hec est voluntas Dei, vestra sanctificacio, qui sanctificat vocatos suos (Soph. 1). Et hec est expectati remedii felicitas gaudiosa, sanctificacio scilicet ecclesie ad quam vocati sumus, quod erat membrum tercium ex consideracione triplici ad statim diffusius perstringendum. Intueamur tamen primitus qualiter secunda particula epistolarum officii hec tria premissa in se continet, et ordine ipso quo recitata sunt. Si [H 23] enim sanguis hircorum aut vitulorum aut cinis vitule aspersus inquinatos sanctificat et cetera, quanto magis sanguis Christi, qui semetipsum obtulit immaculatum Deo. Ecce vocantis Altissimi benignitas graciosa: Vocavi, inquit crucifixus noster, et renuistis extendi manus meas in cruce et non erat qui aspiceret (Proverb. 2). O indurati filii Ade, quos non


596-7 I Thes. 4,3: haec est enim voluntas Dei sanctificatio vestra.

597 So. 1,7: sanctificavit vocatos suos.

603-5 Hbr. 9,13-14: si enim sanguis hircorum et taurorum et cinis vitulae aspersus inquinatos sanctificat ad emundationem carnis / quanto magis sanguis Christi qui per Spiritum Sanctum semet ipsum obtulit inmaculatum Deo.

606-8 Prv. 1,24: vocavi et rennuistis extendi manum meas et non fuit qui aspiceret.
emollit tanta Domini vocantis benignitas! (Bernardus in sermone quodam). In textu subditur: Emundabit ab operibus mortuis. Ecce status ecclesie pristini calamitas dolorosa quia inmundicia ex operibus mortuis, mortiferis scilicet abusionibus, de quibus iam creditur emundanda, et demum annectitur ad servium Domini viventi. En expectati remedii felicitas gaudiosa, sanctificacio scilicet seu reformacio ecclesie per quam liberati serviemus Domini in sanctitate et iusticia (Luc. 1), Christo scilicet, qui dilexit ecclesiam et semetipsum tradidit pro ea, in passione sua scilicet quam hodie exordimur, ut illam sanctificaret mundans lavacro et exhiberet sibi gloriosam (Ad Eph. 5).

Preterea, venerandissimi domini, ut planiori stilo pociar, reconciliacio ista seu reformacio ecclesie in hoc fundari debet respectu triphario ut ydola, id est pastores iniqui, legitimis processibus conterantur. Nam hoc est expectatum remedium contra

608-10 Bernardus Claraevallensis, Sermo 2 in die pentecostes, 8 (SBO 5, p. 170, 11. 8-9): O duri, indurati, et obdurati filii Adam, quos non emollit tanta benignitas!

610 Hbr. 9,14: emundabit conscientiam vestram ab operibus mortuis....

615-16 Lc. 1,74-5: liberati serviamus illi / in sanctitate et iustitia.

primam inmundiciam ut enormitates et abusiones contrariis necnon sanctionibus evellantur, contra secundam ut luxurie et libidines humilium oppressiones nostris presulibus retrahantur, contra terciam que stat in semine et sanguine, velut supra.

Accipiant ergo qui vocati sunt libenter ecclesie reformacionem quia non vocavit nos Deus in inmundiciam sed in sanctificacionem. Audite me, Levite, et sanctificamini; mundate domum Domini Dei; auferte omnem inmundiciam de sanctuario (2 Paralip. 29). Quoad primum enim istorum membrorum, sanctificanda in proximo speratur ecclesia per contricionem illius ydoli, domini videlicet Petri de Luna, quod salva semper reverencia obediencie sue dico, etsi verissime prius in papatu stetisset, iam tamen se ydolum exhibet obstinacionis animo. Sed heu, quare non est ydolum luci in templo Dei positum (4 Reg. 21), sed ydolum verius inflexibilis ferri quod ad tantas instancias non inclinatur fidelium ut desideratam pacem tribuat toti mundo? Nil ergo aliud restat, nisi quod eieccionis obprobrio demoliatur hec synodus excelsa huius ydoli (Amos 7). Num


630-1 II Par. 29,5: audite me Levitae et sanctificamini mundate domum Domini Dei paterum vestorum auferte omnem inmunditiam de sanctuario.

636-7 IV Reg. 21,7: posuit quoque idolum luci quem fecerat in templo Domini.

640 Am. 7,9: demolientur excelsa idoli.
credis? Aliquando verax audebat patrum calamus summos pontifices appellare ydola quos, vel eleccio suspecta quia facinorosos et infames prefecerat in sublimi, vel honoris suscepcio iam reddidit obstinatos, ut de salute fidelium non valeant reminisci.


alicui qui de papatu contenderat cum vix aliquis sponte puro cedere voluit culmini quamdiu ipsum liber habere potuerat. Et ideo de membris suis merito novit conqueri lacerata sic ecclesia quia in isto turbine scismatis deceperunt eos nimium ydola sua (Amos 2). Pertransiens ergo hanc materiam ad prelatos sub eis inferiores, iam venio qui, iuxta ydoli descriptionem ex Apostolo et Ysidoro, apparent esse pastores et non sunt patres ecclesie et ipsam destruunt. Repleta est terra huiusmodi ydolis, et ab ipsis ydolis omnes iam populi confunduntur (Ysa. 1 et 2 capitulis). Et qui fabricavit moderna templä tot ydolis nisi dominandi libido vel seduccio libidinis, ut de Salomone legitur (3 Regum 11). Oportet ergo ut pro reformanda ecclesia, ex verbo prophete: Fundamenta talium revelentur et ponantur ydola in perdicionem (Mich. 1), et ut dispersantur nomina ydolorum de terra, et non memorentur ultra.

660 Am. 2,4: deceperunt enim eos idola sua.

662 References to I Cor. 8,4: scimus quia nihil est idolum in mundo et quod nullus est Deus nisi unus; and Isidorus Hispalensis, Etymologiarum libri xx, 8,11,13 (PL 82, col. 315C): Idolum autem est similacrum quod humana effigie factum et consecratum est....

664 Is. 2,8: repleta est terra eius idolis.

664-5 Is. 1,29: confundentur enim ab idolis.

665-7 A reference to III Reg. 11,1-8

668-9 Mi. 1,6-7: fundamenta eius revelabo.... / et omnia idola eius ponam in perditionem.
spiritusque inmundi de terra, videlicet ecclesie, auferuntur (Zach. 670 13). Nec sum in illa sinistra mala, patres amantissimi, quod personas aut status exoptem interimi, nec in illa adulatoria dextra qua abusiones in talibus non cuperem enervari. Sed inter istos latrones, adulatorum scilicet et invidos, elegit suspendium anima mea (Iob 7), quia in veritate fateor donec ab hiis ydolis depurgetur ecclesia, ut vel qui prius ydola erant reformandi discant quales in meritis esse debeant et sic velut apparent in gradu realiter se ostendant operum in effectu, vel incorrigibles deponantur a gradibus ut ydolorum loco vivi patres atque veri substituuntur et habiles, non vocabitur nostra Ierusalem mons sanctificatus (Zach. 8), nec sanctificata erit ecclesia ab inmundis (2 Reg. 11). Aut enim optarem vicium a persona, vel personam a statu eradicari et eximi; sed honorem status diminui non expeterem, aut ob supposita mala gradus celsitudinem auctenticam vilipendi.


669-71 Za. 13,2: disperdam nomina idolorum de terra et non memorabuntur ultra et prophetas et spiritum inmundum auferam de terra.

673-4 A reference to Mat. 27,38; Mc. 15,27; Luc. 23,33

674-5 Iob 7,15 sic

680-1 Za. 8,3: vocabitur Hierusalem civitas veritatis et mons Domini exercituum mons sanctificatus.

681-2 II Sam. 11,4: sanctificata est ab inmunditia sua.
Sanctificanda ergo est ecclesia per ydolorum contricionem ut domus ipsa Dei in sanctificacione permaneat (Iud. 9).

Et sanctificanda secunda est ecclesia per prophanorum seu gentilium ossium eieccionem. Hec ossa mortua in sepulchris abusiones michi signant innumeratas in ecclesia sepultas mirabiliter coloribus exquisitis, quas dominis meis reformatoribus commendo de prioribus extirpendas defensionum sepulchris et extra ecclesie limites a longe penitus proiciendas. Et vere hec sunt opera mortua, abusiones scilicet permisse in ecclesia, cum spiritualis mortis inductiva sint et sempiterne mortis finaliter promotiva, de qua morte cavetur in secunda particula evangeli hodierni veniente iam ad propositum: Amen, dico vobis, si quis sermonem meum servaverit, mortem non gustabit in eternum. De variiplici tamen mortis distincione que pertinentissima pro nunc foret ob brevitatis causam supersedeo. Pro presenti, hec sunt opera nostra mortua, enormitates scilicet plurime, de quibus Gregorius in quinto sui registri, epistola 30: Quis ferocissime [H 24] gentis gladius in necem fidelium tanta crudelitate crassaretur, nisi nostra vita,


685-6 Idt. 9,18: ...ut domus tua in tua sanctificatione permaneat.
696-7 Io. 8,51-2: amen amen dico vobis.... / si quis sermonem meum servaverit non gustabit mortem in aeternum.
qui sacerdotes nominamur et non sumus, a pravissimis gravaretur operibus? Sed dum nos competencia nobis linguimus et nobis incompetencia cogitamus, peccata nostra barbaricis viribus sociamus, et culpa nostra hostium gladius exacuit quae rei publice vires gravat. Quid autem dicturi sumus qui populum Dei cui indigne presumus peccatorum nostrorum onere et operibus mortuis premimus? (hec sanctus). Et idem, prime partis omeliarum super evangelia omelia 17: Nullum, inquit, puto maius preiudicium quam a sacerdotibus tollerat Deus quando eos quos ad aliorum correctionem posuit dare de se exempla pravitatis cernit, quando ipsi palam peccamus qui compescere peccata debuimus.

In sacratissime igitur reformacionis negcio contra peccata ipsa que in universis statibus flebiliter superregnant, invehatur cum
amore personarum et graduum, cum detestacione tamen et odio viciorum. Tunc enim ab archa de qua prememini columba emittetur et olive ramus pacem nobis redditam ecclesie nunciabit, si in reformatorum animis non sit erga personas aut status livor latens vel odium quia columba felle caret, sed sit eorum pura intencio et propositum quia columba puro grano pascitur; si vera Christi caritas agenda singula dirigat quia columba gregatim volat; si reformandni modus in lege Dei fundetur et sana consciencia quia columba nidificat in petra; discreta siquidem attencione consideranda sunt hec quatuor: natura, culpa, dignitas et calamitas. Natura est amanda in demone et in pessimo homine, nam *nichil odit Dominus eorum que fecit*. Fecit enim naturam creator, sed creatura superaddidit culpam quam et Deus odit, quia particula *odisti omnes qui operantur iniquitatem*, notante hec Augustino super Iohannem. Culpa detestanda est in quolibet, ymmo et maius in maiori culmine quia quanto gradus alcior tanto lapsus gravior. Dignitas veneranda est in suppositione licet malo. Numquid David,
electus Dei, in Saulem quia regem licet a Deo abiectum et reprobum veneratus est. Et calamitas miseranda est ymmo et in homine impio quia, Gregorio et Augustino contestantibus, si in necessitatis articulis miserie impii non subvenias, quia per te forsitan relevandus iustus postea esse poterit iustum, perdis cum impio.

