

DOCTORAL THESIS

PREACHERS AND CONFESSORS AGAINST “SUPERSTITIONS”

THE *ROSARIUM SERMONUM* BY BERNARDINO BUSTI

AND ITS MILANESE CONTEXT

(LATE FIFTEENTH CENTURY)

By

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Table of contents

Introduction. Observant Franciscans and “Superstition” as Part of a Broader Picture	1
Previous Scholarship	7
 PART I Preachers and Confessors at the End of the Fifteenth Century. Bernardino Busti and His <i>Rosarium Sermonum</i>.....	10
1. Bernardino Busti and Franciscan Observance	11
2. The <i>Rosarium Sermonum</i> by Bernardino Busti within the Context of Preaching and Confession.....	38
3. Tallying Sins Between the Thirteenth and Fifteenth Centuries. The Use of Classificatory Grids.....	56
 PART II The First Commandment of the Decalogue and “Superstition” in Bernardino Busti’s Sermon 16 of the <i>Rosarium Sermonum</i>	81
1. <i>Superstitio</i> . Terminological and Historical Considerations from the Origin to Franciscan Observants	82
2. “Superstition” and the Decalogue	104
3. Sermon 16 of Busti’s <i>Rosarium Sermonum</i>	108
 PART III From “Superstition” to Witchcraft. Defining the Image of the <i>Malefici</i>.....	127
1. Witchcraft. A Multifaceted Issue	129
2. Busti and the <i>Malefici</i> or How the First Commandment Can Affect the Others.....	136
3. The <i>Ludus Dianae</i> and the Issue of its Reality. Busti and Samuele Cassini’s <i>Questiones Lamearum</i>	154
 Conclusions: Preachers and Confessors “From the Pulpit to the Nave”. A Problem of Behavioural Transformation?	169
 Appendices	180
Bernardino Busti, Sermon 16 of the <i>Rosarium Sermonum</i> (Transcription).....	181
Samuele Cassini, <i>Questiones lamearum</i> (Transcription)	201
 Bibliography	211

Introduction

Observant Franciscans and “Superstition” as Part of a Broader Picture

Already Raoul Manselli, writing on magic and witchcraft in 1976, noted how no people, from those with the simplest technology to those living “the triumph of technological progress,” can really exclude magic from their own mental categories.¹ We see today how predictive those words were. Scholars have recently emphasized, in fact, how the supposed “disenchantment of the world,” predicted by Max Weber at the beginning of the twentieth century, has come up against the fact that “superstition” is still alive in the modern world.² Modern scholars are not the only ones to highlight the permanence of “superstition” in society. Theologians began to write about doctrinal responses to “superstitious” beliefs from the early Middle Ages, however this kind of text increased significantly in a later period;³ from the first half of the fifteenth century a series of preachers began to look at the religious behaviour of the faithful in a slightly different way than earlier. The issue of “superstition” was considered within the problem of the correct form of divine cult. It was in other words intimately connected to the problem of faith, and therefore framed within the discourse concerning sin and the possible multiple schemes used to classify it.

The fifteenth century was a time of increasing pressure on the power structures of the Western Church, which was devoting progressively closer attention to deviations from social and religious norms. “Superstitious” beliefs, along with a number of other issues, were seen as having the potential to threaten the stability of Church control on such structures, first of all the faithful. Thus, it was especially up to the friars of the new religious “Observances,” seeking to re-establish the influence of the Church over the faithful basically through their pastoral duties as preachers and confessors.

¹ See: Raoul Manselli, “Premesse metodologiche,” *Magia e stregoneria nel medio evo* (Turin: Giappichelli, 1976), 1 - 7.

² See: S. A. Smith, “Introduction,” *The Religion of Fools? Superstition Past and Present*, ed. S.A. Smith and Alan Knight (Oxford: Oxford University Press, 2008), 7 ff.

³ See: Jean Claude Schmitt, *Religione, folklore e società nell’Occidente medievale* (It. tr. Rome: Laterza, 1988), 98 - 123; Idem, “Les superstitions,” in *Histoire de la France religieuse*, ed. by Jacques Le Goff and René Rémond (Paris: Seuil, 1988), I, 423ff.

Given these considerations, I shall clarify immediately that this research is situated precisely at the intersection of these three different but complementary areas of exploration: preaching, confession, and the issue of “superstition” with the emergence of ideas involving witchcraft.

The main focus will be on the Observant Franciscan order, more specifically on some representatives of its later phase of development who I define as a “third generation” of friars, mainly preachers and confessors connected to the friary of St. Angel in Milan, active between the second half of the fifteenth century and the first decade of the following century.

In this regard, my main source will be the *Rosarium Sermonum* compiled by Bernardino Busti of Milan (d. 1513), published in Venice in 1498. In particular, sermon 16 deals extensively and specifically with various forms of “superstition,” constituting almost a synthetic but comprehensive tract on the matter, examining them as offences against the First Commandment. Other texts of Observant Franciscans will be considered in a comparative perspective. From this point of view, especially when dealing with witchcraft-beliefs, the analysis will be enlarged to consider some texts written by Dominican friars, in order to highlight the dialogue and the opposition between the representatives of the two main Mendicant orders. The paradigmatic case will be the *Questiones lamearum* (1505), written by an Observant Franciscan particularly linked to Busti and his confrere at St. Angelo’s, Samuele Cassini, and the *Apologia Dodi contra li difensori de le strie* (1506) compiled in reply to it by the Dominican Vincenzo Dodi.

This study is divided into three main parts. The first part will situate Bernardino Busti, his *Rosarium Sermonum* and the other main texts to be used as reference points within the development of the Observant Franciscan movement. Moreover, a discourse on preaching, confession, and the relevance of sin will be approached. Finally, the development of multifaceted grids to classify sin and the final choice of the Decalogue as the main one will be also dealt with. The second part will focus on the core issue of “superstition,” precisely within the specific genre of the pastoral approach based on the Ten Commandments. Within the issue of “superstition” I shall show how the problem of witchcraft-related beliefs arose. The third part will analyse, how a specific Observant Franciscan approach appeared within this context, focused on fifteenth century Milan and Lombardy. Busti’s specific approach, confirmed and deepened by Cassini, was in favour of a confident defence of the unreality of some elements related to witchcraft-beliefs, first of all the mythology of the *ludus Diane*.

A personal memory probably played a role in my interest in analysing some aspects related to a complex phenomenon such as witchcraft-beliefs. I was just a child when my maternal grandfather told us how once he found some barrels in his cellar broken and the mane of his mare completely braided. To my surprised question on who could have done all that, his reply was without any hesitation: “le streghe!” He explained further how witches like to make mischief in cellars. He had once even had a personal experience while hiding with a friend of his among the barrels; they heard a terrible hit on one of them. Too bad I can no longer ask him for details on what I learned too late of the old heritage of tales and myths, apparently and amazingly still meaningful for a vineyard man born in 1911 in the countryside near Rome.

To sum up, the goal of the present research is threefold:

- a) To highlight the place and role of Bernardino Busti and the other preachers belonging to St. Angelo’s in Milan within the development of the Observant Franciscan movement as a whole. This means contextualizing their work in the revival of pastoral efforts shown by the elaboration of preaching and confessional texts;
- b) To identify “superstition” as a specific issue dealt with through the Decalogue, a specific pastoral scheme of a classification of sins. I shall attempt to trace “superstitions” back to their proper thematic areas: “vain observations,” learned or ritual magic, and witchcraft-related beliefs, and analyze the representative features of Busti’s treatment of “superstition” and Cassini’s way of dealing with witchcraft, elucidating their particular line of approach in comparison with that of some Dominicans operating in the same geographical area in the same period;
- c) To evaluate the overall role of the texts analyzed as a means used to moralize and ultimately control the customs and behavior of the faithful. This implies saying something about the relationship/connection between the pulpit and the nave or, in other words, on what made the friar a “fisherman of people,” as Busti himself writes.

Sermons will constitute the major genre of sources that I will be using in this research; I must make it clear that I do not intend to investigate them for themselves. I intend rather to use this type of source to reconstruct a “case study” concerning the treatment of “superstitions,” and within that, the treatment of witchcraft in diverse and more specific texts, such as the one compiled by Cassini. An “eclectic approach,” as suggested by

Kienzle,⁴ will be adopted when dealing with sermons, leaving aside a strictly formalistic approach, since this will allow the possibility of grasping some meaning in a complex and multifaceted issue such as that of “superstition.”

First of all, the texts will be examined to extract some of the Observant Franciscans’ main lines of approach concerning sin in general and the sin of “superstition” in particular. As Marina Montesano has showed,⁵ Observant Franciscan were bearers of a specific way of interpreting “superstition,” placing their own experiences on the pastoral ground within the scheme of classification proposed by Thomas Aquinas, basically relying on the Ten Commandments with the consequent primary importance attributed to idolatry. Busti and the other “third generation” Observants from Milan built their dealings with “superstition” along the lines of the Observant Franciscan tradition dating back to the so-called “four columns” (Bernardino da Siena, Giacomo della Marca, Giovanni da Capestrano and Alberto da Sarteano). However, as I shall highlight especially in the case of Busti, they introduced a much more developed treatment of this issue, both contextualizing it within their general pastoral discourse as preachers and confessors, and taking into consideration witchcraft-related stereotypes more thoroughly, until one of them, the *ludus*, was examined in depth by Cassini. Thus, understanding the process of the formation of the witches Sabbath among educated members of the Church, may benefit from the identification and the categorization of the new interpretive elements which I propose to consider through my sources.

Regarding preaching and confessional texts as devices to moralize and thus change people’s habits, a question has arisen. At the beginning, while thinking about this research, I embraced the hypothesis that some “superstitious” elements, connected to folklore or to forms of “popular” beliefs, lay behind the interpretative lines in which they were presented and identified in sermons, which might be seen a process of “acculturation” introduced to the faithful on a more or less general scale by the preachers. After debates and discussions during seminars and meetings, I have understood that, leaving aside the difficulties related to the use of the concept of “acculturation”⁶ in this context, one would need competences that are far from being in my possession and that would require anyway relying on much wider genres of sources and on the assistance of scholars from several other different domains.

⁴ See: *The Sermon. Typologie des sources du Moyen Age occidental* 81 - 83, ed. Beverly Mayne Kienzle, (Turnhout: Brepols, 2000), 146.

⁵ See: Marina Montesano, *Supra acqua et supra ad vento. Superstizioni, maleficia e incantamenta nei predicatori francescani osservanti (Italia, sec. XV)* (Rome: Istituto Storico Italiano per il Medioevo, 1999).

⁶ See for instance: Alphonse Dupront, *L’Acculturation. Per un nuovo rapporto tra ricerca storica e scienze umane* (It. tr. Turin: Einaudi, 1966).

When possible, I will be relying on the results and suggestions of historical anthropology,⁷ especially when dealing with issues that imply the creation or representation of meanings, symbolism and contacts among various spheres, such as the case of religiosity.

The reason for choosing the Observant Franciscans as a “case study” on the treatment of “superstition” at the end of the fifteenth century was their role in society at the time. The phenomenon of the “Observances,” which spread after the Council of Constance (1414-1418), did not only concern the Franciscan Order. However, Kaspar Elm⁸ has already emphasized to what extent Franciscan Observance distinguished itself from the others in its aim to reform urban society, primarily by means of preaching and as confessors. A series of other scholars, from Bernadette Paton⁹ to Marina Montesano, to Letizia Pellegrini, have pointed to the role played in the society of their time by Observant Franciscans, “the new religious order” of the fifteenth century. Thus, what Pellegrini has defined “the apotheosis of the Observants” mirrors precisely such a situation of their increasing presence on all the main fronts of civic life.¹⁰

Such an emergence of the role of Observant Franciscans revolved around the link between preaching and confession. Rusconi described what for him was a process through which an area of individual consciousness could be strictly subjected to pastoral control on the part of the clergy, which took place especially as a consequence of the promulgation of *canon 21* of the Lateran IV in 1215.¹¹ The offshoots of this disposition were fully developed only a few centuries later, when Observant preachers started to compose texts and manuals whose aim was exactly to produce a means for spreading a culture of penitence. That was much more effective in that century, both for the development of the Observances themselves and for the introduction of movable type printing, of which Observant Franciscans were, without a doubt, massive users.

⁷ For a primary orientation, see: Bob Scribner, “Historical Anthropology of Early Modern Europe,” in R. Po-Chia Hsia and R. W. Scribner (ed.), *Problems in the Historical Anthropology of Early Modern Europe* (Wiesbaden: Harrasowitz Verlag, 1997), 11-35; Peter Burke, “Anthropologists and Historians: Reflections on the History of a Relationship,” *Wissenschaftskolleg Jahrbuch* (1989/90): 155 - 164; Robert Darnton, “The Symbolic Elements in History,” *Journal of Modern History* 58 (1986): 218 - 234.

⁸ Kaspar Elm, “Riforme e Osservanze nel XIV e XV secolo,” in *Il rinnovamento del francescanesimo: l'Osservanza* (Assisi, 1985), 155.

⁹ Bernadette Paton, *Preaching Friars and the Civic Ethos: Siena, 1380 - 1480* (London: University of London, 1996), 325 - 326.

¹⁰ Letizia Pellegrini, “Predicazione osservante e propaganda politica: a partire da un caso di Todi,” in *La propaganda politica nel basso medioevo. Atti del XXXVIII Convegno storico internazionale, Todi, 14-17 ottobre 2001* (Spoleto: CISAM, 2002), 521 - 523.

¹¹ See: Roberto Rusconi, *L'ordine dei peccati. La confessione tra Medioevo ed età moderna* (Bologna: Il Mulino, 2002).

Thus, what Ovidio Capitani has defined as an “everyday law” or a penitential law linked to the annual obligation to confess one’s sins¹² needs to be taken into account in this research. This can be considered an aspect of what Adriano Prosperi has recognized as the long process that, through the late medieval age until the modern times after the Council of Trent, allowed the Church to re-establish its “presence” and “hegemony” - to use his words - in the political and social history of the Italian peninsula.¹³ A coherent line connects various points in all this discourse. Prosperi’s analysis has showed how confession constituted one of the main means through which the Church could base its action to keep the faithful’s souls after the Protestant crisis; then, as I shall point out more precisely, Busti’s *Rosarium* itself was one of the most reprinted manuals for preachers beyond the Council of Trent; finally, at the beginning of the Protestant schism, in 1520, the *Summa angelica*, composed for confessors by Angelo da Chivasso, a confessor of St. Angelo’s in Milan, was publicly burned by Luther as representing Catholic doctrine and a principle source of power.¹⁴ One part of the interest of this research lies, I believe, in identifying the early development of a process whose evolution became clear only later.