Servata ergo caritate quoad personas quoad primum, reverencia quoad dignitates et status quoad tercium, eradicentur ille enormitates culpabiles que lamentabiliter nimis deformant ecclesiam quoad secundum, edicanturque statuta sanctissima contra pristinas abhominaciones in singulis fastigiis et officiis, que nec per papam aliquem solum poterunt enervari aut contra ipsa dissipative et detestabiliter dispensari, ut tam papa quam cardinales, prelati singuli et regulares ac unusquisque status habeat frenum suum. Et in singulis huiusmodi statibus miseranda est calamitas quoad quartum. Papali enim victui largifluce providerat Constantinus, et episcoporum necessitatibus preclari principes et alii qui varias dotaverant ecclesias, quas tamen dotaciones, licet eis male abutantur prelati, non licet secularibus ab ecclesia subtrahere quia iam non prelatorum bona sunt, sed predia sunt columbe, ut

733 a deo om. K, et reprobum om. KSW HP; 734 veneratus est om. BSW HP; 735 gregorio et augustino gregorius et augustinus non W; 736-7 forsitan relevandus forsan revelandus HP; 739 eradicentur exadicientur P, ille om. B; 740 nimis minis S; 741 edicanturque edanturque K, pristinas prestinas P; 743 enervari enormari B, enarvari PS; 745 habeat habet B, frenum fratem PW; 746 in om. B, quoad que ad P; 747 largifluce largifluo PSW; 748 episcoporum ipsorum B, necessitatibus statibus K

732-4 A reference to I Reg. 26,9-11
declarat Augustinus, super Iohannem omelia 6 in fine. Provideat pariformiter hec sanctissima synodus calamitati et miserie in statu cardinalium ut, sublatis abusionibus tam in vita quam victu, de ecclesiis Dei honorifice habeant unde vivere poterunt qui, in tanto regiminis pondere summo pontifici assistentes, non ecclesiarum particularium tantum sed ipsius universalis ecclesie curam gerunt.

Transcurrens tamen brevissime membrum istud secundum de operibus mortuis, abusivis scilicet corruptelis ecclesie, que velut ossa prophana a diu polluencia Christi sponsam de omnimodis excusacionum defensionumque sepulcris per hanc sanctam synodum deberent procul eici; et valedicens tercio membro, eadem breviloquii causa, de inmundicia scilicet pollucioneve ecclesie per tyrannides et luxurias lasciviencium prelatorum, cum de hiis in antea aliquid column preloquebar; pro fine istius secundi principalis secundam ewangelii particulam ad premissa iam applico et, ut michi videtur, misterio congruenti: Abraham pater vester exultavit ut videret diem meum; vidit et gavisus est. Quadruplicem enim diem Domini pater ille Abraham vidisse recolitur, ut ex Augustino super Iohannem elicitur


750-2 A reference to Augustinus Hipponensis, In Iohannis euangelium tractatus, 6,25 (CCSL 36, p. 66)

767-8 Ioh. 8,56 sic
doctorumque sentenciis variis postillancium, diem scilicet eterno 770 emanacionis qua a Patre processit Verbum in illius ineffande Trinitatis mysterio, in trium videlicet virorum apparencia (Gen. 18). Diem secundum temporalis incarnacionis quando iuraturo servo preceperat ut manum suam poneret subter femur suum cum adiuraret eum per Dominum celi quia de semine suo Christum prenoverat 775 incarnandum (Gen. 24). Diem tercium vidit Dominice passionis cum proprio filio suo inmolando non pepercit et imposuit ligna super filium suum, deitateque illesa in Iesu nostro, Ysaac in humanitate nostra tamquam ovis vel aries ad occisionem ductus erat (Gen. 22). Et diem quartum vidit viatrice refeccionis, ineffabilem scilicet 780 altaris sacramentum, dum revertenti ipsi a cede quatuor regum occurrit Melchisedech, rex Salem, proferens panem et vinum, Dei altissimi sacerdos, et benedixit illi (Gen. 14).

769-70 A reference to Augustinus Hipponensis, In Iohannis euangelium tractatus, 43,16 (CCSL 36, p. 380, 11. 27-46), in which are found the diei secundum et tercium of the following exegesis.

772-3 A reference to Gen. 18,2
773-6 A reference to Gen. 24,2-4
777-8 A reference to Gen. 22,3
779 Act. 8,32 sic

782-3 Gen. 14,18: Melchisedech, rex Salem, proferens panem et vinum, erat enim sacerdos Dei altissimi, benedixit ei.
Sane, reverendissimi domini, duos dies primos in unum connectens, deitatis scilicet et humanitatis Christi, per ipsum intelligo inviolatam et altissimam theologie scienciam, cuius ipse Christus ambas in se naturas complectens, de quo verissimum est subiectum. Et interpretatur Abraham, pater multarum gentium; dum enim prelati nostri, patres multarum gentium, dies istos Domini viderunt, cum Abraham, hoc est ad sacrarum anhelarunt scienciam scripturarum, vidit ecclesia et gavisa est. Non enim sufficit promovendo ad pontificium scire horas canonicas aut divina celebrare, psalterium legere et similia. Sed in sacre scripture doctrina episcopus debet auctoritate precedere et non securiarum literarum periction ostentare (86 distinzione: Quando necessitas). Quando enim prelati ecclesie ad fontem istum vivum theologicum facultatis desiderantissime sitiverunt, non fuerunt tot ydola in templo Dei quot de presenti se habere polluta plangit ecclesia. Nam vere ydolum dici posset in cathedra prelatus absque sciencia. Et, amantissimi domini, licet theologie precommendem [H 25] scientiam, honorabiles alias facultates non reprobo, sed non possum

---


---

793-5 Gratianus, Decretum, D.86 c.4 (CIC 1, p. 298): In doctrina uero sacrae scripturae debet auctoritatem preferre, non securiarum litterarum periction ostentare.
conviventi oculo pertransire, quin merendo admirer et meream admirando, quod in hoc sacro generali per anthonomasiam concilio, preter venerabiles religiosos, qui in illa sciencia omnino nutriti sunt, ultra duos prelatos in sacra theologia doctores non video. Cum fletu tamen cordis pertranseo et venio ad secundum diem.

Si quidem alium Dominice passionis viderunt olim patres nostri, patres multarum genicium, dum memoriter recolentes quam cara passione Dominus suam fundavit ecclesiam, tot in ea abusiones pullulare non permissarent. Non pepercit Abraham filio, ita nec ipsi carni principatibusve pepercerant; quin grex redemptus Christi sanguine eorum regimini ductus erat virtutum tramite incorrupto. Vidit hec ecclesia et gavisa est et hec duo contra duas primas inmundicias.

Diem alium, scilicet viatice refectionis, viderunt cum Abraham patres nostri quando libebat prelatis magnis devocione crebra immolare Filium Virginis in altari. Sed reputatur iam indecens tanto statui die uno in mense videre diem illum. O res nimis deflenda! Et si queratur causa, credo quod quia carnis pollutionibus sordibusque invigilant in se, terciam ecclesie preferentes inmundiciam.

Iamque veniret in medium exclamacio contra illam diabolicam abusionem, contra quam invexeram in festo Epiphanie, in Alamanie
partibus specialiter fetescentem. Non dico de electis et confirmatis sed de despectis et depravatis falsissime bona 825 episcopatuum predantibus, nec curantibus consecrari, ymo quod nephandissimum est, non volentibus ordinari, tyrannis similius viventibus quam clericis, contra quam enormitatem ecclesie et infamiam provideat hec sancta synodus sub penis gravissimis et censuris. Quid ergo dicam lacrymosus et querulus ad premissa? 830 Certa Abraham mortuus est et prophete nostri mortui sunt. Et transeo iam ad alia.

Fundabit hoc compendium huius secundi principalis quod iam est finitum, de sanctificacione scilicet reformacioneve ecclesie, illud ad propositum Ioelis 2: *Vocate cetum, congregate populum, sanctificate ecclesiam*, in quibus verbis per ordinem tria pulcherrime ostenduntur: primo, concilii reformaturi auctoritas *vocate cetum*; secundo, reformandi modus quia caritas *congregate populum*; et tercio, reformacionis finis quia sanctitas *sanctificate ecclesiam*.

Contra tamen finem istum Sathan, ille adversarius, cum satellitibus suis nititur per opposita duo illis duobus prioribus:


831 Io. 8,53: ...Abraham qui mortuus est et prophetae mortui sunt.
835-6 Ioel 2,15-16 sic
per medium scilicet rupture concilii quod iam est cetus vocatus in unum; per medium aliud schismatum, dissensionum et disturbii quo non congregare vult sed disgregare, scindere et dissipare iam populum. Hec sunt machine sue, o patres prestantissimi, quia inter nationes et regna carnale odium seminat, intendens quod non sinet ecclesiam reformari. Quando, precor, evenit bonum ecclesie nisi dum inclitissima regna Francie atque Anglie, et illa duo mundi luminaria, Parisius et Oxonia, concurrebant pariter in pacis federe et amore? Ipsius precor intuitu, qui in passione sua, quam hodie exordimur, crucifigi pro nobis voluit corpus suum, crucifigamus in nobis omnes carnale quodlibet odium et tendamus unanimiter ad bonum ecclesie ob quod vocati sumus. Sicque per pacifica gesta nostra pax inter regna poterit faciilius procurari, quam concedat altissimus, regum omnium rex, pacis auctor et amator, conditorque regnorum.

 Vellem trenosus cum Ieremia deflere sanctificacionem ecclesie eventuram diffidens. Quia vocato cetui nova in dies inminet ex novis coloribus et frivole exquisitis dissipacio et ruptura quoad primum. Quia non congregatur populus sed de die in diem per alumpnos diaboli nova piorum cordium practicatur scissura quoad secundum. Igitur, quando ecclesie sanctificacio erit adventura? Pro certo nescio, quoad tercium. In vanum ergo thema replica nisi

specialissima Dei gracia manum apponat ubi sensus hominum viresque deficiunt cum, de reformacione sperata per hanc synodum ecclesiastice ierarchie, verba prius sumpseram, accipiant qui vocati sunt, et tamen de secundo principali.

Tercio principaliter dixi et est brevissime unum verbum, quod est tercius terminus vocacionis divine salvandorum gloriam beatitudinemque concernens, cena sive refeccio olympice melodie. Fundassem compendium huius tercii super illo textu preassumpto: Homo quidam fecit cenam magnum et vocavit multos, qui textus tria michi correspondenter ad tres particulatas tercie partis epistole obtulisset signando, primo persone vocantis clemencia inestimabilem quia homo quidam et novi testamenti mediator effectus est Dei mediator et hominum, Deus creator omnium, homo in fine temporum; secundo, in vocacionis modo fervenciam incomparabilem quia vocavit multos, sed quomodo? Certe morte intercedente in redempcionem prevericacionum: Que te vicit clemencia / ut ferres nostra crimina / crudelem mortem paciens / ut nos a morte tolleres. / Ascendisti in montem et in summitatem patibuli ut facilius audireris, o inaudita a seculo vocacionis forma! (Bernardus in

880-2 This verse is not found in the Analecta hymnica or in H. Walther, Carmina medii aevi posterioris Latina.
sermone quodam de passione Domini); et tercio, finis vocacionis huiusmodi epulencionem admirabilem quia *fecit cenam magnum*. Et hec est illa repromissio eterne hereditatis quam *accipliant qui vocati sunt*, ubi thema.

Pertinuisset huic principali tercio illa vocacio a morte ad incorrupcionem que in resurrectione fiet corporis, de qua Gregorius meminit in moralibus super illo Iob: *Vocabis me et ego respondebo tibi*. Illa eciam vocacio ad tremendum iudicium de qua in 21 capitulo Matthei: *Voca operarios et redde illis mercedem*, et de qua Augustinus in soliloquii: *Vocabis me miserum ad iudicium ipsis eciam angelicis cetibus formidandum*. Et quam congruentissime venisset in medium illa tercia particula in hoc ordine evangeli in hodierni in persona Domini dampnaturi prescitos. *Quis ex vobis*

---


884 A reference to Bernardus Claraevallensis; not found in SBO or in Pseudo-Bernardus, *Liber de passione Christi* (PL 182, col. 1133-42), or in the *sermo de passione* attributed to Bernard in the 1609 Paris edition of his *Opera omnia*, col. 149-56.


890-1 Iob 14,15 sic

892 Mat. 20,8 sic

893-4 Augustinus Hipponensis, not found in the various *solilioquii* listed above in the note for 11. 10-11.
arguet me de peccato? Qui est ex Deo verba Dei audit. Propterea vos non audistis quia ex Deo non estis. Inflexibilis iudex est quia infallibilis, quia est qui querat et summe terribilis qui iudicet; est qui querat et iudicet. Misteria [H 26] pulcherrima huius tercii partis cum fulcimento integro huius tercii principalis brevitatis occasione totaliter iam omitto.