As I shall point out, the aim to orientate the faithful through the various times of the liturgical calendar is very clear in the texts I have examined. The aim of Busti’s *Rosarium* was to lead the penitent to celebrate Easter through a large number of doctrinal and pastoral indications provided by the preachers who constituted the readership of his handbook. This is well shown by the consideration of “superstitions” and witchcraft-related elements as offences against the First Commandment, while introducing a preaching cycle the aim of which was to establish doctrinal foundations for the faithful to prepare well for the compulsory Easter confession. From all these points of view, the texts of these later Observants of the Franciscan friary of St. Angelo in Milan represent privileged *loci* of observation.

¹² Ovidio Capitani, “Verso un diritto del quotidiano,” in *Dalla penitenza all’ascolto delle confessioni: il ruolo dei frati mendicanti, Atti del XXIII Convegno Internazionale, Assisi, 12 - 14 ottobre 1995* (Sploeto: CISAM, 1996), 5 - 6. See also: Paolo Grossi, *L’ordine giuridico medievale* (Rome-Bari: Laterza, 1995).

¹³ Adriano Prosperi, *Tribunali della coscienza. Inquisitori, confessori, missionari* (Turin: Einaudi, 1996), ix.

¹⁴ Cf.: Miriam Turrini, *La coscienza e le leggi. Morale e diritto nei testi per la confessione della prima Età moderna*, (Bologna: Il Mulino, 1991), 77; Thomas Tentler, *The Summa for Confessors as an Instrument of Social Control*, in *The Pursuit of Holiness: Papers from The University of Michigan Conference*, ed. Charles Trinkaus with Heiko A. Oberman (Leiden: Brill, 1974), 122 - 126.

Previous Scholarship

The tradition of studying the theme of “superstition” is really too wide to be listed here *in toto*. I will suggest some titles that seem to be basic for a research like mine. The study by Dieter Harmening¹⁵ constitutes a starting point for every considerations of the issue of “superstition”. Jean Claude Schmitt’s works¹⁶ belong to the great overview studies that really established a modern critique of the phenomenon. Aron Gurevich was among the first to provide an inquiry into “superstition” as part of the discourse on popular religion; I shall rely consistently on the themes and indications in his famous *Medieval Popular Culture*.¹⁷

Besides these and other more general or methodological studies on “superstition,” traditionally little or no attention has been paid on the contributions to the issue played by Observant Franciscans. With the exception of the recent study by Montesano, the Franciscan Observants’ approach to the issue of “superstition” does not have a systematic tradition of research behind it. We basically have a few specific contributions as part of more general research on medieval preaching, generally written by historians belonging to the Franciscan order, or a few other thematic essays published by non-religious scholars during the past decades.

Thus, one could start by considering the very old study by Zachariae,¹⁸ or with the research by Zampini and Corrain.¹⁹ However, both essays focus on Bernardino da Siena, constituting rather collections of information and lacking any sort of critical analysis of the material. Raciti²⁰ based his study exclusively on a single sermon, constituting an exercise of the collection of folkloric material. The most important contribution on the issue is without a doubt that of Giovanni Battista Bronzini who differently from the above mentioned scholars, rejects the dry extrapolation of traditions and elements of various origins without giving them a place within the context of the preacher’s activity. Thus, Bronzini considers rightly the preaching of Bernardino da Siena as a cultural product which for this reason can be simultaneously individual and collective in the phase of creation, being the preacher’s own

¹⁵ Dieter Harmening, *Superstitio. Überlieferungs- und theoriegeschichtliche Untersuchungen zur kirchlich-theologischen Aberglaubensliteratur des Mittelalters* (Berlin, 1979).

¹⁶ Cf. note no. 3.

¹⁷ Aron Gurevich, *Medieval Popular Culture: Problems of Belief and Perception* (Cambridge: Cambridge University Press, 1992).

¹⁸ T. Zachariae, “Aberglaubische Meinungen und Gebrauche des Mittelalters in den Predigten Bernardinos von Siena,” *Zs.Ver.Volksk*, 22 (1912): 101 - 122.

¹⁹ C. Zampini, C. Corrain, “Spunti etnografici nelle opere di San Bernardino da Siena,” *Palestra del clero* 15 - 16 (1965): 883 - 905.

²⁰ M. Raciti, “Il De idolatriae cultu di San Bernardino da Siena,” in *Ricerca scientifica e mondo popolare* (Palermo, 1973), 365 - 389.

deed, but collective at the moment of reception and deployment.²¹ This is a rather interesting notion, but then Bronzini probably focuses too much on the role of society and the external environment in the formation, for instance, of the idea of witchcraft, thus neglecting to analyse in more depth the features of the Observants' approach to that issue. Febo Allevi²² has mainly studied the folkloric elements in the preaching of Giacomo delle Marche; he seems to be more interested in the folkloric situation of the Marche region than in the analysis of the traditions inherent in the sermons themselves. More recently, Franco Cardini has dealt with Franciscan Observants especially while writing of witchcraft, although his main focus was not clearly the Observance itself.²³

To the best of my knowledge, the only and most recent research treatment of the issue of "superstition" in Franciscan Observant preachers specifically is the already mentioned book by Marina Montesano,²⁴ who has also devoted a series of other contributions to the issue in various journals and collective books. Thus, for instance in a study published more than ten years ago, Montesano underlines that "the controversy against the magical-superstitious phenomena has had an important role in the preaching context of the Observants," and at the same time she points to:

The scanty attention that scholars have dedicated to the issue of the struggle against magical-superstitious beliefs and witchcraft conducted by Franciscan Observants. Apart from the numerous hints in many studies - she asserts - there is a lack of in depth research focused on this theme.²⁵

Her volume published in 1999 was an attempt to fill such a gap. Montesano's book is chiefly a study aimed at classifying the vocabulary concerning "superstition" as it was employed by some of the major preachers of the Observance, namely Bernardino da Siena, Giovanni da Capestrano, Giacomo delle Marche and Roberto da Lecce. Her intent was to explore the different beliefs they dealt mainly through a sort of linguistic classification.

What I propose here is something substantially different. My aim is to identify what in the preachers' understanding, were "superstitious" behaviours by analysing preachers'

²¹ Giovan Battista Bronzini, "Le prediche di Bernardino e le tradizioni popolari del suo tempo," in *Bernardino predicatore nella società del suo tempo* (Todi: Accademia Tudertina, 1976), 115.

²² Febo Allevi, "Costume, folklore, magia dell'Appennino umbro-marchigiano nella predicazione di S. Giacomo della Marca," *Picenum Seraphicum* 13 (1976): 233 - 307.

²³ See for instance: Franco Cardini, "La stregoneria fra medioevo ed età moderna," *Studi bitontini* 53-54 (1992): 7 - 22; Idem, "Giacomo della Marca e le streghe," in *Santi, monaci, contadini. La Marca tra agiografia e folklore. Atti del Convegno di studio (Ascoli Piceno 21 - 23 giugno 1991)*, ed. Enrico Menestò, (Spoleto: CISAM, 1992), 109 - 146; Idem, *Magia, stregoneria, superstizioni nell'Occidente medievale* (Florence, 1979).

²⁴ Montesano, *Supra acqua et supra ad vento*.

²⁵ Marina Montesano, "L'Osservanza francescana e la lotta contro le credenze magico-superstiziose. Vecchie e nuove prospettive di ricerca," *Quaderni Medievali* 41 (1996): 138 - 151.

specific willingness to consider such behaviours in a different way based on specific ways of classifying them. Thus, for instance, one can find a division between “superstitions” considered as “vain” and others deemed to be more serious and worrying, especially when having something to do with idolatry. In this last case some stereotypes concerning witchcraft-beliefs emerge. Among them a further division between those considered illusory and those considered perfectly real was done by the preacher himself. Specific narrative means helped the preacher to delineate his position on the issues he faced. Thus, the use of *exempla* helped him to better explain his point of view, and give us the opportunity to better analyse the process of the formation and employment of cultural stereotypes under the species of the “myths” and “rites” the preacher hints at.

Such an analysis will point to the pastoral context within which such a consideration of “superstition” by these preachers took place. This means highlighting the specific role of the compiler of these texts as a preacher and confessor, which allows a better understanding of the economy of the whole as part of his pastoral activity and the place of such a discourse within the offences to the First Commandment.

Thus, what I intend to pursue here is a research at the intersection of a number of different domains. The red thread that links them all together is constituted by the features shared by all these preachers and confessors working at St. Angelo’s, one major exponent of which was Bernardino Busti of Milan.

PART I

Preachers and Confessors at the End of the Fifteenth Century Bernardino Busti and His *Rosarium Sermonum*

1. Bernardino Busti and Franciscan Observance

Italian society of the fifteenth century is rich in elements of interest since it is a period that really links the Middle Ages to the following era. In this century, the sense of novelty brought by renaissance and humanistic approaches does not imply that the past was ignored, thus this time constitutes a continuum between old and new categories.¹

The immediately preceding period, which has been called an “era of crisis” for the political and religious universalism, lying between the onset of the Black Death in 1348 and the Council of Constance and the pontificate of Martin V, was a period of transition although it is no longer seen as an era of decline or encroaching darkness.² Still, it opens a door on the core of the fifteenth century, which for social, political, economic and religious reasons is a central period from a comparative perspective. Thus, the struggle among the city-states of the peninsula is balanced by the peace of Lodi in 1454, in an era in which the city-states slowly develop a concept of the modern state and, through the new stimuli of Humanism, in several instances turning into the Renaissance princely courts of the “alliance” between culture and power described by Lauro Martines.³ What is more, the fifteenth century is seen as a period which sees the development of a “market economy”. After 1450 especially, the increase in circulation of goods leads to the development of international markets.⁴ Generally, that implied the need for investments and credits and the evolution of new social and religious issues related to the individuals managing these processes. From the point of view of religion, this period sees the end of the Great Western Schism⁵ and the reunification of the Latin Church, giving new vigor to papal authority. The work of demolition and reconstruction of buildings in papal Rome, and the definitive shift of the pope’s residency from San Giovanni to the Vatican where a new basilica was built, all signaled the rebirth of papal authority.⁶

¹ See the recent collection of essays: Konrad Eisenbichler (ed.), *Renaissance Medievalisms* (Toronto: Center for Reformation and Renaissance Studies, 2009).

² Letizia Pellegrini, “Cultura e devozioni: I frati predicatori, la politica e la vita religiosa in Europa fra il 1348 e il pontificato di Martino V”, in *Vita religiosa e identità politiche: universalità e particolarismi nell’Europa del tardo medioevo* (Pisa: Pacini Editore, 1998), 403 - 404.

³ See: Lauro Martines, *Power and Imagination: City-States in Renaissance Italy* (New York: Alfred A. Knopf, 1979).

⁴ Fernand Braudel, *La dinamica del capitalismo* (It. Ed. Milan: Il Mulino, 1981), 38 - 39.

⁵ For a broad outlook on the Schism see: Renate Blumenfeld-Kosinski, *Poets, Saints, and Visionaries of the Great Schism, 1378 - 1417* (University Park: The Pennsylvania State University Press, 2006).

⁶ Bernhard Schimmelpfennig, *Il Papato* (It. Ed. Rome: Viella, 2006), 263 - 286.

Given this background, the life and pastoral activities of Observant Franciscans contain profound meaning for anyone wishing to understand more of the major themes of debate in that age. In some way they are a kind of litmus test for almost every genre of social and political issue.⁷ But first, it is necessary to clarify what Observance means.

As Mario Sensi noted, the word derives from *observantia* as a substantive stemming from the verb *observare* in the sense of “looking at” or “observing attentively” a rule,⁸ as indicated in canon 12 *De communibus capitulis monachorum* from the Fourth Lateran Council dealing with monastic chapters.⁹

The phenomenon of the Observances spread after the Council of Constance (1414 - 1418) and affected several religious orders¹⁰ aiming to return to the purity of their original rules. The events of the Great Western Schism strengthened solidarity between the mendicant orders and the papacy. On the one hand, in the period following Martin V, popes tended to favour the reformed religious orders; on the other hand, Mendicant friars acquired a privileged position in the administration of pastoral duties, mainly preaching and confession.¹¹ On a more general level, during the fifteenth century and the early decades of the sixteenth century there is a phase of institutional expansion both in religious and political terms. The development of the Observances, therefore, coincided with an intricate relationship with the mid-Northern Italian princely courts: the former seeking protection and the latter spiritual *patronage*.¹²

More specifically, as Kaspar Elm has already emphasized, the Franciscan Observance clearly distinguished itself from other orders in the depth of its desire for

⁷ For an early orientation on Franciscan Observance see: Carl Schmitt, “Osservanti (OFM Oss),” in *Dizionario degli istituti di perfezione*, 6, (Rome: San Paolo, 1980), 1022; Ludovico Brengio, *L'Osservanza francescana in Italia nel sec. XIV* (Rome: Pontificio Ateneo Antoniano, 1963), 38 - 40; Mario Fois, “I Papi e l'Osservanza minoritica,” in *Il rinnovamento del Francescanesimo: l'Osservanza, Atti dell'XI Congresso Internazionale di Studi, Assisi, 20-22 ottobre 1983* (Assisi 1985), 31-105; Duncan Nimmo, *Reform and Division in the Medieval Franciscan Order* (2nd edition, Rome, 1995), 353-645; Mario Sensi, *L'Osservanza francescana: dinamica della sua formazione e fenomenologia*, in Aa. Vv., *Reformbemühungen und Observanzbestrebungen im Spätmittelalterlichen Ordenswesen*, hrsg. Kaspar Elm (Berlin: 1989); and the more recent *Identités Franciscaines à l'âge des réformes*, ed. F. Meyer and L. Viallet (Clermont-Ferrand: Presses Universitaires Blaise-Pascal, 2005).

⁸ Mario Sensi, *Dal movimento eremitico alla regolare osservanza francescana: l'opera di fra Paoluccio Trinci* (Assisi: Edizioni Porziuncola, 1992), 11.