Concede ergo nobis, o misericordissime Iesu, sic vocacioni tue in hac vita obtemporanter annuere ut inter illam non numeremur cohortem infelicissimam, de qua, ad cenam huius olympice refecionis universos invitans, dixisse te recolimus: Nemo virorum illorum qui vocati sunt gustabit cenam meam, quibus in illo die tremendi examinis dicturus es illud propheticum (Ysaia 65): Numerabo vos in gladio et omnes in cede corrueitis. Pro eo quod vocavi et non respondistis; locutus sum et non audistis. Propterea ecce servi mei comedent et vos esurietis. Ecce servi mei bibent et vos sicietis. Ecce servi mei letabuntur et vos confundemini. Ecce servi mei laudabunt pre exultacione cordis et vos clamabitis pre


896-8 Io. 8,46-7: quis ex vobis arguit me de peccato si veritatem dico quare vos non creditis mihi / qui est ex Deo verba Dei audit propterea vos non auditis quia ex Deo non estis.

906-7 Luc. 14,24 sic

908-10 Isa. 65,12 sic
dolore et pre contricione spiritus ululabitis; sed eterna nobis animas cum sanctis ipsis servis tuis in gloria numerari ut illius 915 societatis exultacionis et applausus felices nos efficias participes in futuro, o Deus omnis gracie, qui vocasti nos in eternam ipsam gloriam (1 Pet. 5). Amen et cetera.

916 societatis] sacietatis B, felices] felicis HP, nos] non P; 918 et cetera om. KS HP

910-14 Isa. 65,13: propter hoc haec dicit Dominus Deus ecce servi mei comedent et vos esurietis ecce servi mei bibent et vos sicietis ecce servi mei letabuntur et vos confundemini ecce servi mei laudabunt prae exultatione cordis dolore et vos clamabitis prae dolore et prae contritione spiritus ululabitis.

917-18 I Pet. 5,10: Deus autem omnis gratiae qui vocavit nos in aeternum suam gloriam.
"Quod mortuus est, mortuus est semel; quod autem vivit, vivit Deo": Richard Fleming’s Funeral Sermon for William Corff at the Council of Constance, 19-24 July 1417

There are ten known manuscript copies of this sermon:

K = Klosterneuburg, Stiftsbibliothek, CC1 82, ff. 88rb-91va
Memmingen, Stadtbibliothek, MS 6, ff.
Munich, Staatsbibliothek, clm 5424, ff. 172-
Munich, Staatsbibliothek, clm 14175, ff. 261-

M = Munich, Universitätsbibl., MS 84, ff. 105v-110r, 111r-111v
St. Paul (Lavanthal), Stiftsbibliothek 30/4, f. 151r (frag.)
Vienna, Ö.N.B., Cod. Ser. n. 4548, ff. 115ra-119rb

X = Vienna, Ö.N.B., MS lat. 3296, ff. 259vb-263ra

Y = Vienna, Ö.N.B., MS lat. 4710, ff. 279v-284v

Z = Vienna, Ö.N.B., MS lat. 4922, ff. 296r-302v

Excerpts from this sermon, constituting approximately 25% of the entire text, were edited by George Leidinger using five of these manuscripts.¹ Leidinger’s excerpts are indicated in the new edition as follows: [L in.] and [L expl.]. There are some minor variants between his transcription and the present edition.

The new edition is derived from the five manuscript copies indicated above as K, M, X, Y and Z. One other manuscript copy, St. Paul 30/4, is also in hand but it has not been used in compiling the edition because it is a very short fragment comprising only the first 125 words of the sermon. Also in hand is Vienna, Ö.N.B., Ser.n. 4548, but it has not been collated for this edition because it is certain that this manuscript was

¹ See Leidinger, Andreas, LXI-LXIII.
copied directly from K (see above, pp. 163-4). The other three known manuscript copies -- one at Merseburg and two at Munich -- have not been seen; but they are all from copies of Andreas von Regensburg's collection and were used by Leidinger in editing the excerpts; thus, they are presumably very similar to the copies in M and X, which are also in that tradition.

In the process of compiling this edition it became clear that many of the non-scriptural sources cited by Fleming are significantly different from the modern editions of those sources; in fact, the variants in "Quod" are much more pronounced that in Fleming's first two sermons "Surge" and "Accipiant". In his edition of "Surge" Thomas Morrissey points to citations of Grosseteste and Chrysostom in arguing that Fleming may have composed that sermon while he was still at Oxford;² the same is probably true of "Accipiant".³ At the very least, Fleming would have collected authorities while he was at the university and then later incorporated them into these sermons. In the case of "Ecce", an academic exposition on the nature of the Trinity which makes no reference to the council, Fleming presumably delivered a

² See above, p. 91, n. 67.

³ This is not to suggest that all of the sources cited in these sermons were derived directly from the original text, though this is likely in the case of Grosseteste ("Surge") and Peter of Blois ("Accipiant"). Other authorities, especially patristic ones, were probably obtained through secondary sources, such as biblical glosses or other collections. An example of this practice might be seen in the quotation from Jerome's Commentary on the Twelve Minor Prophets, cited by Fleming in "Accipiant"; see above, p. 327. This exact passage is found in Gratian's Decretum (CIC 2, c.9, q.3, ch.23).
sermon which he had composed and probably already preached at Oxford.

But Fleming's funeral sermons were not anticipated; rather, they must have been written on the spot and with very little prior warning. Yet it has been argued in the analysis of "Quod" that Fleming's eulogies treated an issue raised in "Surge" and only briefly discussed in "Accipiant", leading to speculation that from the beginning he intended to serialize his preaching at Constance; it is then suggested that he may have had in mind a sermon for the feast of a saint, perhaps a martyr, and that the death of Corff gave him a better opportunity to discuss the relationship between death and abuses. Thus, Fleming probably came to Constance having prepared to deliver his first three sermons, but also hoping to preach again on an unknown occasion.

The process of tracing the sources cited in "Quod" has led to the discovery that Fleming used a florilegium for preachers known as the *Manipulus florum*, which was compiled in the early fourteenth century by a Dominican known as Thomas of Ireland. Fleming owned a compact copy of this text which he later donated to his foundation of Lincoln College; it is currently among the Lincoln manuscripts in the Bodleian Library with the shelfmark MS lat. 98. As the textual notes in the following edition show,

---

4 See above, pp. 139-42.


it is certain that Fleming carried his copy of Thomas’ *Manipulus* to Constance and used it in composing "Quod", for almost every non-scriptural citation is found in that resource and there is striking agreement between the florilegium and Fleming’s eulogy for Corff. It is also likely that it was his source for "Spiritus" as well. To date there is no published study which describes how the *Manipulus* was actually used by a preacher who is known to have owned it and whose sermons survive.

Because Fleming’s copy of the *Manipulus florum* was surely used by him in composing this sermon, the textual notes for this edition depart from the method used in the other editions of Fleming’s sermons. Here the reference is given to the location of the citation as it appears in the *Manipulus* (MF), giving first the subject heading and then the location in Fleming’s copy (LC 98), and the text as it appears in the Lincoln manuscript. In cases when the original source has been identified, the reference to the modern edition is provided at the end of the note, but without reproducing the text from that source.

---

7 In a passage cited above (p. 178, n. 79) Fleming cites Peter of Ravenna, Cicero and Seneca in arguing for caution when danger threatens. None of these *sententiae* have been found in modern editions of the works of these authors, but all three have been found in the *Manipulus florum* under the heading "Providencia sive prudencia" (LC 98, ff. 199r-199v).
Rubrics

K "Sermo in exequiis cuiusdam defuncti" (f. 88rb)

M "Incipit sermo factus Constanciense in concilio generali per magistrum Richardum Fleming in obitu magistri Wilhelmi Corff de Anglia sacre theologie professoris anno domini et cetera xvii" (f. 105v)

X "Incipit sermo factus Constanciense in concilio generali per dominum Rychardum Fleming in obitu magistri Wilhelmi Corff de Anglia sacre theologie professoris anno domini m' cccc' xvii" (f. 259v)

Y "Incipit sermo factus Constanciense in concilio generali per magistrum Richardum Fleming in obitu magistri Wilhelmi Corff de Anglia sacre theologie professoris anno domini 1417 et cetera" (f. 279v)

Z "Incipit sermo factus Constanciense in concilio generali per magistrum Richardum Fleming in obitu magistri Wilhelmi Corff de Anglia sacre theologie professoris anno domini m' cccc' xvii" (f. 296r)

Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCSL</td>
<td>Corpus Christianorum, series Latina</td>
</tr>
<tr>
<td>CSEL</td>
<td>Corpus scriptorum ecclesiasticorum Latinorum</td>
</tr>
<tr>
<td>Loeb</td>
<td>The Loeb classical library</td>
</tr>
<tr>
<td>LC 98</td>
<td>Oxford, Bodleian Library, Lincoln Col., MS lat. 98</td>
</tr>
<tr>
<td>MF</td>
<td>Thomas de Hibernia, Manipulus florum</td>
</tr>
<tr>
<td>SBO</td>
<td>Sancti Bernardi opera, J. Leclercq ed.</td>
</tr>
</tbody>
</table>

All biblical references are to Biblia sacra iuxta vulgatem versionem, 2 vols., Deutsche Bibelgesellschaft, Stuttgart, 1969.
In Christo reverendissimi patres et domini: Invocato primitus mortis atque vite datoris presidio, in quo fidelium spiritus deposito carnis onere quieta et perhenni felicitate letantur, pro recolenda memoria honorabilis magistri huius et doctoris clarissimi, cuius hodie humanitatis officia exhibemus, occurrent pro themate verba Apostoli transsumptive contenta in epistola dominicali presentis ebdomade, saltem secundum nos qui primam dominicam facimus in octava Trinitatis, originaliterque habentur ad Romanos in sexto capitulo et sunt hec: *Quod mortuus est, mortuus est semel; quod autem vivit, vivit Deo.* [L ex.]

Ante dicende tamen collacionis exordium, ipsa pro nobis apud Filium Interventrix existat, que in ipsius morte sevissima, quid magisterii habet mors amaritudine cordis didicit; et amarissima matrum, superpenalis transfixa meroris aculeo, quid mortis coegerat amaritudo cognovit, de qua sic Augustinus in sermone de die resurreccionis: *Ipsa, inquit, pia mater, in magno dolore emulans et pectus delicatum contundens, ita ipsa beata viscera ceteraque fatigaverat membra ut iam in incessu deficeret et vix potuisset venire ad Christi funus. Et Ambrosius, in De virginitate eiusdem:* *Spectabat piis oculis vulnera filii per que sciebat omnibus* 4

9-10 Rom. 6,10: *quod enim mortuus est peccato mortuus est semel quod autem vivit vivit Deo.*

15-19 Not found in Augustinus Hipponensis, *Sermo in ascensione Domini* (PL 39, col. 1671-3) nor in any other known sermon by Augustine.
redemaptionem futuram; pendebat in cruce Filius; mater se persecuratoribus offersbat. O laudandus pietatis affectus, quod superstes in superstite Filio esse volebat! Elegerat enim prorsus ut cum Filio moreretur. Cum eodem enim gesciebat resurgere, non ignara misterii quod genuisset resurrecturum quia quod mortuus est, mortuus est semel; quod autem vivit, vivit Deo. Simul quia publico usui inpendi mortem Filii nominato prestolabatur, si forte in sua morte publico muneri aliquid adderetur. O ergo Virgo dignissima, dolores, quos effugisti pariens, in Filii passione sustinens, et que Deum cognovisti per nativitatem hunc ut maleficum interfектum videns, cum gladio cogitacionibus lacerata, crudelem nimis viscerum dilaceracionem tolerans (Damascenus in quarto, capitulo 6), tu copiosissima caritate que omnibus misericordie sinum aperis ut de tua plenitudine accipiant universi: captivis redempcio, egris curacio, tristium consolacio, peccatoribus venia, gloria iustorum,


19-24 Ambrosius Mediolanensis, Expositio euangelii secundum Lucam, 10 (CCSL 14, pp. 383-4, 11. 1256-66): Piis spectabat oculis filii uulnera, quia exspectabat non pignoris mortem, sed mundi salutem. Aut fortasse quia cognouerat per filii mortem mundi redemptionem, aula regalis putabat se et sua morte publico muneri aliquid addituram. Sed Iesus non egebat adiutore ad omnium redemptionem, qui dixit: factus sum sicut homo sine adiutorio, inter mortuos liber. Suscepit quidem matris adfectum, sed non quaesuiit hominis auxilium. Habemus igitur pietatis magistrum. Docet lectio quid maternus debeat affectus imitari, quid sequi reuerentia filiorum, ut illae se offerant in filiorum periculis....

32 Probably a reference to Iohannes Damascenus, De fide orthodoxa (PG 94, cols. 781-1232)
angelisque leticia (Bernardus in quodam sermone de eodem), defuncti nostri servi tui, O misericordie mater clementissima, miserere! Captivam in penis animam piissima redime O redemptrix! Egram cura medicina miserie tristem consolare fiducia afflictorum! Sis iam ei vena venie que, licet in corpore peccatis obnoxia, a famulatu tuo iugi non novaret conticescere; et cum iustis in gloria, cum angelis in leticia, exitum ab hoc carcere spiritum, tua velit, O spirituum omnium lux et iubar misericordie, magna manus gloriosius collocare! Ave! Penarum libera hanc animam servi tui. Et gracia plena! Confer gloriam paradisi quia graciam et gloriam dabis Domino. Dominus tecum, O serenissima virginum, negare non valens que oras pro miseris! Nam tu pro miseris interpellare teneris, que mater Christi propter peccata fuisti. Benedicta tu in mulieribus que peperisti pace hominibus et angelis gloriam, et benedictus fructus ventris tui et cetera.

Quod mortuus est, mortuus est semel; quod autem vivit vivit Deo


32-6 MF, Maria (LC 98, ff. 134r-134v): ...copiosissima caritate debitricem se fecit omnibus misericordie signum aperit ut de plenitudine illius accipienti universi captivus redempciorem eger curacionem tristis consolacionem peccator veniam iustus graciam angelus leticiam.... Bernardus sermone quodam. Cf. Bernardus Claraevallensis, Sermo dominica infra octavam assumptionis (SBO 5, p. 263, 11. 17-20)

44-8 Luc. 1,28: sic
49-50 Luc. 1,42: sic
ubi supra); reverendissimi domini atque patres, sed tamen omnes mortis discrimina venturi, ut hec verba nostri thematis, que de Unigenito dicta erant, de servo eciam predicem mortuo, quidem nobis viventi ante Deo, introduccionis et divisionis omittens dispendia, ne tantarum sublimitatum aures attediem delicatas, duo presertim in themate intuenda considero pro materia dicendorum iuxta duas integrales et precipuas sui partes.

Mors enim hec quadrifaria prime particule convenit: prima nature de qua agitur, et hec terrorum omnium magistra generalis: Quis est homo qui vivet et non videbit mortem?; secunda culpe, et hec malorum omnium ducissa criminalis: Nomen habes quod vivas et mortuus es (Apoc. 3); tercia gracie, et hec viciorum omnium ablacio principalis: mortificate membra vestra, inquit Apostolus, et cetera; quartaque iehenne, et hec honorum omnium privacio perennialis: qui in inferno positi sunt, mors depascet eos. Et quia mortuus noster iste venerabilis magister et doctor, nature sue vitam vita perornans gracie ut a mortis secunde lesura liber fieret et inmunis, mortalia didicit scelera enixis viribus aspernari, quos


60-1 Psa. 88,49: quis est homo qui vivit et non videbit mortem.
62-3 Apoc. 3,1: sic
64 Col. 3,5: mortificate ergo membra vestra.
66 Psa. 48,15: sic
vite et mortis binarios diffusiori pro hac vite scemate non perstringo. Sitque ut omnino nostra pie presumit devocio a temporali morte ista, qua mortuus est semel non amplius moriturus, ad eternae vite premia, post purgacionis limina sublimandus transvehitur, qua victurus est Deo. Ergo ad has, mortem et vitam temporalem videlicet et eternam, iuxta duas medietates thematis, abbreviatum verbum istud applicare proponens de persona sui, recito thema sumptum apostolicum: Quod mortuus est, mortuus est semel; quod autem vivit, vivit Deo.

Dixeram antecedenter, preclarissimi patres, sed in terribili mortis hora claritates omnes istas flebiliter amissuri, quod in prima particula thematis evidenter innuitur eterni spiritus ab hoc laqueo separacio temporalis ibi: Quod mortuus est, mortuus est semel. Et pro materia huius primi, primo inspicite hoc speculum et reminiscimini qualis erat qui mortuus est, et hoc in vestri vivencium exemplum; secundo, recolite amicum et compatimini qui cum nuper floruerat et iam mortuus est, et hoc incuciat vobis timoris flagellum; tercio, luxistis casum sed consolamini evasit periculum quia mortuus est semel, et hoc in vestri solacium.

[L in.] Primo ergo, preamandissimi domini, inspicite hoc speculum et reminiscimini qualis erat qui mortuus est. Et fuit siquidem clarissimus iste vir, cuius hodie funerales persolvuntur exequie, nomine dictus Gwilhelmus; cognomento Corff; origine

Anglicus de clara et fidelis prosapia ortum ducens; ordine sacerdos; gradu eximius sacre theologie professor; officio prepositus et gubernator illius famosi et insignis collegii in alma universitate studii Oxoniensis, quod ex fundacione regum Anglie illustrium aula regalis dicitur; deputacione destinatus ad hoc sacrum concilium reverendissimi patris et domini, domini Cantuariensis tocius Anglie primatis; ambasiator procuris et nuncius specialis vocatus ab eadem matre sua universitate Oxoniensi propter sui excellenciam in partem sollicitudinis ambasiate sue. Iste enim talis erat, qui mortuus est. Sed, O pater amantissime, speculum magisterii et lucerna doctorum! Ideo, mi pater, appellate specialiori quodam modo, quia sub tui magistratus culmine mea cepit filiacio, indigna et inmerita, apicem doctoratus; ob quod vivo, ad obsequia teneor et defuncto. [L expl.] Si more collatorum in exequiis preconiorum tui fimbrias grandissonis laudibus dilatarem, occultis forsan quorundam conceptibus blanda picture tunica veritatis oppositum amicire viderer, licet quibus te laudibus referam nescio, quia quem celi capere non poterant in conversacionis privitate secreto tui cordis cubiculo contulisti. Sed iam carebis, O magister optime, hoc marcescente pallio decidue vanitatis! Nec tui caput mortui futi perungam oleo, qui, dum agens in humanis, indubio omnium tui notorum testimonio, nec superiori, pari aut subdito in aliquo studueras adulari.
Planissime ergo reseret filius, velut hora permittit brevitatem, iam minans meritorum fastigia plani patris, de origine et prepositura suspendens calamum, ordinem, gradum et ambasiatam reverbero, ut qualis erat in istis intitu meee mentis maturo discuciam. Nam quod sacerdos erat aut doctor nec laudem precise arguit ut imitacionis exemplar. Mundus enim iste plenus ecce cernitur sacerdotibus et magistris; multi enim sunt sacerdotes et pauci sunt sacerdotes: multi nomine et pauci in opere (Crisostom, super Matheum omelie 15). Et en velut locuste totum orbem operiunt, qui ad cathedras magistrorum ternerit aspirantes, discipulatus digne nomine nondum meruerant insigniri (Blesensis in epistola quadam). Sed proponitur nobis, domini mei, amplexentendum hoc sequele salutaris exemplar, magister ille prehonorabilis, qui Deo iam victurus mundo huic mortuus est. Intra sue siquidem mentis archana revolvens quod nemo in ecclesia amplius nocet quam qui perverse agens nomen vel ordinem sacerdotis habet (Gregorius in


124-7 A reference to Petrus Blesensis, not found among his letters edited in PL 207 or in the "later letters" edited by Elizabeth Revell. Nor is it found among the citations in MF to the letters of Peter of Blois under the following headings: Doctrina, Iudex, Lacrima, Mendacium, Mundus, Munus, Ociatas, Medicina and Militia.
pastoralibus), et quod causa ruine populi sunt sacerdotes mali; quis enim se pro peccatis populi intercessor obiciat, si sacerdos, qui orare debuerat, graviora committat? (idem in registro), quod eciam nullum ab aliis maius preiudicium quam a sacerdotibus tollerat Dominus quando eos quos ad aliorum correctionem posuit dare de se exempla pravitatis cernit (idem, omelia 17), cogitavit in se ordinem illum in ministerio vita et gestu honestatis omnimodo communire mundiciis. Et quod singularare inter cetera recolo post mortem laudans quia conscius sum, ab ineunte iuventutis prurigine in carne conversans preter carnem et lasciviarum lubrica, devitans lenocinia, verissime sibi vendicabat aureolam castitatis, illud Ieronimi in epistola recordens memorie: quantumcumque virtute
polleas, quibuscumque operibus niteas. Si cingulo castitatis careas, omnimodo te noveris vigore fraudatum. Hec est enim ornamentum nobilium, exaltacio humilium, nobilis ignobilium, pulcritudo vilium, solamen merencium, augmentum omnis pulcritudinis, decus omnimode religionis, minoracio criminum, multiplicacio meritorum, Creatoris omnium Dei amica (Cyprianus, De duodecim abusionibus). Inter quoscumque enim conversatus fuerat, sive in etate minori iuvenes, sive in provecciori viros conditionis varimode, nusquam verbo aut gestui quod ad libidinem traheret, eciam cum ad hoc temptabatur per aliquos. Purissimus hic sacerdos recolitur arrisisse. Specialemque ei curam fecerat ut studentes iuvenes a libidinum intentivis sedulo et pervigili conamine refrenaret, predicare volens eis, priusquam publice predicacionis attingeret facultatem, fetorem luxurie, quem experimento non didicit. Et puritatis gaudium (quam securus audeo dicere!) infolabiliter observavit.
Et quia prudenter advertit memorabilis hic magister sacerdotum esse officium de divina lege interrogatos respondere, quia sacerdos Dei legem nesciens ipse se arguit non esse sacerdotem (Ieronimus super Aggeum prophetam). [L in.] Postquam in preclara universitate Oxoniensi liberalium arcium studiis famosissime mancipatus in eisdem regencie annos laudabiles peregisset, vita mundi contempta, et terreno iure regni Anglie, ad quod per varios allectus erat, ad sacerdocii culmen humilis convolans eximiam veritatis theologice facultatem, inmaculatam scilicet Dei legem, sollicito sitivit animo; et in illo voluptatis torrente se debrians, formaque totali completa magisterii, doctoralis eminencie cathedram ascendere meruit insublimi. Et quia debet divinarum scripturarum doctor et defensor esse fidei et debellator erroris (Augustinus in De doctrina Christiana), hanc sibi singularem didicit applicare virtutem. Nam inter doctores et magistros ceteros regni nostri, scripturis et actibus sollemnibus in sermonibus, determinacionibus


et lecturis, istius pestiferi Wikleff errores et hereses, qui in suavissimo et florenti roseto Oxonie spina succrevit odibilis, nulli prorsus parcens persone aut statui doctoralis insultus gladio obpugnavit. Huncque zelum sanctum magistralis animi in hoc sacro pariter comprobavit concilio, in quo ambasiate sue onus fervore intensissimo veritate perfecit, ut potuit, palam cunctis dicens, quid habebat in intimis, memorans huc se non venisse ad placendum hominibus, velut hic plerique dolenter faciunt, qui postposita lingwarum planicie miserabiliter aures titillant maiorum, sicque inferiorum infelices blandicia et vecordia moralem huius synodi structuram confundant, et superiores (proch dolor!) infecto pereunt aere simulatorie vanitatis. [L expl.] Nichil enim in ecclesiastico, presertim in doctore, tam periculosum apud Deum, tam turpe apud homines, quam quod senciát veritatem nec audeat libere pronunciare (Ambrosius in epistola ad Theodosium imperatorem). Nec solum est proditor veritatis qui mendacium pro veritate loquitur, sed qui non libere pronunciat veritatem quam pronunciare oportet (Crisostom


super Mattheum). Et quamvis quod in bonis provenit ex fervore fidelis animi obloqui refutent, in presumpcionem velut discipuli ferventis Domini vocem furiam suspicati sunt (Mora 3). Nullimode tamen debeat veritas occultari cuius condicio talis est ut eam semper inimicicie persequantur, sicut per adulacionem perniciose amicicie conqueruntur. Libenter enim quod delectat audimus, et offendid omne quod nolumus (Ieronymus super 3 ad Galatos: Inimicus vobis factus sum, verum dicens).