⁹ ...in quo diligens habeatur tractatus de reformatione ordinis et observantia regulari, in *Conciliorum Oecumenicorum Decreta*, ed. Giuseppe Alberigo, Giuseppe A. Dossetti, P. Joannou, Claudio Leonardi, Paolo Prodi, Hubert Jedin (Bologna: Istituto per le Scienze Religiose, 1972), 241.

¹⁰ Schmitt, “Osservanti (OFM Oss),” 1022.

¹¹ Roberto Rusconi, “Manuali milanesi di confessione editi tra il 1474 e il 1523,” *Archivum Franciscanum Historicum*, 65 (1972): 110; for an overview of this period, see: Schimmelpfennig, *Il Papato*, 243 - 261.

¹² Gabriella Zarri, *Le sante vive. Cultura e religiosità femminile nella prima età moderna* (Turin: Rosenberg & Sellier, 1990), 22 - 23.

reform.¹³ Zelina Zafarana has pointed out how there was a self-awareness among the Franciscan Observants themselves, basically centred on the role played by Bernardino da Siena. Thus, Giovanni da Capestrano in 1451 could write: *Sed postquam officium praedicationis in Italia renovatum est per sanctum Bernardinum et tandem per me miserum peccatorem, tunc est renovate Italia cum praedicationibus*.¹⁴ The friars had a strong sense of self-awareness in terms of the need to revive preaching practices.

Overall, the spirit of reform represented by the Observant Franciscans has been seen as coinciding with the aim of spreading particular religious values on to the laity, often following a program that was far stricter than that of their Conventual brothers.¹⁵

The Observant Franciscans seemed to have been unequalled in the way they interpreted their role of urban preachers. They knew how to effectively use captivating means of “social communication” geared towards reforming the civic customs of their ever increasing *audience*. This was even more true after the introduction of movable type or *ars artificialiter scribendi*, which has been seen as one of the most important technical innovations of the time.¹⁶ Use of this technology enabled the Observant Franciscans to maintain a more dynamic and productive relationship with their audience than friars from different religious orders.¹⁷ Thus, ultimately, the ability to be more effective “mass communicators”, should be considered one of the reasons for their success in reinterpreting and renovating the role of preaching as a means to transmit specific messages. After all, it has been pointed out how preaching can be recognized as the soul of pastoral care since it had the power, unlike liturgical means, to transmit to people concepts otherwise destined to

¹³ Kaspar Elm, “Riforme e Osservanze nel XIV e XV secolo,” in *Il rinnovamento del francescanesimo: l'Osservanza*, 155; See also: Marina Montesano, “L'Osservanza francescana e la lotta contro le credenze magico-superstiziose. Vecchie e nuove prospettive di ricerca,” *Quaderni Medievali*, 41 (1996): 138 - 139

¹⁴ Zelina Zafarana, “Bernardino nella storia della predicazione popolare,” in *Da Gregorio VII a Bernardino da Siena. Saggi di Storia medievale*, ed. Ovidio Capitani, Claudio Leonardi, Enrico Menestò, Roberto Rusconi (Florence: La Nuova Italia Editrice, 1987), 250.

¹⁵ Thus, for instance, with regard to feminine customs: “unlike more moderate Conventual preachers, Bernardino rejects even the modest ornamentation of women to please their husbands. ...Overall, the clothing recommended for young lay women corresponds closely to that worn by nuns and tertiaries, testifying once more the Observant tendency to impose religious values onto the laity.” Bernadette Paton, *Preaching Friars and the Civic Ethos. Siena, 1380 - 1480* (London: Center for Medieval Studies, Queen Mary and Westfield College, 1992), 325 - 326; although not always successfully, see: Richard C. Trexler, *Public Life in Renaissance Florence* (Ithaca: Cornell University Press, 1991), 54.

¹⁶ Jessica Brantley observes that “Gutenberg’s innovation more than anything else might be adduced to explain the perceived gulf between the medieval and the modern”. Jessica Brantley, “The Prehistory of the Book,” *Publication of the Modern Language Association of America* 124, 2 (2009): 632 - 639.

¹⁷ Cf.: Miriam Turrini, *La coscienza e le leggi. Morale e diritto nei testi per la confessione della prima Età moderna* (Bologna: Il Mulino, 1991), 74 - 75.

remain hidden, thus, functioning as an occasion of “linguistic mediation” by being expressed in the language of the public.¹⁸

At this point, before speaking more specifically of a “later” developmental phase in Franciscan Observance,¹⁹ which saw the heyday of Bernardino Busti and his confreres, it seems worthwhile to outline briefly the history of this development in light of that last phase.

The origins of the order can be traced back to Giovanni delle Valli’s (d. 1351)²⁰ attempt to restore adherence to the original Franciscan ideals through a hermitic experience. It was during this primitive phase that the strict religious spirit was shaped that the Observants later tried to diffuse to the whole society. In 1334, together with four other friars, Giovanni settled in the peace and quietness of St. Bartolomeo di Brogliano, an hermitage established in the woods on the border between Umbria and the mark of Ancona.²¹ To Giovanni, Gentile of Spoleto (d. 1362) succeeded.²² Gentile obtained the written approval for this sort of primitive reform from Pope Clemente VI in the bull *Bonorum operum*, along with the cession of four other hermitages, including the famous “Carceri” of Assisi.²³ The small community went through a period of renunciation and total isolation, a far cry from future developments in the order. Some innovations introduced by Gentile, however, began

¹⁸ See: Letizia Pellegrini, *I manoscritti dei predicatori* (Roma: Istituto Storico Domenicano, 1999), 16.

¹⁹ See: Letizia Pellegrini, “Origini e sviluppo dell’Osservanza minoritica (1368-1517),” in *I Francescani nelle Marche* (Secc. XIII-XVI), ed. Luigi Pellegrini, Roberto Paciocco, Amilcare Pizzi (Cinisello Balsamo: 2000), 54 - 65.

²⁰ *Frater Iohannes de Vallibus sanctitate fulgebat, in Provincia Sancti Francisci precipuus zelator observantie regularis, qui a ministro Generali obtinuit asperum locum de Pisquia (St. Bartholomew of Brogliano), milliaro 7 super Fulgineum, ubi cum Fratibus sibi adherentibus in pura et simplici seu litterali observantia Regule vixit in magna perfectione usque ad mortem, et ibidem sepultus assiduis refulsit miracoli. Abi sto enim fratre Iohanne propagata est, aut originem habuit, familia regularis observantie:* Mariano da Firenze (d. 1523), *Compendium Chronicarum Ordinis Fratrum Minorum, Archivum Franciscanum Historicum* 2 (1909): 641.

²¹ Lucas Wadding, *Annales Minorum, seu trium Ordinum a S. Francisco institutorum*, 7, ad an. 1334, No. 24, (Florence: Quaracchi, 1932), 197. It has been noted how the beginning of Giovanni’s experience within the Observance coincided with a period of offensives against the *fraticelli* of middle-Italy on the part of the pope, insomuch as it has been asked whether Giovanni’s search for such an isolated site in the Umber Valley should be related to the need to find shelter from the “persecution” resulting from the bull of Pope Giovanni XXII *Cum inter nonnullos* (November 1323), which condemned the doctrine of the absolute poverty of Christ, supported by the masters of the Franciscan Order. One has to admit that even if a definite relationship between that first initiator of the Franciscan Observance and the entourage of *fraticelli* has not yet been demonstrated, then the indications of Wadding concerning a connection or friendship between Giovanni delle Valli and Angelo Clareno, spiritual leader of the *fraticelli*, still remain. See: Wadding, *Annales*, 7, ad an. 1334, No. 24, 197; Pacifico Sella “Leone X e la definitiva divisione dell’ordine dei minori (OMin.): la bolla *Ite Vos* (29 maggio 1517),” in *Analecta Franciscana, Documenta et Studia* 2 (Grottaferrata: Quaracchi, 2001), 92 - 93; Sensi, *Dal movimento eremitico alla regolare osservanza*, 16; on the deed of “reduction” of the Franciscan Spiritual movement by the pope see: Mario Sensi, *Le osservanze francescane nell’Italia centrale (Secoli XIV - XV)*, (Roma: Istituto Storico dei Cappuccini, 1985), 1 - 17. On Clareno, the classical reference is Lydia Von Auw, *Angelo Clareno et les spirituels* (Rome: Edizioni di storia e letteratura, 1979).

²² Brengio, *L’Osservanza francescana in Italia*, 49.

²³ Clemens VI, *Bonorum Operum* 13 December 1350, in *Bullarium Franciscanum*, 6, No. 558, 245 - 6.

to diminish the fortune of the young reform movement in the eyes of the order. The “original” way of dressing²⁴ was one cause of the reprimands, but a much greater problem was probably having given hospitality to friars suspected of being *fraticelli*, heretics, or at least of not having denounced them.²⁵ Anyhow, the reform gradually lost the support of the papal *curia*. On the 18th of August 1355, Pope Innocent VI annulled the concessions made by his predecessor to the friars, virtually breaking up the new family.²⁶ That has been seen as a critical moment in the tensions that would arise in the debate on poverty, the main issue being whether to shake things up from inside the Franciscan order as well as its relationships with the papacy.²⁷

Here, Victor Turner’s famous opposition between “structure” and “anti-structure” or *communitas* finds an application. Turner employed this conceptual scheme to describe internal developments in the Franciscan Order. According to his thesis, following a common pattern in the development of social organizations in general, the Franciscan Order came into being as a non-structured *communitas*, eventually naturally developing into a “structural system”, since “spontaneous *communitas* is a phase or a moment, not a permanent condition”.²⁸ In other words, there was a passage from the original *fraternitas* to a better developed *religio*. Stanko Andrić has noted rightly that “in the Franciscan case the memory of the original *communitas* was constantly eroding the established structure. This memory was embodied in the Spirituals”.²⁹ However, this “memory” of the original Franciscan *communitas* resided in the observation *ad litteram et sine glossa* of both the Rule (1223) and the Testament (1226). This represented the main issue, not only for the Spirituals but even for the first Observants³⁰ led by Giovanni delle Valli and then by Paoluccio Trinci. Moreover, what Andrić relying on Turner calls a “memory” was, I believe, something more: not only memory but rather a still topical and actual need to comprehend (or better, to live) fully the core of St. Francis’ intuition. This would be shown by St. Francis himself, who in his Testament with regard to the Rule wrote: *simpliciter et sine glossa intelligatis et cum*

²⁴ Those friars dressed in a different and shorter robe compared to other Franciscans, and it is known what a large role the lack of uniformity could have played in the desire to introduce “*novae religiones*”. See: Sensi, *Le Osservanze francescane*, 14 -17.

²⁵ *Comperit eos receptasse aliquos haereticos, vel in fide suspectos, sub spe tamen, ut illi asserebant, eos convertendi, sed in erroribus pertinaces vere abegisse, peccasse tamen, quod cum eis communicaverit in domo, mensa, lecto, et minime correctos, aut correptos dimiserint, neque ut oportebat, denunciaverint Inquisitoribus*: Wadding, *Annales*, 8, ad an. 1355, No. 121, 2. On the issue of the *fraticelli* see: Mario Sensi, “Movimenti di osservanza e ricerca della solitudine: focolai eremitici tra Umbria e Marche nel XV secolo,” in *Identités Franciscaines*, 101 -141.

²⁶ *Reprimit exemptionem locis ord. Min. Carceris, Montis Luci, Eremitae et Iani dictis a Clem. VI concessam, in Bullarium Franciscanum*, 6, No. 683.

²⁷ Sella, “Leone X e la definitiva divisione dell’ordine dei minori,” 100.

²⁸ Victor Turner, *The Ritual Process: Structure and Anti-Structure* (Harmondsworth: Penguin, 1974), 140.

²⁹ Stanko Andrić, *The Miracles of St. John Capistran* (Budapest: Central European University Press, 2000), 11.

³⁰ See: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 11 - 26.

sancta operatione observetis usque in finem.³¹ The fact that the Spirituals linked *simpliciter et sine glossa* to the observing (*observare*) rather than to comprehending (*intelligere*) the Rule³² is actually the core of the issue considered here. That is exactly what makes the way of living the Franciscan ideal as a “spontaneous communitas” something more than just a “memory eroding the established structure”. In fact, it was really with the purpose of “observing” the Franciscan Rule in what was intended to be its authentic spirit that some friars came to form the Franciscan Observance, evidently getting inspiration from the same background of the Spirituals and of other “rigorists”. In other words, the moment of passage from the primitive Franciscan *communitas* or *fraternitas* to the order itself can be viewed as the premise for the growing intervention of the Mendicants in social life.³³

Thus, the initial observant experience, despite its almost immediate but only apparent failure, did nothing but stimulate the issue for the need to reform the customs and ideals of the Franciscan order. Giovanni delle Valli’s project was again taken up by Paoluccio di Vagnozzo Trinci. In 1368 he got permission from the General Minister of the Order to readapt the old hermitage of Brogliano.³⁴ Pivotal in the creation of Paoluccio’s Observance was the inquisition of *fraticelli* promoted in Umbria in the same period he arrived in Brogliano and the protection provided by the bishops of Orvieto and Jaén to Spirituals and *fraticelli*. From here the possibility that such a phase in the Observance’s development might be traced back to a period of leave for those who wanted to observe St. Francis’ Rule and Testament *ad litteram et sine glossa*, in all the purity of their original message.³⁵ Nimmo traces the turning point in Paoluccio’s success as opposed to Giovanni delle Valli’s experience, in the loyalty he had shown at some point to the pope and the order. For example, in 1374 he facilitated the ousting of the *fraticelli* from Perugia.³⁶ To that, the addition of twelve more monasteries to the Observance soon followed. Given the unequivocal “orthodox” characterization of the Order Paoluccio was acknowledged in the role of General Commissary for the reformed community in 1380.³⁷ However, the common

³¹ Francesco di Assisi, *Testamentum*, in Caietanuss Esser (ed.), *Opuscula sancti patris Francisci assisiensis* (Grottaferrata: Quaracchi, 1978), 316.

³² See: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 11 - 12.

³³ See: Giacomo Todeschini, “Guardiani della soglia. I Frati Minori come garanti del perimetro sociale (XIII secolo),” *Reti Medievali-Rivista* 8 (2007): 13.

³⁴ Wadding, *Annales*, 8, ad an. 1368, No. 10 - 11; 246 - 247.

³⁵ See: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 24 - 25.

³⁶ Duncan Nimmo, *The Genesis of the Observance*, in *Il rinnovamento del Francescanesimo, l'Osservanza*. 129.