Et feliciter ergo vale, O solide et inconcusse veritatis amator! Libere enim et sine adulacione veritatem dixeras, et dictam defenderas; gesta prave vite arguens, quamvis tales noveras graciam


190-3 MF, Veritas (LC 98, f. 246v): non solum proditor est veritas qui mendacium pro veritate loquitur sed qui non libere pronunciatur veritatem quam pronunciare oportet.... Chrisostom super Mattheum. Not found in Iohannes Chrysostomus, Commentarium in Mattheum (PG 57, cols. 13-472) or Pseudo-Chrysostomus, Opus imperfectum in Mattheum (PG 56, cols. 611-746).


196-200 MF, Veritas (LC 98, f. 246r): hec est condicio veritatis ut eam semper inimicicie persequantur sicud per adulacionem perniciose amicicie conqueruntur libenter enim quod delectat audivimus et offendid omne quod nolumus. Ieronymus super illud ad Galatos iii ego inimicus vobis factus verum dicens. Not found in any known work by Jerome.

199-200 Gal. 4,16 sic
non habere apud homines (Ambrosius in glossa super prima ad Corinthios). Hoc idcirco puritatis et veritatis speculum venerabilem hunc magistrum dominaciones vestre velint attendi et licet nec mitra aut torque decoratum hunc meminimus, fidelem Dei pauperem non pigeat imitari. Contendite, consacredotes, ad sacerdotis mundiciam quem pura ornavit castitas!

Contendite, O presules et doctores, ad doctoris constanciam quem plana fulcivit veritas! Obque verissime reor virtutum cacumina, licet in carne mortuus, cum Deo tamen vivit, quia quod mortuus est, scilicet carne, mortuus est semel; quod autem vivit, vivit Deo, iuxta thema. Inspicite ergo speculum et reminiscimini qualis erat qui mortuus est.

Secundo dixeram in hoc primo: recolite amicum et compatimini qui tam nuper florerat quam cito mortuus est. Preciosa siquidem mors iustorum, preciosa plane tamquam finis laborum, tamquam victorie consumacio, tamquam vite ianua et perfecte securitatis ingressus (Bernardus in quadam epistola). Vera enim illa mors est qua anima

---

206 velint] voluit Y; 207 nec] nec K, aut] nec M; 208 imitari] immutari K; 209 ad sacerdotis om. M; 210 doctores] doctoris X; 211 fulcivit] fulsinit MXZ (Y cor. ab fulsinit ad fulcivit); 212-13 mortuus cum deo... scilicet carne om. M; 220 est] in add. MXYZ

202-5 MF, Veritas (LC 98, f. 246r): libere enim et sine adulacione veritatem predicantes et gesta prave vite arguentes graciam non habent apud homines. Ambrosius in glossa super illud 1 ad Corinthios 4 vos aut nobiles nos aut ignobiles. Not found in any known work by Ambrosius Mediolanensis or Ambrosius Autpertus.

separatur a Deo, sed illa umbra mortis qua a carne anima separatur. Non ergo vera morte sed mortis umbra qui non spiritu sed carnis pondere moriuntur (Gregorius in 4 Moralis). Et quia forsan, ymmo sine forsan, multorum monet animos quod cito moriuntur iusti et usquequo peccatores gloriabuntur, quare impii vivunt comfortati et sublimiati in diviciis? Et dixi: ergo sine causa iustificavi cor meum et lavi inter innocentes manus meas. Sciendum est, ex Gregorio eodem 20 Moralis, quod, creans et ordinans Deus iuxta singulorum merita terminum cunctis imponit, ut vel malus breviter vivat ne bene agentibus noceat, vel bonus dii cius hic subsistat ut bonis adiutor existat, vel rursum malus longius differatur in vita ut prava adhuc opera augeat et ut iustus purgatus verius vivat, vel bonus cicius subtrahatur ne, si hic diius vivat, malicia eius innocenciam corrupat. Ex qua radice, domini mei, pie de pietate

________________________

221 a deo sed... anima separatur om. MXYZ; 228 deus] dominus MXYZ, iuxta] viX (cor. ab viX ad iuxta Z; 229 terminum] criminum K; 231 bonis] bonus Y, rursum] rursus MXYZ; 233 si om. M

________________________

220-3 Gregorius Magnus, Moralia in Job, 4,16 (CCSL 143, p. 183, ll. 33-9): Vmbra etiam mortis mors carnis accipitur quia sicut uera mors est, qua anima separatur a Deo, ita umbra mortis est, qua caro separatur ab anima.... Quos enim constat non spiritu sed sola carne emori, nequaquam se uera morte sed umbra dicunt mortis operiri.

226-7 Ps. 72,13 sic

227-34 Gregorius Magnus, Moralia in Job, 16,10 (CCSL 143A, p. 806, ll. 9-16): Sed sciendum quia creans et ordinans nos omnipotens Deus, iuxta singulorum merita, disponit et terminum, ut uel bonus iste dii tius in hac uita subsistat, ut multis boni operis adiutor existat; uel rursum malus longius differatur in uita ut praua adhuc opera augeat, ex quorum temptatione purgati iusti uerius uiuant; uel bonus cicius subtrahatur ne si hic diu uixerit, eius innocentiam malitia corrupat.
Domini, presumendum existimo quod cum subito quasi a nobis raptus est predulcis memorie venerabilis iste dominus, doctor egregius et magister ne malicia mutaret animum eius, aut ne fictio deciperet animam illius, consummatus in brevi, quadragesimo scilicet quarto anno, explevit tempora multa, et in Dei confido clemencia quod placita erat Deo anima illius proptererea properavit educere eum de medio iniquitatum (Sap. 4). Memini enim quod infra mensem michi dixerat, adhuc sanus nec egritudinis ullo percussus terrore, se optasse a Domino ut, priusquam (quod timebat maioribus) mundi foret inquinamentis illectus, mortis sibi diem citum annueret et festinum, allegans michi illud Senece: Melior est cita mors et tucior quam infelix et longior vita. Mortuus ergo es, sed vita tua, iuxta votum, abscondita est in Christo. Quod enim mortuus es, mortuus es semel; quod autem vivis, vivis Deo. Nec vacat a misterio quod mortuus est semel. Quid interest, inquit Augustinus, primo De civitate, quo mortis genere vita illa finiatur, quando ille, cui finitur, iterum mors non cogitur? Sed aliud est quod

---


235-41 Sap. 4,11-14: raptus est ne malitia mutaret intellectum illius aut fictio decipiatur animam illius / ...consummatus in brevi explevit tempora multa / placita enim erat Deo anima illius propter hoc properavit educere illum de medio iniquitatem.

245-6 Perhaps a paraphrase of Seneca, Ad Lucilium epistulae morales, 70,11 (Loeb 2, p. 62) or 101,13 (Loeb 3, p. 166)

[L in.] Quia igitur, O insignissime cetus, videns, ut suspicor,


249-56 Augustinus Hipponensis, De civitate Dei, 1,11 (CCSL 47, p. 13, ll. 8-22): Quid autem interest, quo mortis genere uita ista finiatur, quando ille, cui finitur, iterum mori non cogitur? ...Sed aliud est quod carnis sensus infirmiter pavidus refugit aliud quod mentis ratio diligenter enucleata conuincit. Mala mors putanda non est, quam bona uita praecesserit. Neque enim facit malam mortem, nisi quod sequitur mortem. Non itaque multum curandum est eis, qui necessario moriuntur sunt, quid accidat ut moriantur, sed moriendo quo ire cogantur.


divina equitas per ambitiionem et superbiam incorrigibilitatemque multorum in hac presenti synodo ecclesie sue causas in precipicium vergere, seu magnam eclipsisim perpeti sancte expeditionis, et forsan ex ea radice cuius incomprehensibilita sunt iudicia et vie investigabiles, extracto iusticie gladio de vagina clemencie, in qua fere per triennium misericorditer prelicuerat, in civitate ista mortis cladem terribiliter iam immisit. Quia conversi non sumus, gladium suum vibravit, arcum suum tetendit, et iam paravit illum. Et in eo paravit vasa mortis (Psa. 6). Quid tot dispendia ingerit negociis ecclesie, quid eieccionem distulit, reformacionem prepedit, aut eieccionis vias inficit, nisi delira nimis papatus ambicio et vana fiducia dignitatum? Quid caduca prosperitas, quid divicie Cresi, quid Othoniani potestas, quid honor, quid fastus, quid hec omnia prosunt, cum tandem caro datur vermibus et anima demonibus, cum purpurato divite perhenniter crucianda? (Hieronymus super illud Matthei: Quid prodest homini, si mundum universum et cetera).


271-3 Ps. 7,13-14: nisi conversi fueritis gladium suum vibravit arcum suum tetendit parvit illum / et in eo paravit vasa mortis.

276 References to King Croesus of Lydia, famed for his wealth, and to Lucius Roscius Otho, who was satirized for his vanity over his social privilege; see Juvenal, Satvra, 3,159 (Loeb, p. 44).

275-80 A reference to Hieronymus; not found in the only commentary by Jerome on Mt. 16,26, in Epistula 108 (CSEL 55, p. 332).

279-80 Mt. 16,26: quid enim prodest homini si mundum universum lucretur...

Non ergo nos subvertat ecclesiasticorum culminum spes vana et decepcio, non nos delectet inpunitas scelerum, nec attediet infirmatos adhibicio medele, sancta videlicet et concors ecclesie reformacio. Hanc fervide prestolemur et absque fuco, opera effectuali prosequentes ad expectantem totum orbem; ne sit Assur virga furoris Dominici, pacatum erga nos nitamur efficere et tranquillum. Si symoniace promociones, si corrupte elecciones, si tot innumere abusiones deinceps prevaleant velut ante, et incorreccione ambulemus iuxta desideria cordis pristini, que tunc egimus in Constancia nisi Deum despeximus, mundum decepimus et nos


288-91 Hieronymus, Commentariorum in Esaiam, 11,38,16 (CCSL 73, p. 448, II. 22-4): sic

296-7 Isa. 10,5: vae Assur virga furoris mei...
ipsos! Et non ambigo quin prosperitate nos inveniet obstinatos calamitas repentina: horrendum est incidere et cetera. Et hoc quod dico, domini mei, venerabilis iste doctor, qui iam mortuus est, michi dixerat adhuc vivens; proposuitque per Angliam intrepide atque palam per loca singula predicasse, si irreformata, ecclesie vitam ei annuisset Altissimus longiorem, ymmo etsi propter hoc veritatis testimonium quecumque supplicia sustulisset. [L expl.] A nobis recesseras, carissime O preceptor, mundi huius miseris non amplius concuciende, id non divino abs re sic volente iudicio: Quod enim mortuus es, mortuus es semel; quod autem vivis, vivis Deo; et tantum de primo principali.

Secundo dixeram, venerandissimi patres, quod in secunda particula thematis vita nobis expirimitur: quod autem vivit. Sed qualis vita? Subditur: vivit Deo, que est felicis status sine termino assecucio perhennalis. Quod enim mortuus est, mortuus est semel; quod autem vivit, vivit Deo. Est enim vite sicut et mortis ex oppositorum iure quadrimembris distinccio. Primum est vivere naturale perplenum miseris: Homo natus de muliere brevi vivens tempore repletus multis miseris (Iob 13). Secundum est vivere criminale obscenum nequiciis: si secundum carnem vixeritis,
moriemini (Ad Rom. 8). Tercium est vivere virtuale serenum mundiciis: vivo ego iam, non ego solum, scilicet secundum carnem, vivit autem in me Christus (Ad Gal. 2). Quartum est vivere supernale amenum deliciis: Credo videre bona Domini in terra vivencium (Psa. 26).