³⁷ *Non parvum hoc tempore suscepit incrementum nova fra tris Paulutii Trincii congregatio, acquisitis duodecim coenobiis intra provinciae sancti Francisci limites, et altero Forani in provincia Marchiae, quod hoc anno Ludovicus Minister Genralis concessit. Plenam etiam accepit a fratre Matthaeo Amerino Ministro*

background these early Observants shared with others who had different fate, such as the followers of Angelo Clareno should not be underestimated. The Observance, which can be described as a “reform from within”, basically represented the solution for those “heirs of the Spirituals”³⁸ wishing to observe St. Francis’ Rule and Testament more closely without leaving the Order but living a totally contemplative life. They ultimately affirmed themselves as rising above and synthesizing the two initial antithetical movements: conventualism and *fraticellismo*.³⁹

Giovanni da Stroncone succeeded Paoluccio Trinci in 1391. Under his general vicariate the number of reformed friars increased further to approximately two hundred, leading to an initial growth in the reform that gradually spread to the central and northern Italian regions.⁴⁰ It was at Camerino in a will dictated on 28 July 1390 by a noblewoman named Nanzia that the Order was defined for the first time as *Ordo de Observantia regulae*.⁴¹ This denomination received official recognition in a decree at the Council of Constance.⁴²

However, it was only with the entrance of the “four pillars”⁴³ or mainstays of the Observance - Bernardino da Siena (d. 1444),⁴⁴ Giovanni da Capestrano (d. 1456),⁴⁵ Giacomo della Marca (d. 1476)⁴⁶ and Alberto da Sarteano (d. 1450)⁴⁷ - that the reformed movement went through a new and distinct phase of detachment from the initial hermitic ideals, heading both for cities and inhabited areas, with a renewed missionary spirit

Provinciali potestatem loca ista regendi, et Fratres, quo placeret, amandandi. Wadding, *Annales*, 9, ad an. 1380, No. 29, 49.

³⁸ Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 26.

³⁹ Cf.: Mario Sensi, *Storia di bizzocche tra Umbria e Marche* (Roma: Edizioni di Storia e Letteratura, 1995), 353; See also: Sensi, *Le osservanze francescane nell'Italia centrale*, 53.

⁴⁰ Wadding, *Annales*, 9, ad an. 1415, no. 29, 473.

⁴¹ ...*uni ex aliis fratribus de dicto loco et ordine qui sit de observantia regule*: Bernardino Feliciangeli “Le memorie del Convento di S. Pietro di Muralto e l’origine dell’Osservanza Minoritica in Camerino,” *Picenum Seraphicum* 7 (1916): 569.

⁴² Wadding, *Annales*, 9, ad an. 1415, No. 7, 371; *Bullarium Franciscanum*, 7, 493, No. 1362; Cf.: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 16, note no. 23.

⁴³ *Hii quatuor viri fuerunt firmissime columpne debilis et parve familie...*: Mariano da Firenze, *Compendium Chronicarum fratrum minorum*, in *Archivum Franciscanum Historicum* 3 (1910): 707.

⁴⁴ See: Raoul Manselli, “Bernardino da Siena,” in *Dizionario Biografico degli Italiani* Vol. 9, 215 - 226; Bernardino da Siena, *Opera omnia* (Florence: Quaracchi, 1950 - 1965).

⁴⁵ See: H. Angiolini, “Giovanni da Capestrano,” in *Dizionario Biografico degli Italiani*, Vol. 55, 744 - 759; *Bibliotheca Sanctorum*, 6, 645 - 654; J. Hofer, *Johannes von Capestrano. Ein Leben im Kampf um die Reform der Kirche. Neue bearbeitete Ausgabe*, (Romae-Heidelberg: Bonmann, 1964 - 1965).

⁴⁶ See: Carla Casagrande, “Giacomo della Marca,” in *Dizionario Biografico degli Italiani*, Vol. 54, 214 - 220; *Bibliotheca Sanctorum*, VI, 387 - 396; *San Giacomo della Marca nell'Europa del '400. Atti del Convegno internazionale di Studi*, Montepandone, 1994 (Padova: Centro Studi Antoniani, 1997).

⁴⁷ See: E. Cerulli, “Berdini Alberto (Alberto da Sarteano),” in *Dizionario Biografico degli Italiani*, Vol. 8, 800 - 804; *Bibliotheca Sanctorum*, 1, 696 - 697; R. Pratesi, “Nuovi documenti sul b. Alberto da Sarteano (d. 1450),” *Archivum Franciscanum Historicum* 53 (1960): 78 - 110.

reinforced by intense and systematic study.⁴⁸ By the fifteenth century, Franciscan Observance had diffused everywhere in Europe,⁴⁹ displaying different features from the primitive movement of Foligno. The request for help in the fight against the *fraticelli de opinione* made by Giovanni da Capestrano on behalf of the other Observants to Pope Martin V in 1418 at Mantova, upon his return from the Council of Constance, and the completion of work on the monastery of St. Bartolomeo di Marano that Ugolino Trinci, prince of Foligno, had begun for his cousin Paoluccio, were more than mere symbolic signs of the important changes in the structure of the Observance. Construction at St. Bartolomeo di Marano ended by 1415, as the epigraph walled-in the porch of the church testifies.⁵⁰ The further development of the Observance is reflected in the fact that the monastery was located much closer to Foligno and less hidden among mountains and woods. The duty to preach came to be at the core of the friars' activities instead of the hermitic-contemplative kind of life led by Paoluccio's friars, some of whom even thought that preaching was *quasi sacrilegium*.⁵¹ This new emphasis on preaching was combined with a more precise attention to orthodoxy. All "four pillars" of the Observance were or had been fierce fighters against the *fraticellismo* and the so-called doctrine of the Free Spirit in Central Italy. Their adepts were traditionally called "beghards" for men and "beguines" for women. They wished to live an apostolic life half way between the religious and the secular, however beyond religious rule and often *de facto* out of Church control.⁵² Pope Martin V was particularly aware of the potentiality of preaching as an instrument of propaganda for orthodoxy. As Letizia Pellegrini has noted, in 1428 during a crucial phase of the fight against the *fratres de opinione seu fraticelli*, the pope ordered the destruction of the castle of Maiolati in the Marches and the accused to be burned at the stake. Significantly, he also planned a *virum religiosum ad predicandum Verbum Dei* to explain to the people what was going on.⁵³

Thus, Franciscan Observant preaching appears to have been an instrument that in many ways lent itself well to the papal needs to redefine *christianitas*. This was a

⁴⁸ In a letter dated 6 February 1444, John of Capestrano recommends studying as an essential instrument for success in preaching: See: *Archivum Franciscanum Historicum* 11 (1918): 127 - 31.

⁴⁹ For the characteristics of the Observance in various regions of Europe, see: *Identités franciscaines à l'âge des réformes*, ed. Frederic Meyer and Ludovic Viallet (Clermont-Ferrand: Presses universitaires Blaise-Pascal, 2005), Chapter 2.

⁵⁰ For the transcription see: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 184.

⁵¹ Sensi, *Storia di bizzoche tra Umbria e Marche*, 353.

⁵² See: Robert Lerner, *The Heresy of the Free Spirit in the Later Middle Ages* (Los Angeles: University of California Press, 1972), 36 - 37; See also: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 65 and note n. 157.

⁵³ Letizia Pellegrini, "Predicazione osservante e propaganda politica: a partire da una caso di Todi," in *La propaganda politica nel basso medioevo, Atti del XXXVIII Convegno storico internazionale, Todi, 14 - 17 Ottobre 2001* (Spoleto: CISAM 2001), 520 - 523.

Christianity that was increasingly seen as an “area to be defended” from internal enemies, such as the *fraticelli*.⁵⁴ It has been highlighted how the papal “investiture” in the Observants’ action against the *fraticelli* and their model of poverty meant legitimization of both their ecclesiastical status and their choices concerning poverty. Their views of poverty had finally become “orthodox, compatible with the stance taken by the pope and of the catholicity in general”.⁵⁵ Thus, it was no accident that towards the end of his life Bernardino da Siena indicated in the *usus moderatus* - rather than in the *usus pauper*, as Sensi pointed out - the correct observance of poverty.⁵⁶ Bernardino therefore by-passed the literal observation of the Franciscan rule promoted by *fra*’ Paoluccio, and in fact, opened the way for a “mixed life” in which preaching and confession soon emerged as central components, making *cura animarum* possible through an intense return to study.⁵⁷

The distinguishing aspect of the Franciscan Observance therefore lies in this transformation from an “inner” movement of reform to a religious order in itself.⁵⁸ To the search for sanctity in retreat, the Order put side by side and finally replaced the proclamation of specific “models” for society,⁵⁹ in the passage from a “first generation” of hermitic Observants to a “second generation” of real urban missionaries. Grado Giovanni Merlo has seen this change as a renewal of the Franciscan movement, representing it as a shift “from the desert to the multitude” (“dal deserto alla folla”), from hermitic solitude to the conquest of towns. In this regard, the first phase was well represented by the rugged mountains between Foligno and Camerino where the hermitage of Brogliano lay, while the second phase was reflected by the impressive figures of famous urban preachers. However, as

⁵⁴ Pellegrini, “Predicazione osservante e propaganda politica,” 524.

⁵⁵ Pellegrini, “Predicazione osservante e propaganda politica,” 521.

⁵⁶ *Fratres non tenentur ex sua professione ad alium arctum usum rerum ... secundum regulam et omnimodam veritatem moderatus usus rerum ad vitae sustentationem et officiorum sui status executionem, praeterquam de pecunia, concessus est Fratribus*: Wadding, *Annales*, ad an. 1440, No. 102, 117.

On the issue of Franciscan poverty see: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 67; and for a more general overview: Giacomo Todeschini, *Ricchezza francescana. Dalla povertà volontaria alla società di mercato* (Bologna: il Mulino, 2004).

⁵⁷ Cf.: Sensi, “Movimenti di osservanza e ricerca della solitudine,” 130.

⁵⁸ In this regard, the promulgation of the bull *Ut sacra Ordinis minorum religio* by Pope Eugene IV - drawn up by John of Capestrano - on 11 January 1446 but published on 23 July, which ratified the autonomy of the Observant family from the Conventuals was of great importance. It prevented any intervention on the part of provincial ministers on monasteries given to the Observance. The bull also prescribed acknowledgment of the authority of the vicar general of the Order to the general minister, who was to be elected with full autonomy. This division received its final confirmation in Pope Leo X’s bull *Ite vos in vineam meam* from 29 May 1517. It is really because of John of Capestrano’s efforts that numerous monasteries switched to the Observance from the “regular” Franciscan obedience and new foundations were erected, mainly in his home land in present day Abruzzo. See: Giacinto D’Agostino, *San Francesco e i Francescani negli Abruzzi* (Lanciano: Carabba - Masciangelo Ed., 1929), 3 and 294.

⁵⁹ This theme was particularly studied by Rusconi. He analyzed the literature of the 13th - 15th centuries and spoke could speak of a process of “transmission and control of behavioral models.” See: Roberto Rusconi, *L’ordine dei peccati. La confessione tra Medioevo ed età moderna* (Bologna: Il Mulino, 2002), 57.

Merlo himself has highlighted, one should not see in such a development too rigid a division of the Observance into two distinct phases.⁶⁰ The hermitic dimension is undoubtedly present in the subsequent stage of pastoral commitment, inspiring through its adherence to a model of evangelic life close to the purity and poverty of Christian origins. This model appears in Observant Franciscan iconography where the two themes of St. Francis receiving the stigmata and St. Jerome in the desert are combined during the first half of the fifteenth century. This characterization reached its peak after the Council of Trent.⁶¹

The resumption of itinerant preaching was central to the activities of these preachers, especially for the “four pillars”. It was especially under the urging of Bernardino da Siena that the Observants assumed a way of life in which the role of preaching gradually came to dominate. Sensi has pointed out how those great reformers of civic customs were able to fill in the gaps left by the pastoral care of their time thanks to their focus on preaching and confession. Their role as confessors for lay people, the female religious communities of *bizzoche* and the elites of the cities in which they held their preaching cycles, was linked to the strict connections that they established with the local nobility, as the case of the Trinci family in the area of Foligno shows.⁶² In their urban preaching one finds a progressively growing interest in “social” themes, directed in some way to the introduction of changes in the customs of the populace at large. Thus, for instance, after having delivered sermons against vanities, such as make-up and female cosmetics, cards, gaming tables, and tools in other genres, preachers eventually set out the so-called “bonfires of the vanities”⁶³ in order to destroy all the symbolically negative and dangerous burden carried by such items in the eyes of the preachers.

A recent study has stressed what is called “a new phase” in preaching practice: an effort to adapt the discourse to the audience, where the words became a medium to mark reality and educate the masses through a specific and characteristic way of preaching.⁶⁴ This

⁶⁰ See: Giovanni Grado Merlo, *Tra eremo e città. Studi su Francesco d'Assisi e sul francescanesimo medievale* (Assisi: Edizioni Porziuncola, 1991), 131. The “renewal” of the Franciscan movement consisted in his mind: “nel sapere sviluppare un linguaggio capace di coinvolgere l’emotività delle folle e di soddisfare le esigenze del potere;” quotation from: Merlo, *Tra eremo e città*, 146.

⁶¹ See: Fabio Bisogni, “Iconografia dei predicatori dell’Osservanza nella pittura dell’Italia del nord fino agli inizi del Cinquecento,” in *Il rinnovamento del francescanesimo. L’Osservanza*, 234 - 236.

⁶² See: Sensi, *Dal movimento eremitico alla regolare osservanza francescana*, 108 - 115.

⁶³ Gábor Klaniczay, “The bonfires of the vanities and the Mendicants,” in *Emotions and material culture. International round table-discussion, Krems an Der Donau, October 7 and 8, 2002* (Wien: Österreichische Akademie der Wissenschaften, 2003), 31 - 59.