Quia ergo, celeberrimi patres, pie recordacionis hic dominus et magister, pro cuius memoria mortui viventes hic convenimus, nequicie vitam rennuens, nature vitam et methodum virtualis vitae voluit copulare consorcio, de ipsius vere vite favore confisus et gracia, credo quod inter viventes celibes, post purgacionis forsan limina, sede gaudebit glorifica, post hanc mortem misere carnis eidem perhenniter victurus iam Deo. Quod autem vivit, vivit Deo. Taceo de tribus vitis, et abbreviatum verbum istud iam finio in eterna, de qua Augustinus in De symbolo, libro 3: Facilius, inquit, possimus dicere in illa vita eterna quid ibi non sit, quam quid ibi sit. Non est ibi mors, non est ibi luctus, non est ibi lassitudo, non est ibi infirmitas, non est ibi fames, nulla sitis, nullus estus, nulla corrupcio, nulla indigencia, nulla mesticia, nulla

__________________________


__________________________

320-1 Rom. 8,13: si enim secundum carnem vixeritis moriemini...
322-3 Gal. 2,20: vivo autem iam non ego vivit vero in me Christus.
324-5 Psa. 26,13 sic
tristicia. Illuc, inquit idem sanctus, libro De utilitate agende penitencie, festinate, dilectissimi, ubi semper vivatis. Si enim sic amatis istam miseram et fluidam vitam, ubi cum tanto labore vivitis, et ubi vix currendo, satagendo, suadendo, suspirando necessariis corporis satisfacitis, quanto magis amare debetis eternam illam vitam, ubi nullum laborem sustinebitis, ubi semper summa securitas, summa felicitas, felix libertas, felix beatitudo ubi implebitur illud: Erunt homines similes angelis, et istud: Fulgebunt iusti sicut sol. O ergo incomparabiliter superna civitas clara, ubi victoria veritas, ubi dignitas sanctitas, ubi vita eternitas! Temporalis vita, inquit Gregorius in omelia, eterna vite comparata mors est pocius dicenda quam vita. Que lingua vel quis intellectus capere sufficiat illa superne civitatis gaudia


334-39 MF, Gloria eterna (LC 98, f. 90r): facilius possimus dicere in illa vita eterna quid ibi non sit quam quid ibi sit non est ibi mors nec est ibi luctus non ibi lassitudo non est infirmitas non est ibi fames nulla sitis nullis estus nulla corrupcio, nulla indigencia nulla mesticia nulla tristicia. Augustinus in simbolo libro iii. Cf. Quoduultdeus, De symbolo II, 12,2-3 (CCSL 60, p. 348, 11. 5-9).

quanta sint, angelorum choris interesse, cum beatissimis spiritibus
glorie conditoris assistere, presentem Dei vultum cernere,
incircumscriptum lumen videre, nullo mortis metu affici,
incorruptionis perpetue munere letari?

De hoc vultu Dei et speculo beatifico, de excellencia huius
luminis et veritate vite huius, O magister amantissime, insero ante
tue mortis horam doctori theologo, qui tecum erat confessor tuus,
et hec michi retulit: cum, tui salutacione elevata meritis mentis
acie, anhelans ad celestia mirabiliter es affatus: "O," inquisti,
"bone Pater! Quam iocundissime michi erit in illo speculo
beatifico, quod hic cerno sub enigmate, deposita carnis scoria,
faciliter intueri, et dubietatum nodos scire solve materie tam
sublimis, quibus in theologia hac viante supra cetera cordi placito
michi libuerat inmisceri!" Et verba tunc confestim dirigens ad
collegam: "Quam fallax gloria vite huius que tam amaro mortis
terrore concluditur, et quam seductorium mundi presentis gaudium
quod tam cito labitur! Suisque blandiciis viventes inmiscens, non

---


---

349-55 Gregorius Magnus, xl homiliarum in euangelia libri duo,
2,37,1 (PL 76, col. 275B): Temporalis vita aeternae vitae comparata
mors est potius dicenda quam vita.... Quae autem lingua dicere,
vel quis intellectus capere sufficit illa supernae civitatis quanta
sint gaudia, angelorum choris interesse, cum beatissimis spiritibus
gloriae conditoris assistere, praesentem Dei vultum cernere,
incircumscriptum lumen videre, nullo mortis metu affici,
incorruptionis perpetuae munere laetari?
sinit eos (proch dolor!) commendare mortis horam constanti memorie, nec in medio previdere quousque perveniant ad extremum." Ymmo et michi, filio tuo, O pater amantissime, paulo ante, sciscitanti qualiter tecum foret amoto quodam circumstante, per hec verba responderas ingenti cum suspirio: "Amice," inquiisti, "medicus meus dicit quia confestim moriar." Ad que verba consternatus, "non morieris!" inquii. "O magister, diffidenciam istam abice nec fatuitas talis acceleret mortem tuam! Tanta enim est hominum demencia ut quidam timore mortis cogantur ad mortem" (verba sunt Senece, epistola 24). Et subiunxeras, "non moriar eterna morte adhuc spes mea in Deo est, sed in patria post exilium vivam verius quam dum vixi; hoc semel tantum moriar, et vivam felicius sempiterne."

Ex hac re, prestantissimi patres et domini venerandissimi, revolvente me pro themate dominicale officium ebdomade iam currentis, et prima verba recolens que michi languens ille tunc dixerat in extremis, et si omnia scripturarum volumina refricassem, quomodo verbum queso congruencius elegissem quam quod sumpseram in exordio de persona sui loquens: Quod mortuus est, mortuus est
semel; quod autem vivit, vivit Deo. Hec est futura illa vita de qua Prosper in De vita contemplativa: Ubi ipsa civitas que est angelorum sanctorumque omnium congregacione beata, meritis fulgentibus micat, eterna salus exuberat, veritas regnat; ubi nec fallit quisquam nec fallitur; ubi nullus beatus eicitur; ubi nullus iniquus admittitur.

Efficiamus ergo, domini mei, mortem illam corporis nobis cogitacione familiarem ut, si ita mors tulerit, possimus et nos 395 illi obviam exire (Seneca, De naturalibus questionibus). Et sic, abiecta carnis sarcina illius, eterna vite participes effici et concives, in qua defuncti nostri animam, memorabilis scilicet magistri Guihelmi Corff, cuius hodie migracionis memoriam fidelium more devoti persolvimus, et nos conformiter post hanc vitam 400 gloriose collocet ipse Dominus, in quo omnia vivunt ydealem per noticiam; per quem omnia vivunt regiminis per industriam; et cui omnes vivunt electi per gloriam (quam annue nobis, Domine); apud quem est fons vite, trinitas sancta, vera vita; qui vivis et regnas et imperas per seculorum secula. Amen.


389-93 Iulianus Pomerius, De vita contemplativa, 1,2 (PL 59, col. 420B): ...ubi ipsa civitas, quae est angelorum sanctorum et hominum congregatio beata, meritis fulgentibus micat, et aeterna salus exuberat, veritas regnat; ubi nec fallit quisque, nec fallitur; unde nullus ejicitur beatus, et quo nullus miser admittitur.

"Absorpta est mors in victoria": Richard Fleming’s Funeral Sermon for Francesco Zabarella at the Council of Constance, 2 October 1417

There are six known manuscript copies of this sermon:

K = Köln, Stadtarchiv, GB 4° 268 (Sam. Alfter 146), pp. 15a-17b
L = Leipzig, Universitätsbibliothek, MS 179, ff. 122r-123v
Lübeck, Stadtbibliothek, theol.lat. 155, ff. 280r-284v
D = Merseburg, Domstiftbibliothek, MS 39, ff. 209r-212v
M = Munich, Universitätsbibliothek, MS 84, ff. 110v, 112r-115v
W = Vienna, Ö.N.B., MS lat. 4922, ff. 264v-269r.

All of these manuscripts except the one from Lübeck were noted by Finke (Acta ii., 516. The Lübeck manuscript was described by P.O. Kristeller ed., Iter Italicum iii., 599-600 from the handwritten catalogue compiled by Franz Weber (1934-6). It is one of several Lübeck manuscripts which went missing after World War II and although some have been returned from Russia, this manuscript is still missing. The following edition has been collated from the other five manuscript copies.

The 1696 edition by Hermann von der Hardt (Magnum oecumenicum Constanciense concilium, i. 546-52), which was transcribed from L, contains numerous transcriptional and typographical errors as well as significant omissions; moreover, it is clear that the Leipzig copy is the least reliable text of the sermon. For ease of comparison with Hardt’s edition, its page numbers are given in bold font within brackets, eg. [H 546], in the text of the present edition.
Rubrics

Neither M nor W provide a rubric or colophon, though the latter does ascribe the sermon to Fleming in the manuscript’s register. See above, pp. 200-1.

K: Collacio in exequiis domini Francisci cardinale Florentini die Sabbatha secunda Octobris anno 1417 Constanciense sede vacante

D: Sequitur collacio facto in exequiis reverendissimi domini cardinalis Florentini defuncti Constanciense anno Domini 1417 die secunda Octobris tempore concilii Constanciensis

L: Sequitur collacio facto in exequiis reverendissimi domini cardinalis Florentini defuncti Constanciense anno Domini 1417 die secunda Octobris tempore concilii Constanciensis

Abbreviations

Badali M. Tulli Ciceronis Paradoxa Stoicorum, R. Badali ed.
Bergin Petrarch’s Bucolicum Carmen, T. Bergin ed.
CCSL Corpus Christianorum, series Latina
CIC Corpus iuris canonici, E. Friedberg ed.
CSEL Corpus scriptorum ecclesiasticorum Latinorum
Hakanson Declamationes xix maiores Quintiliano falsa ascriptae, L. Hakanson ed.
Loeb The Loeb Classical Library
Marietti QD S. Thomae Aquinatis quaestiones disputatae, M. Marietti ed.
Marietti ST S. Thomae Aquinatis summa theologica, M. Marietti ed.
Nock Corpus hermeticum, Asclepius, A.D. Nock ed.
SBO Sancti Bernardi opera, J. Leclercq ed.
Willis Macrobius commentarium in somnium Scipionis, J. Willis ed.

All biblical references are to Biblia sacra iuxta vulgatam versionem. 2 vols. Stuttgart: Deutsche Bibelgesellschaft, 1969; abbreviations are also according to this edition.
Prestantissimi domini, patres almi honore et cultu
dignissimi, ceterique doctissimi viri: Dum veris lacrimis ora
rigebam et quid seva factorum series in presenti casu disposuit,
humanitus criminarer cum laureato Petrarcha creberrius replicans:
Dii, qualem hominem, quid divite celo terre subtrahitis breve munus
egenti? Extimplo racio astitit, mestum erexit, lacrimas tersit,
idque apostolicum menti obiecit quod sacer ille Paulus scribit ad
Corinthiam [H 547] ecclesiam: Absorta est, inquiens, mors in
victoria (Absorta est mors in victoria scribitur primo ad
Corinthios, capitolo 15).

Doctor eximius Augustinus quantam ex devicta morte victoriæ
genus consequatur humanum libro suo De civitate Dei, 13 capitulo,
referat ita dicens: Deus tantam graciam humano generi contulit ut
mors, quam vite constat esse contrariam, instrumentum fieret per
quod transferemur ad eternam felicitatem. Ex quibus doctoris

4-6 Franciscus Petrarca, Bucolicum carmen, 10,72-3 (Bergin, p.
146): ...Dii, qualem hominem! Quid divite celo / Subtrahitis terre
rarum breve munus egenti?

8-10 I Cor. 15,54 sic

388, 11. 38-40): sed tantam Deus fidei praestitit gratiam, ut mors,
quam uitae constat esse contrariam, instrumentum fieret, per quod
transiretur ad uitam.
verbis prout triplicem victoriam ex morte quisque iustus consequitur, quoniam est victoria contra carnem, est victoria contra mundum, et est victoria contra diabolum (Ambrosius super illo Apocalypsis: Exivit vincens ut vinceret).

De felici transitu preclare memorie reverendissimi patris et domini, domini quondam cardinalis Florentini dignissimi, triplex prebetur flentibus solamen. Equidem primo ob immutacionem vite certioris in deposicione corporalis sarcine quod Deus tantam gratiam humano generi contulit, ait Augustinus. Propter quod et a reverendissimo domino cardinali prefato, ut inquit thema, absorpta est mors in victoria. Concessa est tibi victoria, dicitur sibi (2 Reg. 12 capitulo). Prebetur deinde flentibus solamen et secundo ad collacionem status melioris in deposicione temporalis miserie. Propter quod et mortem vite constat esse contrariam, ait Augustinus. Unde et a reverendissimo domino cardinali prefato, ut


17-19 There is no commentary on Apoc. 6,2 in the known works of Ambrosius Mediolanensis. Nor is this idea found in Ambrosius Autpertus, Expositio in Apocalypsin, 2 [3,5a] (CCSLCM 27, p. 165, 11. 1-12) which discusses only the victoria contra mundum. Nor is it found in Berengaudus, Expositio in Apocalypsin (PL 17, p. 895), often misattributed to Ambrose.

19 Apoc. 6,2 sic

26-7 Iud. 11,36: ...concessa tibi ultione atque victoria.
inquit thema, absorta est mors in victoria. Hec est victoria que vincit mundum (1 Ioh. 5 capitulo). Prebetur tandem flentibus solamen et tercio ob adepcionem fructus plenioris in separacione criminalis culpae. Propter quod mors *instrumentum sit per quod transferimur ad eternam felicitatem, ait Augustinus. Unde et a devotissimo domino prefato cardinali, ut inquit thema, Absorta est mors in victoria. Reduxit me gaudentem supple ad Deum victoria sua, inquit de ipso spiritus eius (Iudith 13). Ex quibus patere iam potest quod pretendere volebat assumptum verbum quod pro felici transitu tam preclari domini introduxi in proposicione primaria: Absorpta est, inquiens, mors in victoria, quod erat principale propositum.

Prenisi igitur quod de felici transitu precolende memorie reverendissimi domini cardinalis prefati prebetur primo flentibus solamen ob immutacionem vite certioris in deposicione corporalis sarcine, et cetera. Nempe presens vita qua vivimus, si tamen vita dicenda est, tam brevis est, tam umbratica ut sperantibus in eam ante defluat quam veniat, ante destinat quam cognoscatur (Ambrosius

---


31-2 I Ioh. 5,4 sic

37-8 Iudith 13,20: revocavit me vobis gaudentem in victoria sua.
in sermone de martyribus). Equidem homo natus de muliere brevi vivens tempore quasi flos egreditur et conteritur et numquam in eodem statu permanet (Iob, capitulo 13). Omnis nos hora per tacitos fallentesque contractus applicat fato et in hac turpissima perpetuitatis cogitacione districti per festinantis evi momenta permorimur (Quintilianus, declamacione 3). Coctidie enim morimur; coctidie aliqua pars vite demitur et tunc quoque cum crescimus et vita decrescit (moralis Senece ad Lucilium 32 epistola). Propter quod concluditur quod vita nostra est vapor ad modum parens qui cito exterminabitur (Iac., 3 capitulo). Et ergo si superest homini vita et longior et melior, quam philosophorum magnorum argumento et vatum responsis et prophetarum divinis vocibus didicimus, profecto


46-9 A reference to Ambrosius Mediolanensis or Ambrosius Autpertus; not found.

49-51 Iob 14,1-2: homo natus de muliere brevi vivens tempore repletus multis miseris quasi flos egreditur et conteritur et fugit velut umbra et numquam in eodem statu permanet.

51-3 Pseudo-Quintillian, Declamationes maiores, 4,10 (Hakanson, pp. 71-2): Omnis nos hora per tacitos fallentesque cursus adplicat fato, et in hac turpissima perpetuitatis cogitacione districti per exigua festinantis aevi momenta praemorimur.


57-8 Ad Iac. 4,14: vita vestra vapor est ad modicum parens deinceps exterminatur.
hanc presentem contemnere sapientis est cuius omnis iactura in morte terminatur (Firmanus Lactancius, Institutionum contra gentes, libro 3, capitulo 9). Quin ymmo si inest homini racio, piissimis votis optandum esset, si divine placeret pietati, ut nos mundana custodia absolutos superioris partis nature restituat (Mercurius Trimegistus, ad Esclapium). Non enim ut animalia racionis expercia sic creatus est homo sed erecta corporis forma. Ammonet eum que sursum est vitam querere, non que super terram (Augustinus, 22 De civitate Dei, 24 capitulo). Sunt certe homines hac lege generati ut mentem suam divinis sensibus repleant ut perinde suo creatori absque admixcione terrena servientes. Prout unicuique ex sua destinacione temporis restat ad fontem vite unde profecti sunt per

---


---

58-63 Lactantius, Institutiones divinae, 5,18,3 (CSEL 19.1, p. 458, ll. 16-20): si autem superest homini uita melior et longior, quod et philosophorum magnorum argumentis et uatum responsis et prophetarum diuinis uocibus discimus, hanc praesentem cum bonis suis contemnere sapientis est, cuius omnis iactura inmortalitate pensatur.

62-66 Hermes Trismegistus, Asclepius, 11 (Nock, p. 310, ll. 22-6): Si foret diuinae pietati conplacitum, optamus piissimis votis, id est ut emeritos atque exutos mundana custodia, nexibus mortalitatis absolutos, naturae superioris partis, id est diuinae, puros sanctosque restituat?

66-9 Augustinus Hipponensis, De civitate Dei, 22,24 (CCSL 48, pp. 849-50, ll. 127-9): Non enim animalia rationis expertia prona esse videmus in terram, ita creatus est homo; sed erecta in caelum corporis forma admonet eum quae sursum sunt sapere.
mortem transferantur (Gregorius Nazarenus, De immortalitate anime ad Eusebium). Ex quo velut ex fundamento de inexspectate ac immature mortis eventu communis hominum querela repellitur. De qua in De brevitate vite libello ad Paulinum moralis Seneca ita scribit: Maior pars hominum, Pauline, de nature malignitate conqueritur quod in exiguum evi gignimur quod haec tam velociter, tam rapide data nobis temporis spacia decurrant adeo ut exceptis admodum paucis ceteros in ipso vite apparatu vita destituat. Nec huic publico, ut oppinantur, malo turbatissimum et impudens volgus ingemuit. Clarorum quoque virorum hic affectus querellas evocat.

Et respondet: Magna et in multarum rerum consummacionem large vita data est si tota bene collocaretur. Sed ubi per fluxum ac negligenciam diffuit, ultima necessitate cogente quam ire non intelleximus transisse sentimus. Non accepimus brevem vitam sed

69-74 A reference to Gregorius Nazarenus; not found.

76-82 Seneca, De brevitate vitae ad Paulinum, 1.1 (Loeb 2, p. 286): Maior pars mortalium, Pauline, de naturae malignitate conqueritur, quod in exiguum aevi gignamur, quod haec tam velociter, tam rapide dati nobis temporis spatio decurrant, adeo ut exceptis admodum paucis ceteros in ipso vitae apparatu vita destituat. Nec huic publico, ut opinantur, malo turba tantum et imprudens volgus ingemuit; clarorum quoque virorum hic affectus querellas evocavit.
facimus. Nec inopes eius sed prodigi sumus. Cui tamen querele fidelius ac devocius Petrus obviat Damianus in sermone de preventa morte ubi ait: Quid mirum si ex hac mortali vita ad inmortalitatis certitudinem fideles suos varie evocat divina bonitas, alios etate, alios meritis, alios diversis moriendi generibus preveniens. Neque enim eos aliter delexisset si ea qua vocati sunt vocacione non emigrassent. Ex cuius dictis evidenter elicitur unde aliqui in puericia, alii in iuventute, plures in senectute sive sub diversis dierum etatibus sive sub modis moriendi diversis ad vitam transferuntur futuram. Quoniam dum melius reperiuntur dispositi ad certiorem vitam evocantur electi ut ibidem ab eodem concluditur. Hec enim evangelica illa est hora in qua transiens Dominus Deus suis ministrat electis, quando scilicet sive in secunda vigilia sive in tercia vigilia venerit et ita preparatos invenerit. Beati sunt servi illi, ut patet Luce 12, cum suis glosis.

Et ergo preclarissimi domini, potissimeque cari et domestici


83-7 Seneca, De brevitate vitae ad Paulinum, 1,3-4 (Loeb 2, p. 286): Satis longa vita et in maximarum rerum consummationem large data est, si tota bene collocaretur; sed ubi per luxum ac neglegentiam diffuit, ubi nulli bonae rei impenditur, ultima demum necessitate cogente quam ire non intelleximus transisse sentimus. Ita est: non accipimus brevem vitam, sed facimus, nec inopes eius sed prodigi sumus.

88-93 A reference to Petrus Damianus; not found.

98-101 Not found in the Glossa ordinaria (PL 114, col. 298).

100-1 Luc. 12,37 sic
eius, qui de lapsu tam preciosi ecclesie cardinis, de morte tam preclari viri contristati estis, consolemini invicem in verbis istis et cetera (1 Ad Thesso., 4 capitulo). Equidem si brevis a natura nobis vita data est, ac memoria bone reddite vite sempiterna (Ambrosius super illo: Vitam petiit a te et tribuisti ei in seculum seculi. Psa. 20). Quis enim tanti viri vitam, cuius memoria in benedictione est (Eccles. 47), cuius laus per omnem ecclesiam (2 Cor. 4), per mortem carnis defecisse dicere audeat? Non deficit vita que in melius inmutatur (Glossa super illo Apostoli ad Corinthianos: Omnes quidem moriemur, sed non omnes inmutabimur. 1 Cor. 12). Quanto pocius hii vivere dicendi sunt qui ita vivendum esse operibus censuerunt ut ad meliorem certioremque vitam meritis


104-5 I Thes. 4,18 sic

105-6 Cicero, Phillipics 14,12 (Loeb, p. 636): Brevis a natura vita nobis data est, at memoria bene redditae vitae sempiterna.

107-8 Psa. 20,5: vitam petiit a te et tribuisti ei longitudinem dierum in saeculum et in saeculum saeculi.

108-9 Sir. 45,1 sic

109-10 II Cor. 8,18: cuius laus est in evangelio per omnes ecclesias.

110-13 Not found in the Glossa ordinaria (PL 114, col. 550).

111-13 I Cor. 15,51: omnes quidem resurgemus sed non omnes inmutabimur.
transferentur (Firmanus Lactancius in De vero cultu, capitolo 15). 115

Non ergo, amici, non ergo illa summa vita dicenda est que corpore et spiritu continetur. Illam, inquam, summam vitam esse que vigebit memoria seculorum omnium, quam posteritas alet, quam eternitas ipsa semper tuebitur (Petri Damiani sermone de vita Pauli). Verum quia in moralibus particularia movent quemadmodum universalia in speculabilibus, ut declarat Eustachius (super primo Ethicorum 44 commento). Illa queso de eo inspicientur attentius que rerum testimonia probant.

Et ut sub paucis cuncta compлектar, eius vita, si recte sencio, in quatuor refulgenciam habet. Nam refulget in virtutibus, refulget in doctrina, refulget in fama, refulget in laudibus.

Refulget quidem in virtutibus, in illis potissime ad quas cetere referuntur, que morales sive civiles dicuntur, quibus ut in suo de sompno Scipionis Macrobius ait, Boni viri rei publice consulunt,


113-15 Not found in Lactantius, Institutiones divinae, 6 (CSEL 19.1, pp. 479-580). Perhaps a paraphrase of Lactantius, Institutionum epitome 63(68), 8(27) (CSEL 19.1, p. 752, 11. 6-12): ...deinde decurso temporalis uitae spatio atque abiectis fragilium corporum exuuiis ad aeternam illam beatitudem transferantur....

118-20 Not found in the known sermons by Peter Damian or in the pseudo-Damian Sermo de sanctis apostolis Petro et Paulo (PL 144, cols. 649-52).

urbes tuentur, parentes venerantur, liberos amant, civium salutem gubernant, socios circumspecta providencia protegunt, iusta liberalitate devinciunt, hisisque sui memores alios facere merendo.

Nam si de eius iusticia queretur, iusticie rectitudinem tantam de ipso percipiens ut contra dictamen consciencie scientur numquam consilium dedisse, numquam tulisse simoniam, suorum confessorum testimonio, comprobetur. Et, quod mirabilius in iurisperito apparet, illis quatuor quibus secundum Ysidorum pervertitur iudicium et iusticia sepelitur ita caruit ut a iusticie corruptoribus ab hiis qui venale sunt genus hominum velut hostis evitaretur. Hec quatuor timor odiumque sunt dileccio atque census (11, questio 3: Quatuor). Nam timorem non habuit cum nichil nisi turpia timeret. Odio caruit cum iniuriarum oblitor cunctos in caritate dilexerit. Amorem postposuit privatum cum non fuerit acceptor personarum. Censum contempsit concupitum cum fuerit acceptor personarum.

______________________________


______________________________

128-32 Macrobius, Commentarium in somnium Scipionis, 1,8,6 (Willis, p. 37): His boni viri rei publicae consultunt, urbes tuentur: his parentes venerantur, liberos amant, proximos diligunt: his civium salutem gubernant: his socios circumspecta providentia protegunt, iusta liberalitate devinciunt: hisque sui memores alios fecere merendo.