⁶⁴ See: Maria Giuseppina Muzzarelli, *Pescatori di uomini. Predicatori e piazze alla fine del Medioevo* (Bologna: Il Mulino, 2005), 11.

seems to be particularly true in the case of Franciscan Observants, who touched upon every aspect of the complex social and moral life of urban populations. As Marina Montesano puts it,

The pastoral care of the Franciscan Observants is directly related to that of the Dominicans of *Trecento*, mainly because of the fact that didactic-moral themes widely prevail over others. However, the intensity with which such a campaign of evangelization is carried out reaches previously unknown heights, setting itself up as a project for total reform and redefinition of Christian society.⁶⁵

It should be borne in mind that such tendencies can already be traced in thirteenth-century itinerant Franciscan preaching and its urban contextualization.⁶⁶ For some scholars Franciscan Observance stood at the forefront of the “process” of civic reform, which by means of its preaching aimed at reaching a larger audience than ever before. The historiographical phenomenon created almost an “apotheosis of the Observance”, which has been considered “the new religious order” of the fifteenth century, highlights the use of preaching as a means to equating emotions with behavior.⁶⁷ The Observant Franciscans seemed devoted to bringing their religious values to the laity, generally following a much stricter program than their Conventual brothers.⁶⁸ From that point of view their impact on society was firmer, more programmatic and left a wider scope for subsequent action.

This was also true for Bernardino Busti. He can be considered one of the most representative preachers of the late phase of Franciscan Observance. I call this phase “late” for various reasons. First, as I shall try to show, this was an age of transition between the old medieval schemes and the influence of new humanistic elements. What is more, as Andenna has pointed out, such a stage has been viewed as carrying numerous seeds of decadence from the point of view of religious observance. The daily work of the friars was connected to the political reality of the cities, and the mutual interference between friars and political elites soon became a tangle of religious, economic and political interests. This was truly the situation leading to the necessity of another reform during the first half of the sixteenth century, which was the formation of the Capuchins.⁶⁹ Thus, the stage of which Busti embodies at least some key features, preceded directly a more complicated age whose main

⁶⁵ Montesano, “L’Osservanza francescana e la lotta contro le credenze magico-superstiziose,” 139.

⁶⁶ Cf.: Alberto Ghinato, “La predicazione francescana nella vita religiosa e sociale del Quattrocento,” *Picenum Seraphicum*, 10 (1973): 26 - 29; See also: Mario Sensi, “Predicazione itinerante a Foligno nel secolo XV,” *Picenum Seraphicum* 10 (1973): 141 - 144.

⁶⁷ See: Pellegrini, “Cultura e devozioni,” 409, and Eadem, “Predicazione osservante e propaganda politica,” 521 - 522.

⁶⁸ Paton, *Preaching Friars*, 325 - 326.

⁶⁹ See: Giancarlo Andenna, “Aspetti politici della presenza degli Osservanti in Lombardia in età sforzesca,” in *Ordini religiosi e società politica in Italia e Germania nei secoli XIV e XV*, ed. Giorgio Chittolini and Kaspar Elm (Bologna: Il Mulino, 2001), 371.

task was face the need for an internal reform of the Church and the issue of the Lutheran schism.

To begin with, there are very few certain biographical and chronological data on Busti, in strong contrast to the importance that contemporary sources attributed to him, as outlined by the erudite historian Ludwig Von Pastor in his voluminous book *History of the Popes*.⁷⁰ Thus, we are neither sure about the name of Busti's mother nor even of his own name. Bernardino was the one he assumed when he entered religious life, in honor of the more famous Bernardino da Siena, whose example he wished to imitate.⁷¹ Despite this paucity of information it is therefore relatively easy to reconstruct the main stages of his life. Busti was born in Milan⁷² around 1450 into a well-off, probably aristocratic family.⁷³ After having finished his early studies in his hometown, he moved to Pavia to study law.⁷⁴ Then, between 1475 and 1476,⁷⁵ in the friary of St. Angelo in Legnano, he was given the habit of

⁷⁰ "Dal Registro dei Predicatori, consultato dal Wadding e ora perito per la Rivoluzione francese in Roma, il nome del Busti figurava nella lista tutti gli anni, ovunque richiesto dalle autorità ecclesiastiche o civili. In molte città d'Italia, quando si voleva ascoltare un predicatore rinomato e pieno di zelo apostolico, o per il tempo di Quaresima o per l'Avvento, veniva inviata una commissione speciale al Padre Generale dei Francescani, perché destinasse loro Bernardino de Busti", Ludwig von Pastor, *Storia dei papi*, 3 (Rome: Desclée, 1925), 127.

⁷¹ *Cuius gloriosi Patris vestigia sequi desiderans, sicut et nominis eius appellationem recepi ... unde ad ipsum orationem quandam in exordio meae conversionis feci: Bernardine tuum sumpsi santissime nomen. Fac mea sit gestis consona vita tuis*, Bernardino Busti, *Mariale* (Strasbourg, 1496), part 3, sermon 5, "prologus". Quotation in: *Bernardino de Bustis e il Mariale* (Busto Arsizio: Comune, Convento dei Frati Minori, 1982), 7, note No. 6.

⁷² All the authors report that Busti was born in Milan (see footnote No. 82). However, as it has been noted, it cannot be excluded that his family was native to Busto (nowadays Busto Arsizio, Lombardy) as the etymological root of his surname seems to suggest. It is anyway rather difficult to trace definitively because the parish registers of the Milanese diocese are posterior to 18 July 1564 and the oldest one in the parish of Bellano goes back just to the year 1533, when Busti had already been dead for twenty years. See: A. Palestro, "Il recente riordinamento degli archivi parrocchiali della diocesi di Milano," *Archiva Ecclesiae* 18 - 21 (1978): 130. In a manuscript preserved in the Ambrosian Library in Milan, Diamante Matrinoni senator of Milan, wrote: *Busti a Busto oppido agri Mediolanensis oriundi sunt, cui busta caesorum hostium in Gallorum contra Hetruscos victoria nomen dederunt. Dictum est enim prius Bustum arsum: a bustis arsis, mox corrupte Bustacium, nunc Bustum magnum ad differentiam alterius parvi eodem nomine ob vicinitatem nominate*, quotation in: *Bernardino de Bustis e il Mariale*, 7, note No. 4.

⁷³ His father, Lorenzo Busti, was a judge-councillor and a member of the board of "Doctors" of Milan for forty two years: *Unde cum essem quodam die cum peritissimo in utroque iure Laurentio de Busti quondam patre meo, qui fuit de collegio doctorum Mediolani annis XLII*; See: Busti, *Mariale*, part 2, sermon 9, 37 ff, quotation in: Giuseppe Galli, "Due ignote edizioni quattrocentine della Corona della beatissima vergine Maria di fra' Bernardino de' Busti," in *Miscellanea bibliografica in memoria di don Tommaso Accurti*, ed. Lamberto Donati (Rome: Edizioni di storia e letteratura, 1947), 103, note No. 1. Besides that, we know of a Bernardo Busti, a senator in Milan, and of another Bernardino, belonging to the Order of the knights of Jerusalem. However, the origin of the Busti family remains uncertain, although it is known that since the twelfth century they were given significant political responsibilities in the territory of Milanese. Thus, in 1198, when Milan was split between the factions of "nobili" and "popolo," the Busti were chosen as captains of the former. See: Filippo Argelati, *Bibliotheca Scriptorum Mediolanensium* (Milan: Società Palatina, 1745), I, 2, 245; Pio Bondioli, *Storia di Busto Arsizio: dall'origine al 1470* (Busto Arsizio: La Tipografia Varesina, 1937), 37.

⁷⁴ *Tempore quo ego legali studio operam dabam in civitatem papiensi*, Busti *Mariale*, pars I, sermo 9, f. 46; and pars V sermo 2: quotation in: Roberto Rusconi, "La predicazione francescana sulla penitenza alla fine del Quattrocento nel Rosarium Sermonum di Bernardino Busti," *Studia Patavina* 22 (1975): 72, note No. 23.

⁷⁵ *Firmamentum Trium Ordinum* (Paris: 1512), part 3, f. 39. The actual year of his admittance to the Franciscan Order has been questioned, considering the fact that Galeazzo Maria Sforza, duke of Milan, irritated by the outcome of Carcano's preaching activity, exiled him from the territory of Milan between the beginning of

the Observant Franciscan by the provincial vicar of the Order, Michele Carcano (d. 1484),⁷⁶ to whom he owed much of his own work and considered his role model.⁷⁷ It seems that he spent considerable time in the city where he was ordained, widening his theological knowledge and restoring the old library of the friary.⁷⁸ Between 1482 and 1483 he resided in Milan, where he subsequently became well known for his preaching and missionary spirit. His reputation led him to be invited to preach his sermons on many town squares in Northern Italy.⁷⁹ In 1488, Busti was guardian of the friary of St. Angelo in Milan. A brief report from an unedited manuscript preserved *in loco* suggests this, since it recounts a request for an ordeal to be held in the same friary just the period in which he is said to have been its superior.⁸⁰ In addition, Busti is remembered as the propagator of the Third Franciscan Order, a tireless defender of *Montes pietatis* (pawn-broking), as well as a decisive defender of devotion to the “Holy Name of Jesus”, to Mary and to St. Joseph. Not much more is known about him, except for the fact that while preaching in Modena in 1498 he was called to Reggio Emilia by the College of the Elders in a letter dated 4 April to preach for the local *Mons pietatis*.⁸¹ In 1513 he preached in Ravenna for the building of the

1475 and 1478. Only after Galeazzo’s assassination could Carcano again enter Milanese territory. All that considered, it seems possible that Bernardino was admitted into the Order no later than 1474. See: *Bernardino de Bustis e il Mariale*, 9 note No. 7 and 11.

⁷⁶ Born in Milan in 1427, he travelled over almost all of Mid-Northern Italy preaching in its main cities, such as Mantua in 1454, Florence in 1455 and in 1467, Milan in 1460 and in 1471, Perugia in 1462, Bologna in 1464, in 1469 and in 1473. Moreover, Carcano seems to have been particularly skilled striking the right note to enter into the good graces of common people although he was followed by and even surpassed by Busti in this regard. See: Roberto Rusconi, “Carcano Michele,” in *Dizionario Biografico degli Italiani*, 19, 43 - 64; Idem, “Michele Carcano da Milano e le caratteristiche della sua predicazione,” *Picenum Seraphicum* 10 (1973): 196 - 218.

⁷⁷ Cf. For instance: Busti, *Rosarium*, part 2, sermon 27.

⁷⁸ *Legnanum et Varisium situm est, populo frequens et agrum fertilissimum. Non longe distat Ubservantum coenobium sub invocatione sancti Angeli ... in media quercea et amoenissima silva ... Hic suscepit habitum Bernardinus a Busto, auxitque bibliothecam quae magna fratrum incuria ex bene instructa ad nihilum ferme redacta est*, Wadding, *Annales*, no. 81, 441. On the history of the friary see: Paolo Maria Sevesi, “Il convento di S. Angelo di Legnano,” in *Archivum Franciscanum Historicum* 21, 1 (1928): 104 - 126.

⁷⁹ See note 70 above.

⁸⁰ The quotation is the following: *Mi meravigliai anch’io dell’ardore e dello zelo col quale i miei religiosi sudditi, essendo io superiore della comunità di S. Angelo in Milano, si offrivano con trasporto e decisione somma a sfidare un predicatore che negava l’Immacolata Concezione con la prova del fuoco, in pubblica piazza* (“I was surprised at the ardour and zeal by which my religious confrats, while I was the superior of the community of St. Angel in Milan, offered themselves to challenge by means of the proof of fire in the public square, a preacher who denied the Immaculate Conception”). The author of the article omits further details on the manuscript, its character and consistency. See: *Bernardino de Bustis e il Mariale*, 9 note No. 11.

⁸¹ *Questo nostro Monte de pietade haueria bisogno de sussidio spirituale per poter anche conseguire il temporale; et hauendo noi per esplorato et prospecto de Quanto adiutorio alias gli sia stata la paternità vostra cum le sue fervide prediche, pregamo di venire di nuovo a Reggio a predicare* (“Our pawn broking would need spiritual help in order to obtain the worldly one; and since we have understood and pondered how much help you managed to give to it by means of your fervent sermons, we ask you to come preaching again in Reggio”). See: Andrea Balletti, *Il santo monte della Pietà di Reggio nell’Emilia: Ricerche storiche* (Reggio nell’Emilia: Emiliana Edit., 1930), 76.

convent of the Clarisses dedicated to St. Apollinare. He died between 1513 and 1515, and was buried in the friary of Santa Maria della Misericordia in Melegnano (Lombardy).⁸²

Busti properly belonged to neither the first hermitic Observance that terminated almost straight away, nor to the second generation of the “major” Observants dedicated to preaching and public commitment. He has been described as a prolific author, although he was really more a systematic and intelligent compiler than an original writer. It is precisely in the collection and compilation of elements taken from various sources and traditions - as Busti himself indicates - that one of the main features of the preaching of these “late” Observants’ can be recognized.⁸³ A number of names can be considered part of such “late” or third generation Observant Franciscans. Among the first of them, Antonio da Vercelli (d. 1483),⁸⁴ Cherubino da Spoleto (d. 1484),⁸⁵ Michele Carcano, Bernardino da Feltre (d. 1494),⁸⁶ Roberto da Lecce (d. 1495)⁸⁷ and Marco da Montegallo (d. 1496).⁸⁸ These preachers were still old enough to have had contacts with the elders of the “pillars”, primarily Giacomo delle Marche and Giovanni da Capestrano, thus creating a sort of direct and living link with their tradition. All the preachers belonging to this late phase share a similar approach to preaching as a didactic-catechetical means, which often lead to the production of “encyclopedic” pastoral works and collections of sermons soon spread by means of movable type printing.⁸⁹ The aim of this preaching was to strongly effect the social situation in the cities as well as on the faithful’s personal behavior, since it addressed issues that had heavily impacted the life of citizens. Such was the case of usury to which the

⁸² A. Alecci, “Busti (de' Busti, de Bustis, de' Bustis, da Busto), Bernardino,” *Dizionario Biografico degli Italiani*, 15, 593 - 595; Wadding, *Annales*, 15, an. 1492-1515, 261 - 262; Giovanni Giacinto Sbaraglia, *Supplementum et Castigatio ad Scriptores Trium Ordinum S. Francisci* (Rome, 1908), 1, 133 - 134; Nicholas Glassberger, “*Chronica Ordinis Minorum Observantium*,” *Analecta francescana* 2 (1887): 396 ff.; Enrico Sedulio, *Historia Seraphica* (Antwerpen, 1613), 115.