137-40 References to Isidore, Sententiae, 3,54,7 (PL 83, cols. 726-7); and to Gratian, Decretum, c.11, q.3, ch. 78 (CIC 2, col. 665).
erogator eleemosinarum. Probent primum domestici, probent secundum procuratores et advocati, tercium probent consanguinei et affines, quartum vero probent pauperes. Unde Padue, ubi multo tempore legendo, scribendo, disputando scolas in utroque iure gloriosissime rexit, non solum doctrine sed materiali cibo scolares, pauperes et egenos, non sine magnis sumptibus et expensis velud pater pauperum nutiens confovebat. In Romana vero curia, presertim in loco presentis concilii, quid circa pauperes et miserabiles personas egerit dicant inopes et pauperes episcopi, dicant miserabiles clerici, quibus non tantum de sibi necessariis cum pauper cardinalis existeret sed et de aliunde mutuatis providebat assidue. Ita ut ammirative cum scriptura diebus maxime currentibus dicere habeamus: Quis est hic et laudabimus eum. Fecit enim mirabilia in vita sua. Nam post aurum non abiit nec speravit in pecunie thezauris. Ideo stabilita sunt bona illius in Domino et eleemosinas ipsius enarrabit omnis ecclesia sanctorum (Eccles. 31 capitulo).

Si vero de temperancie ipsius moderamine scire velis testentur


157-61 Sir. 31,8-11: post aurum non abiit nec speravit in pecunia et thesauris / quis est hic et laudabimus eum fecit enim mirabilia in vita sua.... / ideo stabilita sunt bona illius in Deo et elemosynas illius enarrabit ecclesia sanctorum.
abstinencie, testenturieiunia, testentursobrietas. Castitasque ipsum non tamcelibem sed, quod paucissimis datum est, supradicto suorumconfessorum testimonio, virginem preservaverunt. Novit 165 quippedevotissimus dominus quod abstinencie, ieiunia, vigilie remedia sunt salubria castitis quibus non solumlibidinum incendiamortificantur, sed fereextinguuntur, ut ad fratres demonteDeidevotus scribit Bernardus. Inde enim in die raroniisemel cibumsumensnoctes sacris vigiliis et leccionibusoccupabat, 170 illud Ieronymi ad Rusticum monachum mente sepiusrevolvendo: *Ama scientiamscripturarum, etcarnisviciana non amabis.*

Fortitudo veroipsius proprium est animam supra periculimetumagere inprosecucioneunionisecclesie satisapparuit, maxime in casibusarduis presentis concilii in quibus nemo securior, nemo 175 audacior. Ita utintantaper turbacionererum pocius eligeret felicitermori, quamcuminiuriaDei,cum ecclesiedetritamento, infelicitervivere. Obhconminima tantar veneracionecolebaturad doctis utquasialcelodatusecdbisminveteratumremovendum, ad

---


---

166-9 A reference to the*Epistola ad fratres de monte Dei* ofWilliam of St. Thierry, often misattributed to Bernard; but not found inthat text (Un Traité de la Vie Solitaire, Études de Philosophie Médiévale29, E. Gilson ed., Paris, 1940).

171-2 Hieronymus, *Epistolae*, 125,11 (CSEL 56.3, p. 130, ll. 3-4) sic

Sed si prudenciam tanti viri scrutemur, prudencia tanta illerat, non illa quidem carnis que, secundum Apostolum, inimica est Deo (Rom. 8), sed que prestituit finem virtutibus moralibus, illasque connectit cum sollicitudine, cum diligencia que ad ipsam pertinent, prout declarat sanctus Thomas (Secunda secunde, questio


186-7 Prov. 31,25 sic

189-90 Rom. 8,7: sapientia carnis inimicitia est in Deum.
47), ut quae per ipsum agenda quoque, dicenda quoque tractanda erant glorioso fine perfeceret. Unde et propter illam illi inerant racio, intellectus, circumspectio, providencia, docilitas, et 195 caucio, que partes sunt ipsius secundum Plotinum et Macrobiun ubi supra. Ex huius ergo vite in virtutibus refulgencia de ipso, cum scriptura habemus concludere quod est mortuus et quasi non est mortuus. Reliquit enim similem post se, vitam in virtutibus refulgentem (Eccles. capitulo 3).

De refulgencia vero vite ipsius in doctrina libri loquantur ab ipso editi: apparatus super duos libros decretales vel decretalium cum clavis, tractatus de scismate, consilia, questiones, epistole, sermones, liber de felicitate, aliaque opuscula curiosa in quibus


189-3 A reference to Thomas Aquinas, Summa theologia, pars secundae secundae, q.47, arts. 6, 9 and 13 (Marietti ST 3, pp. 280-6).

194-7 Macrobius, Commentarium in somnium Scipionis, 1,8,7 (Willis, p. 38): Prudentiae insunt ratio, intellectus, circumspectio, providencia, docilitas, cautio. This conception of ancillary virtues is not found in the discussion of civic virtues in Plotinus, Enneads, 1,2[19],1-2 (Loeb 1, pp. 127-133) or in Plato, De re publica, 4,427e-444a (Loeb, pp. 347-417), or Phaedo, 69b-c (Loeb, pp. 239-41).

198-200 Sir. 30,4: mortuus est pater eius et quasi non est mortuus similem enim reliquit sibi post se.

Refulgenciam vero vite ipsius in fama contestetetur Ytalia, contestetetur Romana curia, parum dixi: tota contestetetur ecclesia apud quam tam celebris habebatur ut omnium iudicio summo sacerdocio dignus esset. Verum quia non solum racione doctrine eius fama percrebuit, sed eciam racione recte factorum magnorumque in rem publicam meritorum et potissime in presenti sacro concilio ubi ex omni nacione que sub celo est. Inde eius fama tam optimi cuiusque viri quam multitudinis testimonio comprobatur. Ob hoc vivet in


205 Eze. 18,28 sic

206-8 Lactantius, De opificio Dei, 20,8 (CSEL 27.2.1, p. 64, ll. 12-13): ...profecto nullam aliam ob causam uiuere optauerim quam ut aliquid efficiam quod uita dignum sit.

212-13 Ioh. 6,64 sic
regibus, vivet in principibus, vivet in prelatis, vivet in subditis, vivet in civitatibus, vivet in universitatibus, vivet in doctoribus, vivet in scholaribus. Ita ut sibi dicat scriptura: vivat in novissimo vita tua (Eccles. 4 capitulo).

De refulgencia tandem vite eius in laudibus, cum laus sit sermo elucidans magnitudinem virtutis, ut dicit Philosophus (primo suorum rethoricorum, capitulo 6), quia neque tanti sum ut valeam, neque tanti ut sciam tam preclari viri dignas persolvere laudes, cum Salomone dicam in Proverbiis ipsius: Laudent illum in portis opera eius (Proverb. ultimo), in portis que extrema sunt domus, hoc est in extremis vite, hoc est in morte. Nam nos admonet sermo divinus: Ne laudaveris hominem in vita sua (Eccles. 6 capitulo secundum antiquam translacionem), ac si aperte dicat: Lauda post periculum predicta securum. Lauda ducis victoriam sed cum venerit ad triumphum. Lauda navigantis prosperitatem sed cum pervenerit ad portum (Ambrosius super eodem verbo in sermone de confessoribus).


225 Sir. 2,3: crescat in novissimo vita tua.

226-8 A reference to Aristotles, De rhetorica; not found.

230-1 Prov. 31,31: laudent eam in portis opera eius.

233-4 Sir 11,30: ante mortem ne laudes hominem.

234-7 A reference to Ambrosius Mediolanensis or Ambrosius Autpertus; not found.
Huius profecto viri merita quia in vita condigna laude non fuerunt primata dignum est ut post mortem ampliori laude efficiantur manifesta, ut de quibusdam iustis in 3 dialogorum Gregorius scribit: *papa plus nempe cognoscetur post mortem quam fuerit appreciatus in vita*. *Nam privacio in moralibus magis scire habitud facit*, ut dicit sanctus Thomas in questionibus de malo (questione 5, articulo 2), ut sic ex fructu operum suorum *sit laus eius in ecclesia sanctorum* (Psa. ultimo).

Et ergo cari et domestici eius: *Quoniam mors terribilis est eorum quorum cum morte omnia extinguuntur, non quorum laus emori non potest*, ut scribit Cicero in suis Paradoxis, *cum sit eius memoria in laude* (Eccles. 2). Quin ymmo laus eius *in laudem et nomen* (Soph. capitulo 3), maximeque in conspectu tocius ecclesie, in presencia cuius diem clausit extremum. Siccate lacrimas; mesticiam deponite. Equidem si excessit devoutissimus dominus

---


---

242-4 A reference to Thomas Aquinas, *De malo* (Marietti QD 2, pp. 445-669); not found.

244-5 Psa. 149,1 sic


248-9 Sir. 45,1: ...cuius memoria in benedictione est.

249-50 Sof. 3,19: ponam eos in laudem et in nomen.
terminos intra quos servitur, exceptit illum vera et eterna pax. Non paupertatis metu, non diviciarum cura, non libidinis per voluntatem, animus carpentis stimulus incessitur; non invidia felicitatis alienae tangitur, non sue premitur. Tandem ibi consistit ubi nil eum pellat, nil eum terreat (Moralis ad Marciam et simualiter Petrus Damiani in sermone quo supra). Equidem si tam ex divinis quam humanis scripturis: Omnibus qui patriam conservaverint, adiuverint, auxerint certum est esse in celo definitum locum ubi beati sempiterno evo fruuntur, ut in 4 De re publica Cicero sentit. Multo magis hiis qui pro ecclesie conservacione, pro ecclesie reparacione laborantes assidue in laborando mortem incurrerunt. Sic enim et devotissimus dominus coronabitur quia legitime certavit (2 Ad Corin. 2 capitulo). Ita


252-7 Seneca, Ad Marciam de consolatione, 19,6 (Loeb 2, p. 66): Excessit filius tuus terminos intra quos servitur, exceptit illum magna et aeterna pax. Non paupertatis metu, non divitiarum cura, non libidinis per voluptatem animos carpentis stimulus incessitur, non invidia felicitatis alienae tangitur, non suae premitur.... Tandem ibi constitit, unde nihil eum pellat, ubi nihil terreat.

258 A reference to Petrus Damianus; not found.

259-62 Cicero, De re publica 6,13 (Loeb, p. 264): Alacrior ad tutandam rem publicam, sic habento: omnibus qui patriam conservaverint, adiuverint, auxerint certum esse in caelo definitum locum ubi beati sempiterno aevo fruuntur. The source for this is Macrobius, De somno Scipionis 1,8,1 (Willis, p. 36).

265 II Tim. 2,5: non coronatur nisi legitime certaverit.
ut cum Paulo tandem sibi dicere licuerit: Bonum certamen certavi, cursum consummavi, fidem servavi. In reliquo, id est in posterum, reposita est michi corona iusticie (2 ad Tim. 4 capitulo). Bonum, inquit, certamen certavi carnem, mundum, et dyabolum evincendo. Cursum consummavi statum mortalis vite laudabiliter terminando. Fidem servavi commissa fideliter et diligenter exequendo (Glossa super eodem). Sed quoniam qualis quisque in vita fuerit finis ostendit, ut in Synonimis dicit Isidorus, inde Dei bonitas multiplex ad bonitatem et artifex ad salutem. Postquam de ipso in purgacione culparum, ad excitationem virtutum in cumulum meritorum longa egritudine et penosa experimentum tollerancie dedit reliquid exemplum. Receptis ecclesie sacramentis devotissime lacrimisque perfusis, ipsum in lucis et pacis regione constituit, aut in re ait aut saltem in propinqua spe ut ex operibus vite pie credendum esse non dubitamus. Sic enim factus est in pace locus eius et habitacio eius in Syon (Psa. 75). Quare, vos amici et cari eius, quia levis
est dolor qui capere consilium potest, ut in Troiadem tragediis ait, de felici transitu precolende memorie tam devoti domini, iuxta quod apostolica verba vos admonent, nolite contristari sicud et ceteri qui spem non habent (2 Ad Thess. 4 capitulo). Et hoc, ut videri iam potuit, ob immutacionem vite certioris, ob collacionem status melioris, ob adepcionem fructus plenioris, propter que ab ipso devotissimo prefato domino, ut inquit thema, absorpta est mors in victoria, quam victoriam nobis concedere dignetur ipse Dei filius qui vivit et regnat in secula seculorum benedictus. Amen.