⁸³ Cf.: Rusconi, “La predicazione francescana sulla penitenza,” 71 ff. In the *proemium* to the *Rosarium* Busti writes: ... *multorumque predicatorum piis votis annuere volens Rosarium hoc Sermonum predicabilium composui in quo omnia ad humanam salutem pertinentia: per varios codices dispersa congessi.*

⁸⁴ Roberto Pratesi, “Antonio da Vercelli,” in *Dizionario Biografico degli Italiani*, 3, 580 - 581; Paolo Evangelisti, “Un non-umanista consigliere politico di Lorenzo il Magnifico. Etica politica ed “arte dello stato” nel Memoriale e nelle lettere di Antonio da Vercelli, osservante francescano (marzo-maggio 1478),” *Ovidio Capitani, Quaranta anni per la Storia medievale*, 2, ed. M. C. De Matteis (Bologna: Il Mulino, 2003), 167 - 187.

⁸⁵ Roberto Rusconi, “Cherubino da Spoleto (da Negroponte),” in *Dizionario Biografico degli Italiani*, Vol. 24, 446 - 453; Paton, *Preaching Friars*, 67-69; L. Canonici, “Fra Cherubino da Spoleto predicatore del secolo XV,” *Studi Francescani* 92 (1995): 107-125.

⁸⁶ *Bibliotheca Sanctorum*, (Roma: Città Nuova, 1998), 1289 - 1294; Muzzarelli, *Pescatori di uomini*.

⁸⁷ Zelina Zafarana, “Caracciolo, Roberto (Roberto da Lecce),” in *Dizionario Biografico degli Italiani*, Vol. 19, 446 - 452; Oriana Visani, “Roberto Caracciolo e i sermonari del secondo Quattrocento,” *Franciscana* 1 (1999): 275-317; Eadem, “Giacomo della Marca e Roberto da Lecce: due grandi operatori culturali a confronto,” *Picenum Seraphicum* 20 (2002): 33 - 47.

⁸⁸ Silvano Bracci (ed.), *Marco da Montegallo (1425 - 1496). Il tempo, la vita, le opere* (Centro Studi Antoniani: Padova, 1999).

⁸⁹ Rusconi, *L'ordine dei peccati*, 188.

foundation of *Montes pietatis* was linked. In that case, economic worthiness was immediately associated with a moral meaning. Marco da Montegallos *La tabula della salute*⁹⁰ is in this regard particularly representative. The “salute” or health of which Marco speaks has both physical and spiritual connotations, therefore representing - even iconographically - the double meaning and the centrality of the *mons* as a means of reaching heaven and thus salvation by acting charitably in life.⁹¹ This group of preachers was described by Muzzarelli as a “network of fishermen of people”: the connection and mutual admiration among them was such that it could even happen that Carcano would move aside to let Bernardino da Feltre speak in a given square. This happened in Milan in 1480. Bernardino returned the compliment with Carcano in Mantova in 1481 and Cherubino gave way to Bernardino to allow him to preach to the general Chapter of the Order in 1484.⁹² To a certain extent, the preaching of all these preachers was interchangeable because they even shared themes and techniques. What I am hinting at here is the existence of a circularity of ideas and common experiences. This might be connected to the process that has been described by Augustine Thompson as a “network of human relations”,⁹³ which indicates the existence of mutual and interconnected influences between the preacher, the message and the audience. This is a notion I shall return to at the end of this research.

A relevant role was played by a number of preachers and confessors gathered around the friary of St. Angelo in Milan in the development of this stage in the history of Franciscan Observance. This friary appears to have been a link between the tradition of the “four pillars” and more recent followers. As Wadding indicated, a preaching cycle was held in the city by Bernardino da Siena himself in 1418 which encouraged many to embrace the habit of the Observant Franciscan.⁹⁴ Michele Carcano himself probably decided to take the religious vows after listening to Alberto da Sarteano preaching in Milan.⁹⁵ The document registering the passage of the friary of St. Angelo outside the “porta nuova” in Milan, from

⁹⁰ Printed in Venice in 1486. See: *Indice Generale degli Incunaboli* 6166; *ISTC No:* im00258000; *Gesamtkatalog der Wiegendrucke:* M20868; and in Florence in 1494: *Indice Generale degli Incunaboli* 6167; *ISTC No:* im00259000; *Gesamtkatalog der Wiegendrucke:* M20855.

⁹¹ See: Muzzarelli, *Pescatori di uomini*, 72.

⁹² Cf.: Muzzarelli, *Pescatori di uomini*, 188 - 189.

⁹³ See: Augustine Thompson, *From Texts to Preaching: Retrieving the Medieval Sermons as an Event*, in *Preacher, Sermon and Audience in the Middle Ages*, ed. Carolyn Muessig (Leiden: Brill, 2002), 18.

⁹⁴ *Tunc multi contempta penitus huius mundi vanitate, ad Deum converse adolescents, Religioni sanctae, sese dicarunt. Quod principium fuit eius sancti gregis, qui sub Francisci ordinatione stricte vivens, nunc admodum crevit. Magnum fuit tunc propositum sanctitatis monumentum, antea insueum, videre tot nobelium, clarorumque virorum filios delicate omnes splendideque educatos, ad tantam humilitatem, sua sponte deiectiones pro pretiosis vilissimas vestes induere, pro electis tennos cibos capere, pro mollibus plumis duris in stratis recumbere.* Wadding, *Annales*, ad an. 1481, 15; Cf.: Paolo Maria Sevesi, “Il Beato Michele Carcano da Milano O.F.M.,” *Archivum Franciscanum Historicum* 19 (1926): 633.

⁹⁵ See: Sevesi, “Il Beato Michele Carcano da Milano,” 634 - 635.

the parish priests of St. Maria Fulcorina to the Observant Franciscans, is dated 18 July 1421.⁹⁶ As Sevesi has pointed out, another document issued by Duke Filippo Maria Visconti on 16 May 1421, could indicate that the Observant friars were already in St. Angelo before that date.⁹⁷ In any case, the relationship of the vast response provoked by Bernardino da Siena's passage to Milan and the establishment of St. Angelo as an Observant friary is clear enough. Still, according to Wadding, it was Bernardino da Siena himself who sent friars from other Italian regions to Milan in order to implement the Milanese Province.⁹⁸ However, during the first half of the fifteenth century the friary grew, becoming a primary center and a sort of headquarters for the Northern Observance. Several other friaries in the Milanese province pivoted around it.⁹⁹ It also became an important center of production for preaching and confessional texts. This activity spread especially after the introduction of movable type printing, which has been defined the major innovation that distinguished "the medieval" from "the modern".¹⁰⁰ A few of the friars who would leave traces in the pastoral theory of the following period actually lived at St. Angelo. Thus, a document dated 28 June 1467¹⁰¹ testifies to the presence in the friary of Angelo Carletti da Chivasso (d. 1495),¹⁰² Antonio da Vercelli, and Bartolomeo Caimi (d. Milan 1496),¹⁰³ all well-known confessors who would play an important role as sources for Busti's work. Another friar connected to St. Angelo was Samuele Cassini (d. after 1510).¹⁰⁴ As I shall point out later, he had a particular personal connection with Busti himself and his work. Cassini was extremely well versed in Aristotelian philosophy and he was personally involved in the numerous disputes between Dominicans and Franciscans, of which the polemic concerning Savonarola's prophetism

⁹⁶ The deed preserved in the Archivio di Stato of Milan reveals: *Et quia ad civitatem Mediolani iam pluribus mensibus declinarint nonnulla religiosi ordinis minorum de observantia nuncupati in vinea Domini ferentes multum fructum et querentes locum prope dictam civitatem pro usu aliquorum ex fratribus dicti ordinis et habitatione*: quoted in Sevesi, "Il Beato Michele Carcano da Milano," 634, note No. 1.

⁹⁷ See: Sevesi, "Il Beato Michele Carcano da Milano," 633 - 634.

⁹⁸ A S. Bernardino plurimi mittebantur [Mediolanum] fratres ex Etruria et Umbria, ut regerent tirones, Wadding, *Annales*, 13, 239 - 240. Cf.: Sevesi, "Il Beato Michele Carcano da Milano," 633.

⁹⁹ Pasquale Valugani, *Il beato Michele Carcano da Milano* (Milan: Bertolotti, 1950), 103.

¹⁰⁰ Jessica Brantley, "The Prehistory of the Book," *Publication of the Modern Language Association of America*, 124, 2 (2009): 632 - 39.

¹⁰¹ See: Paolo Maria Sevesi, "La congregazione dei Capriolanti e le origini della provincia dei frati minori della regolare osservanza di Brescia," *Archivum franciscanum historicum* 7 (1914): 109.

¹⁰² See: S. Pezzella, "Carletti, Angelo," in *Dizionario Biografico degli Italiani*, Vol. 20, 136 - 134.

¹⁰³ See: C. Gennaro, "Caimi, Bartolomeo," in *Dizionario Biografico degli Italiani*, Vol. 16, 346 - 347.

¹⁰⁴ The exact dates of Cassini's birth and death are unknown. He was a native of Piedmont but no information is available on him after 1510. We are sure that Cassini lived in the friary of St. Angelo for at least a few years after he returned to Milan from France in 1493. See: Michaela Valente, "Cassini (Cassinis), Samuel de," in *Encyclopedia of Witchcraft. The Western Tradition*, I, ed. Richard M. Golden (Santa Barbara: ABC Clio, 2006), 172 - 173; R. Ristori, "Cassini, Samuele," in *Dizionario biografico degli italiani*, 21, 488; Giovanni Zoppi, "Padre Samuele da Cassine e la stampa in Acqui," *Rivista di Storia, Arte e Archeologia per le provincie di Alessandria e Asti*, 60-61 (1951-52): 204 - 207.

was but one aspect. He returns to my research in force when I deal with the issue of witchcraft.

It must be considered whether such a growth process lead to a progressively more intense involvement of the friars in the political and institutional life of the territory. For St. Angelo that basically meant involvement with the ruling families of the duchy of Milan.¹⁰⁵ Duke Filippo Maria Visconti - as mentioned earlier - was the ruler who gave the Milanese Observants a place to settle. However, he was also the last Visconti to rule the duchy. After his death in 1447, an ephemeral republican government lasted only until 1450. In the same year, Francesco Sforza managed to restore the duchy becoming the lord of Milan. He and his wife, the duchess Bianca Maria Visconti, Filippo's daughter, were personally and directly committed to the friars of St. Angelo.¹⁰⁶ The heyday of the friary thus occurred in the period of the first duchy of the Sforza, which ended in 1499 when Ludovico il Moro was defeated by Louis XII and the Milanese territory was invaded by the French army. Those events lead in turn to the creation of the first French duchy that lasted until 1512.¹⁰⁷ As everywhere else in Europe, these were times of fear and violence. They were times in which dramatic changes in the political and social situation of a territory could take place very quickly. The unusual situation of the Observant Franciscans of Lombardy proved particularly intertwined with all the major issues involving the political situation of the duchy. The same tasks related to pastoral care, basically preaching, confession and the organization of the laity in the "Third Orders",¹⁰⁸ constituted the ways through which the connections and also the oppositions between friars and local powers could take shape. Thus, Michele Carcano's preaching activity led him more than once to a stark confrontation with Galeazzo Maria Sforza, the son of Francesco Sforza and Bianca Maria Visconti, both because of the implications of his preaching concerning relationships with Jews, often attacked by him, and because his position was deemed to be not always totally loyal to the Sforza, as during the crisis of the "Capriolanti".¹⁰⁹ In 1471, the "Capriolanti" led by Pietro da Capriolo from Brescia, broke the unity of the Milanese Observance. He wished to constitute an autonomous

¹⁰⁵ The case of Antonio da Vercelli may reflect the traditional closeness of Observant Franciscans to the political power lobbies even beyond the Milanese territory, where he was as a resident of St. Angelo in the 1460s. Antonio acted as Lorenzo de' Medici's personal adviser, addressing at least three letters and a memorial treatise concerning the Medici's power to him after the conspiracy of the Pazzi in 1478. All Antonio's production has been seen as profoundly connected to an action intended for all of urban society through all its different social groups. Cf.: Evangelisti, "Un non-umanista consigliere politico di Lorenzo il Magnifico," 175.

¹⁰⁶ Andenna, "Aspetti politici della presenza degli Osservanti," 351.

¹⁰⁷ See: Domenico Sella, *Lo stato di Milano in età spagnola* (Turin: UTET, 1987).

¹⁰⁸ Cf.: Gabriella Zarri, *Libri di spirito. Editoria religiosa in volgare nei secoli XV - XVII* (Turin: Rosenberg & Sellier, 2009), 63 - 64; 70 - 71; Andenna, "Aspetti politici della presenza degli Osservanti," 332.

¹⁰⁹ Andenna, "Aspetti politici della presenza degli Osservanti," 333 - 340.

religious province gathering together friaries from Brescia, Bergamo and Crema in the Venetian territories. That eventually led to the effective creation of the autonomous Franciscan province of Brescia.¹¹⁰ It seems that Carcano had a better relationship with Galeazzo's wife, the duchess Bona of Savoy. She was particularly devoted to the friars of St. Angelo. Her personal confessor, Giacomo Castiglioni, also came from that friary. She certainly played a role in Carcano's readmission to the Milanese territory in 1478, after Galeazzo's death.¹¹¹

Overall, the interconnection between the friars and political power has been described as the reason for the supposed decadence of the Franciscan Observance towards the end of the fifteenth century. The role of the friars has been seen as too subordinated and intermingled with the political power bases and their interests. An example of this was the case of the preaching for collecting takings to fund the crusades against the Turks after they captured Otranto between 1480 and 1481. The Milanese Franciscan Observance played a primary role in that business, especially through Angelo Carletti da Chivasso and Michele Carcano, but the economic interests of Ludovico Sforza (il Moro) appeared preponderant within the whole affair.¹¹²

This would pair with what has been said by Pellegrini with regard to the need to place preachers within the whole context of the political and institutional dynamics governing the city, in order to understand their role as catalysts of political influence.¹¹³ This idea would help avoid the misleading temptation to over-estimate influence of the preacher as the individual who was always at the forefront of issues and tendencies within the life of the city. On the contrary, sometimes the "pulpit" was conceived as an "instrument of government" by the rulers and thus lived by the preacher himself. Andenna has found confirmation of such an interpretative vision in his analysis of the situation in Milan in the last twenty years of the fifteenth century.¹¹⁴

The situation became progressively more complicated in terms of relationships with the city and its multifaceted realities. Speaking of which, we should say that the friaries of St. Angelo produced some preaching and confessional texts that were altogether representative of a more general tendency to create learned compilation and, at the same

¹¹⁰ Cf.: Paolo Maria Sevesi, "La congregazione dei Capriolati e le origini della provincia dei frati minori della regolare osservanza di Brescia," *Archivum Franciscanum Historicum* 7 (1914): 108 - 121.

¹¹¹ See: Valugani, *Il beato Michele Carcano da Milano*, 173; Andenna, "Aspetti politici della presenza degli Osservanti," 344.

¹¹² Andenna, "Aspetti politici della presenza degli Osservanti," 361 - 371.

¹¹³ Pellegrini, "Predicazione osservante e propaganda politica," 514; 528 - 531.

¹¹⁴ Andenna, "Aspetti politici della presenza degli Osservanti in Lombardia."

time, bearers of important seeds of innovation as well as linked to the most vital issues of the cities' life.

Thus, Busti, as a friar and then in the late 1480s as guardian of St. Angelo, attended to the compilation of his texts relying on a tradition that was well represented by some of the other friars living there. Busti followed Carcano, and through him Bernardino da Siena, in the defense and spread of the belief in the Immaculate Conception, which was among the issues particularly debated and defended by Observant Franciscans in the fifteenth century. Busti defended in the face of opposition from both the Dominicans, who were decisively hostile to this belief, and the personal opinion of his father who agreed with the “maculisti”, the deniers of the principle of the immaculate conception of Mary. In particular, Busti derived the concept of the Immaculate Conception from the idea of Mary as a mediator. By the time she had conceived Christ, Mary acquired a sort of “authority” over all communications of grace. In other words, it was with Busti that the idea of the association and the contribution of Mary to the mission of Christ triumphed.¹¹⁵

One of the most significant actions of Observant Franciscans in a urban context was their preaching in favor of the *Montes pietatis*, in order to oppose usury or the money-lending in exchange for high interests rates as practiced mostly by Jews and widespread in many Italian towns.¹¹⁶ Nevertheless, at least from the twelfth century, mainly due to economic growth, the number of Christians practicing usury increased dramatically leading to competition between Jews and the Christians.¹¹⁷

In regard to this issue, Busti again shows himself to be a follower of Carcano, even relying on some other Observants who were seen as being particularly connected to strong socially and politically oriented actions, such as founding hospitals, reconciling urban factions, and fighting usurers. As has been recently shown by Muzzarelli, one of these Observant Franciscans was Bernardino da Feltre. He almost perfectly embodied that genre of preaching intended to have a strong “social” impact ranging from the foundation of new

¹¹⁵ See: *Problemi di vita religiosa in Italia nel Cinquecento. Atti del convegno di storia della Chiesa in Italia (Bologna, 2 - 6 settembre 1958)*, (Padova: Editrice Antenore, 1960), 281 - 282; See also: *Bernardino de Bustis e il Mariale*, 15 - 17.

¹¹⁶ The scholarship on the topic is vast, but for a first orientation one can rely on: Maria Giuseppina Muzzarelli, *Il denaro e la salvezza. L'invenzione dei Monti di Pietà* (Bologna: Il Mulino, 2001); Eadem, “Un bilancio storiografico sui Monti di Pietà (1956 - 1976),” *Rivista di Storia della Chiesa in Italia*, 32, (1978): 153 - 80; Vittorino Meneghin, *I Monti di Pietà in Italia dal 1462 al 1562* (Vicenza, 1986); Leon Poliakov, *I banchieri ebrei e la Santa Sede dal XIII al XVII secolo* (Rome, 1974); Giacomo Todeschini, “Teorie economiche francescane e presenza ebraica in Italia (1380-1462 c.),” in *Il Rinnovamento del Francescanesimo. L'Osservanza*, 193-227; Idem, *La ricchezza degli ebrei. Mercè e denaro nella riflessione ebraica e nella definizione cristiana dell'usura alla fine del Medioevo* (Spoleto: CISAM, 1989); Idem, *I mercanti e il tempio. La società cristiana e il circolo virtuoso della ricchezza fra medioevo ed età moderna* (Bologna: Il Mulino, 2002).

¹¹⁷ See: Jacques Le Goff, *Your Money or Your Life. Economy and Religion in the Middle Ages* (New York: Zone Books, 1988), 37.

Montes Pietatis in Mantua in 1484, in Parma in 1488, and in Padova in 1491, to the restoration of the hospital of “poveri esposti” or illegitimate children in Pavia in 1493, to the spreading of the “pax romana”, under the direct auspices of Pope Innocent VIII, over Umbria and Perugia, devastated by the usual struggles among political factions.¹¹⁸

Already with Giacomo della Marca we find the figure of a preacher as a “political means”. His sermons in the city of Fermo between 1446 and 1473 were used by the papal authority to subjugate territories whose loyalty to Rome had been often fickle. Carcano himself was a typical representative of this tendency. He preached the merging of small hospitals with “major” ones in Milan in 1456, in Como in 1468, in Piacenza in 1471 and in Crema in 1479, and he preached the first ever *Mons pietatis* in Perugia in 1462.¹¹⁹

The spread of the *montes* in the fifteenth century may be situated within the context of the definite recognition of a new social and economic paradigm that linked the value of time to the needs of production. The lender was said to sell “the time that elapses between the moment he lends money and the moment he is repaid”, which is part of a process placing the emphasis - as Le Goff pointed out - on work and the workers and therefore, in a way, introducing the idea of capitalism.¹²⁰ That led to a rethinking of the meaning of the Christian “value” of absolute poverty. It began to be seen as a non-exclusively positive value, which could be overcome through hard work and personal dedication.¹²¹ Thus, the economic thought of the Franciscan Observants that lay behind preaching in favor of the *montes pietatis* may also have played a role in the perspective of the *longue durée* as bearers of some of the essential requirements of a modern economy.¹²²

Busti’s literary production was particularly connected to core issues in the intellectual debates of the end of fifteenth century. The first part of the *Mariale*,¹²³ which concerns various aspects of Marian theology, in particular the Immaculate Conception and the Marian mediation, was published in Milan in 1492 by Ulrich Scinzenzeler. The whole work came out the following year. It comprised sixty-three treatises in form of sermons, a

¹¹⁸ Muzzarelli, *Pescatori di uomini*, 230 - 248.

¹¹⁹ Cf.: Andenna, “Aspetti politici della presenza degli Osservanti,” 334 - 339; Stanislao Majarelli, Ugolino Nicolini, *Il Monte dei Poveri di Perugia. Periodo delle origini (1462 - 1474)* (Perugia, 1962), 101 - 153; Muzzarelli, *Il denaro e la salvezza*, 18 - 21.

¹²⁰ Le Goff, *Your Money or Your Life*, 39 - 42.

¹²¹ See: Ida Magli, *Gli uomini della penitenza: lineamenti antropologici del medioevo italiano* (Padova: Franco Muzzio Editore, 1995), 52 - 53.

¹²² See: Pellegrini, “Predicazione osservante e propaganda politica,” 525; See also: Todeschini, *La ricchezza degli ebrei*.

¹²³ *ISTC Number*: ib01332500; *Gesamtkatalog der Wiegendrucke*, 5803; *Indice Generale degli Incunaboli delle biblioteche d'Italia*: 2281.

number purposely chosen with the inspiration of Mary's age in mind.¹²⁴ The *Rosarium Sermonum*, which was published revised and corrected by Busti himself in Venice in 1498 by the printer Giovanni Arrivabene,¹²⁵ is a compendium of all the themes to be put in sermon form at any time during the liturgical year and was intended for the use of preachers. I shall describe it more thoroughly later. Bernardino da Feltre encouraged the writing of the *Defensorium Montis Pietatis contra pigmenta omnia aemulae falsitatis*¹²⁶ for the first time in Milan in 1497, as a plea for the Monti's cause.¹²⁷ In this text, Busti defends the lawfulness of loans conceded on payment of minimum interest rates to the lenders, following those - from Bernardino da Siena, to Bernardino da Feltre and Carcano - who believed that a very low interest rate, generally about 5% or 6%, was necessary to maintain the Monti's financial survival. In contrast, the Dominicans and the Augustinians especially considered lending at low interest rates to be a form of usury.¹²⁸ Busti's *Defensorium* was written in reply to the *De Monte Impietatis*, written in 1496 by the Augustinian friar Niccolò Bariani.¹²⁹ Besides those three texts, Busti left behind a series of short devotional treatises and *officii*.¹³⁰

As previously noted, preaching against usury and for the foundation of the *Montes pietatis* was traditionally connected to the anti-Jewish controversy. Beyond any doubt, in fact, it was during the preaching in favour of the creation of the *montes* that the old polemical stereotypes against the Jews reappear.¹³¹ Thus, in the small Umbrian town of

¹²⁴ Cf.: Mariale, pars II, Sermo 5,6, quoted in: Bernardino de Bustis e il Mariale, 15.

¹²⁵ *ISTC Number*: ib01336000; *Gesamtkatalog der Wiegendrucke*, 5807, 5808; *Indice generale degli Incunaboli delle biblioteche d'Italia*: 2285; Hain, *Repertorium*, 4163, 4164. The *Rosarium* was printed again up to the first quarter of the seventeenth century. Cf. the next chapter of this study.

¹²⁶ *ISTC Number*: ib01332000; *Gesamtkatalog der Wiegendrucke* 5802; *Indice Generale degli Incunaboli delle biblioteche d'Italia*: 2280. On the *Defensorium* I could see the unpublished doctoral thesis by Roberto Ferrari, *L'azione dei Minori Osservanti nei Monti di Pietà. Il "Defensorium" di Bernardino de Bustis* (Rome, Biblioteca Alfonsiana, 2000/1).

¹²⁷ *Incipit Defensorium sacratissimi Montis pietatis ... compositum fuit ad complacentiam beati patris fratris Bernardini feltrini eiusdem ordinis, qui sepius ipsum fratrem Bernardinum hortatus est ut aliquid in scriptis redigeret de iustificatione ac utilitate ipsius saluberrimi Montis, dicens ei: Ego libenter video scripta vestra, Defensorium*, f. 17v.

¹²⁸ See: Muzzarelli, *Pescatori di uomini*, 231; Andenna, "Aspetti politici della presenza degli Osservanti," 336 - 337.

¹²⁹ Maria Giuseppina Muzzarelli, "Il Gaetano ed il Bariani: per una revisione della tematica sui Monti di Pietà," *Rivista di Storia e Letteratura Religiosa* 16 (1980): 3 - 19. The whole dispute concerning the interest rates in money lending only ended in 1515 through the constitution *Inter multiplices* issued by Pope Leo X at the 5th Lateran Council. The Pope conceded the application of a minimal interest, justifying it with the need to cover operating costs. See: John Thomas Noonan, *Prestito professionale e istituzionale*, in *L'etica economica medievale*, ed. Ovidio Capitani, (Bologna, 1974), 189 - 208; Muzzarelli, *Il denaro e la salvezza*, 155 - 164.

¹³⁰ *Officium et Missa gloriosissimi Nominis Iesu, Officium et Missa Immaculatae Conceptionis Beatae Mariae Verginis, Officium et Missa de gaudiis Beatae Mariae Virginia, Officium et Missa Sanctae Crucis et Passione Domini, Officium de planctu Beatae Mariae Virginia*. Wadding, *Annales*, 15, an. 1492-1515, 262.

¹³¹ Cf.: *Pro nunc autem solum dico quod utile est communitati et populo habere Montem et eicere Iudeos fenerantes et omnes publicos usurarios, et non eis favere et privilegia illis facere. Qui nam sapiens princeps faceret statutum quod latrones vadant quo volunt?* " *Defensorium Montis Pietatis, pars quarta huius tractatus, que dicitur probabilitatis*, f. 106v.

Spello, the building of the local *Mons* in 1469 led shortly to a massacre of the Jews there, while in 1484, in Mantua, Jews were forced by the city marquis to attend a sermon preached by Bernardino of Feltre on the occasion of the foundation of the local *Mons*. What is more, in Mantua, according to Bernardino's biographer, Jewish women were apparently prevented by their men from hearing the preacher's words through some cotton wool inserted in their ears. It has been suggested that this was done in order to defend their "otherness" as Jews.¹³²

Busti deals with the Jewish issue specifically in his *Consilium contra Iudeos*, which is part of the *Rosarium Sermonum*, in sermon 15.¹³³ The *Consilium* was composed on the occasion of an anti-Jewish trial that had taken place in Milan in 1488 and follows directly his sermon no. 14 *De reprobatione secte pagani, Mahumeti et iudei*, in the *Rosarium Sermonum*.¹³⁴ The trial of 1488 represented a crucial moment for the Jews living in the Milanese territory, since it appears to have broken down the generally good situation they had enjoyed since the time of Filippo Maria Visconti and under Francesco Sforza. In 1456, the latter confirmed all the privileges of which the Jews had so far benefited from for a further ten years.¹³⁵ The events that ended in the trial were triggered by the complaint of a Jew newly-converted to Christianity, who accused 38 Jews of using anti-Christian formulas in their books of prayer.¹³⁶ The sentence was issued on 30 May 1488. Nine Jews were sentenced to death and the others condemned to exile. The personal possessions of all the condemned were confiscated. However, just a few days later, the death sentence and the confiscation of personal property were commuted to a fine of 19,000 ducats, while the expulsion was only carried out by Ludovico il Moro after 1492. Busti's position concerning the "Jewish issue" is clear. He is concerned about their presence since they seemed to him extraneous and separate from the social context in which they live and thus appear to be the cause of possible perturbation in civic life.¹³⁷ The reasons this supposed "otherness" of the

¹³² Cf.: Muzzarelli, *Pescatori di uomini*, 251.

¹³³ See: Busti, *Rosarium*, 102r. - 113r.

¹³⁴ Busti, *Rosarium*, 93v. - 102r. On the trial of 1488 see: Hubert Elie, "Contribution à l'étude du statut des juifs en Italie au XV et XVI siècles. L'opinion de Bernardin de Busti," *Revue de l'Histoire des Religions*, (1952): 70 - 90; Anna Antoniazzi Villa, "Per la storia degli ebrei nel dominio sforzesco: un episodio di antisemitismo nel 1488," *Rassegna Mensile di Israel*, 46, (1980): 323 - 339; Eadem, *Un processo contro gli ebrei nella Milano del 1488. Crescita e declino di una Comunità ebraica lombarda alla fine del Medioevo*, (Bologna: 1986); Eadem, "Appunti sulla polemica antiebraica nel ducato sforzesco," *Studi di storia medioevale e di Diplomatica* 7 (1983): 119-124.

¹³⁵ See: Anna Antoniazzi Villa, *Gli ebrei nel Milanese dal medioevo all'espulsione* (Milano: Sellino, 1993).

¹³⁶ It has been pointed out how "in an economy of violence" the judicial apparatus could be often used as an instrument against the enemy, especially those belonging to minorities. This might well have been the case of a recently converted Jew who, finding himself in a sort of "liminal" status, wanted to accelerate his full acceptance within the Christian community. Cf.: David Nirenberg, *Communities of violence: persecution of minorities in the Middle Ages* (Princeton: Princeton University Press, 1996), 34.

¹³⁷ Anna Antoniazzi Villa, "A proposito di ebrei, francescani, Monti di Pietà: Bernardino de Bustis e la polemica antiebraica nella Milano di fine '400," in Eadem, *Il Francescanesimo in Lombardia* (Milan: Silvana Editoriale, 1983), 50 - 52.

Jews are explained in the *Consilium*. Busti describes the Jew as a possible source of evil through the use of the same stereotypes traditionally found in the description of other “minorities” such as Muslims, lepers, and witches.

Already the sermon *De reprobatione secte pagani, Mahumeti et iudei* shows how Busti placed the Jew in the same group along with other representatives of groups (*secte*) removed from the general context. In this regard Busti is most probably aware of the Spanish tradition of doctrinal controversies. Alfonso de Spina’s *Fortalicium Fidei*, completed in 1460, was simply subtitled “against Jews, demons and Muslims”.¹³⁸ Therefore, even before becoming a money lender, the Jew had to be expelled or imprisoned, as he was by nature, in Busti’s understanding, a vehicle of destabilization and a source of danger to the extent that by his very absence the city might enjoy an increased sense of security. Busti seems to follow a traditional anti-Jewish approach based on rather common literary stereotypes¹³⁹ which he may have learned from his master Michele Carcano, who had preached against the Jews on numerous occasions. Carcano was personally involved in the affair of Simonino da Trento, a child supposedly killed for ritualistic purposes by the Jews in 1475, and also closely connected to Johannes Hinderbach, the anti-Jewish bishop of Trent.¹⁴⁰ At the beginning of his *Consilium*, Busti relates the charges that were the basis for the trial of 1488, therefore attesting his participation in the judgment itself. The Jews were accused of a series of blasphemies to be found in their books and pronounced *in synagogis suis*, during their religious assemblies. They were said to target the name of Jesus and his mother, the trinity, and the Christians who, it was said, they cursed in secret.¹⁴¹ Despite the accusations, Busti seems to adopt a rather moderate stance in the *Consilium*. In fact, he only approved the expulsion of the Jews and the confiscation of their properties, but not their execution, as desired by Ludovico Sforza duke of Milan and the *doctores* who subscribed and approved the *Consilium: ego frater Bernardinus de Busti ordinis minorum: et in fidem*

¹³⁸ Cf.: Villa, “A proposito di ebrei, francescani, Monti di Pietà,” 51.

¹³⁹ Antoniazzi Villa, “A proposito di ebrei, francescani, Monti di Pietà,” 51. Among the traditional charges against the Jews was the “ritual murder” of Christians, especially children, through which, according to the anti-Jewish propaganda, the Jews used to procure the blood needed for their ceremonies: see at this regard R. Po-Chia Hsia, *Trent 1475: Stories of a Ritual Murder Trial* (New Haven: Yale University Press, 1992), which reconstructs the events of the Jewish persecution of 1475 in Trent, following the famous case of Little Simon’s death; there was also the accusations of the “desecration of the host”, that as the host was the most representative element of Christian community and identity, was considered particularly disturbing. Cf.: Miri Rubin, *Gentile Tales. The Narrative Assault on Late Medieval Jews* (London and New Heaven: Yale University Press 1999).

¹⁴⁰ Simonino was one of those children - like Andrea Oxner in 1463 and Lorenzino Sossio in 1485 - who according to a diffused accusatorial stereotype the Jews used to murder to use their blood on the vigil of Passover. See: Ariel Toaff, *Pasque di sangue. Ebrei d’Europa e omicidi rituali* (Bologna: Il Mulino, 2007), 60 ff.; 77 ff. Cf.: W. P. Eckert, “Il beato Simonino negli Atti del processo di Trento contro gli Ebrei,” *Studi Trentini di Scienze Storiche* 44 (1968): 193 - 221; Andenna, “Aspetti politici della presenza degli Osservanti,” 337 ff.

¹⁴¹ Busti, *Consilium*, 103r.

*premissorum manu propria me subscripsi: nullatenus tamen consentiens in aliquam penam corporalem dictis iudeis inferendam.*¹⁴²

What is more, although in Busti's consideration the Jews are primarily "blasphemers" since they reject the Catholic faith, nevertheless his *Consilium* reveals traces of a certain level of openness and respect towards them. He actually writes that "in defence of the Jews" and according to the law they should not be harassed or disturbed during their religious feasts, since that would not constitute proper Christian behavior. What is more, they should not be charged without just trial or prevented from restoring their old assemblies. Finally, they should not be killed since - Busti explains - they are supposed to convert at the end of time.¹⁴³ Thus, both negative and positive stereotypes were deliberately used by Busti, denoting an overall willingness to adapt himself to the reality of the situation without relying exclusively on dominant traditions.

From a stylistic point of view, some of the elements Busti used in his *Rosarium Sermonum* are noteworthy because they confirm this "practical" approach. He displayed a tendency to use a number of varied sources in typology and provenance, for specifically practical purposes. In this respect, the large use he made of quotations taken, for instance, from the classical authors, puts him in line with some of his closer predecessors, such as Michele Carcano and Bernardino da Feltre. Still, this tendency to create learned compilation reaches a peak in his text unknown to them. This tendency becomes even more meaningful when the background of conflicts and polemics involving humanists and the Mendicants up until the first half of fifteenth century is considered.¹⁴⁴

Rusconi has pointed out how a different style of preaching is recognizable from a formal point of view in the fifteenth century. From the "drier" nature of the sermons composed by Bernardino da Siena and his first followers, one can find a profound desire to show erudition and deal with subtle theological disputes in the preaching traditions of the following generation.¹⁴⁵ Nevertheless, Busti's sermons fully retain their "medieval" character in the way they employ the scheme of the *sermo modernus* rendered popular

¹⁴² Busti, *Consilium*, 113r.

¹⁴³ *Ad defensionem igitur iudeorum adduci potest quod secundum leges iudei non sunt grauandi vel exagerandi seu molestandi... immo non sunt perturbandi in sui solemnitatibus, licet christianis moribus non conueniantur... nec debent offendi in personis aut in bonis suis sine iudicio recto terrene potestatis... non debent etiam inuiti trahi ad fidem ... nec debent christiani eos impedire in restaurandis synagogis suis antiquis, quin potius in observantiis suis eos tolerare ... debent enim iudei in fine mundi converti ad fidem Malachiae ultimo ... et iccirco mandavit deus eos non occidi:* Busti, *Consilium*, 103r. - 103v. On the final conversion cf.: Rubin, *Gentile Tales*, 7.

¹⁴⁴ Cf.: De La Roncière, *Identités Franciscaines*, 49 - 50.

¹⁴⁵ Rusconi, "La predicazione francescana sulla penitenza," 71 - 72.

precisely by Bernardino da Siena. The *Rosarium Sermonum* clearly relies on the traditional scholastic scheme, with its *divisiones* and *subdivisiones* stemming from a biblical *thema*, through a series of *auctoritates*.¹⁴⁶ However, the consistent use of poetic and philosophical quotations shows Busti's skilfulness in opening his sermons to the adoption of the educational and aesthetic models of the Renaissance.¹⁴⁷ This has to be contextualized in the way Busti used rhetorical techniques as a means to achieve *diversitas* as a condition of good preaching.¹⁴⁸ However, the drawing on the classical tradition is useful to Busti especially to better meet the taste of his audience and, conclusively, to "hunt" for people to convert. He expressly relies on the metaphor of "hunting" and "fishing" to describe his activity as a preacher. Thus, having recourse to the politeness of rhetoric provided by the classical tradition is part of the preacher's goal to be a "fishermen of people", a literary *topos* that one can already find used by Bernardino da Feltre, derived in turn from Bernardino da Siena.¹⁴⁹ Thus, Busti's use of *poetarum allegationes seu philosophorum vel legum civilium aut aliarum scientiarum* were simply means to attract people to the preaching. As they enjoy the interesting tales delivered by the preacher, the faithful could almost unwittingly access principles of faith and penitence. Through their curiosity they could attain salvation. In this way, the preacher became just like the hunter or the fisherman who attract their quarries by means of nice baits. In fact, preachers are just like fishermen, since the preaching itself is just like their nets.¹⁵⁰

¹⁴⁶ Cf. Carlo Delcorno, "L'ars predicandi di Bernardino da Siena," in *Atti del simposio internazionale cateriniano-bernardiniano, Siena, 17-20 aprile 1980*, ed. Domenico Maffei and Paolo Nardi (Siena: Accademia senese degli intronati, 1982), especially 435 ff; Zelina Zafarana, "La predicazione francescana," in *Francescanesimo e vita religiosa dei laici nel '200: Atti dell' 8° Convegno internazionale, Assisi, 16-18 ottobre 1980*, Società internazionale di studi francescani (Assisi: Università degli Studi di Perugia, 1981), 214 ff.

¹⁴⁷ As in sermon 23 of the *Rosarium Sermonum* on the vice of lust, in which Busti's consistent use of classical poets such as Ovid, Claudianus, Prudentius, Lucanus, Virgilius, allows him to describe more realistically this particular vice. Cf.: Maria Elisa Lage Cotos, "Auctoritates clasicas para la salvacion humana: el Rosarium Sermonum de Bernardino de Bustis," *Euphrosyne* 27 (1999): 165 - 177.

¹⁴⁸ On the importance of rhetoric as a medieval tradition and the study of the classical poets for the formation of the "renaissance man" see: Ronald G. Witt, *Italian Humanism and Medieval Rhetoric* (Aldershot: Ashgate Variorum, 2001).

¹⁴⁹ See sermon 3 of Bernardino da Siena's Sienese cycle. Cf.: Muzzarelli, *Pescatori di uomini*, 14.

¹⁵⁰ *Sunt enim multi qui non irent ad praedicationem nisi causa curiositatis puta ut audiant poetarum allegationes seu philosophorum vel legum civilium aut aliarum scientiarum; qui tandem in predicatione audiunt aliquid quod eos ad penitentiam convertit. Et sic qui prius ibant propter curiositatem, postea accedunt propter animarum suarum salutem. Sicut enim venatores ostendunt volucris aliquem cibum eis gratum et similiter piscatores piscibus et sic cum laqueo vel hamo eos capiunt vel cum aliqua dulci modulatione faciunt venire sub brevi. Ita predicatorum sancti animas hominum deo capiunt, ostendendo eis in predicationibus alicuius scientie dulcedinem, propter quam eos illaqueant ut tota quadragesima ad predicationem perseverent. Et ideo vobis quotidie diversarum scientiarum dicta melliflua propinabo tanquam escas vobis gratissimas more boni venatoris et piscatoris. Predicatorum enim sunt piscatores, quia uno tractu rethis, id est predicationis, aliquando magnam multitudinem hominum capiunt, id est convertunt, sicut in figuram habetur Luce 5° et Iohannis 12°, de apostolis magnam multitudinem piscium uno tracto capientibus.* Busti, *Rosarium*, sermon 1, 6r. - v.

On a more general scale, Busti's use of Classical quotations as well as others taken from the *aliam scientiarum* in order to render more interesting passages that might have been difficult for the audience to understand, brings us again to the consideration of categories such as "medieval" and "renaissance". In the good mix between medieval and renaissance elements appearing in Busti's text one can perhaps pick up on the idea of continuity between the Middle Ages and the Renaissance. Scholars have recently spoken of the end of fifteenth century as time of contact rather than fracture between those two supposedly opposing ages. This kind of "compromise solution"¹⁵¹ is thus particularly evident in Busti's text, which put together a sort of "rebirth" of the Classical tradition in a clearly renaissance taste that was still consistent in its "continuum" of themes and style with the previous period. Thus, from this point of view, Monfasani's discussion of "the Renaissance as the concluding phase of the Middle Ages" would appear more reasonable if this period is regarded as a historical phase bringing in new approaches, although at a slower pace than previously thought.¹⁵² This tendency to use rhetorical elements as well as philosophical and Classical authorities, seems to be particularly diffused throughout the preaching environment at St. Angelo. Michele Carcano introduced numerous allusions to the first Greek philosophers into his sermons. He was actually one of the initiators of this practice which constituted a good answer to Alberto da Sarteano's call for the study of Greek. This tendency could be seen as a sort of cultural "updating process" of pastoral techniques, of which the restoration of monastic libraries (such as the library at St. Angelo), the attendance at universities of great reputation, and finally the stylistic elements highlighted in Busti's *Rosarium*, constitute proof.¹⁵³ In addition, another Observant Franciscan, Pietro Arrivabene da Canneto (d. 1513), a contemporary of Busti and a friar who was particularly active in Mantua, displays great erudition in the way he uses different kinds of sources in his sermons, drawing largely on classical poets and philosophers as well as being a modest poet himself.¹⁵⁴ These tendencies were not exclusive to Franciscans though. It is known that Mariano da Genazzano (d. 1498),¹⁵⁵ an Augustinian friar, was well known for his humanistic fervour, making abundant use of the Classics in his preaching. It was precisely this style which contrasted so sharply to the stark style of Savonarola. A new

¹⁵¹ Cf.: Eisenbichler, *Renaissance Medievalisms*, 19.

¹⁵² John Monfasani, "The Renaissance as the Concluding Phase of the Middle Ages," *Bullettino dell'Istituto Storico Italiano per il Medio Evo* 108 (2006): 185.

¹⁵³ Cf.: *Identités Franciscaines*, 50 - 51. On the evolution of the first franciscan libraries see: Cesare Cenci, "Biblioteche e Bibliofili Francescani a tutto il Secolo XV," *Picenum Seraphicum* 8 (1971): 66 - 80.

¹⁵⁴ Cesare Cenci, "Fra Pietro Arrivabene da Canneto e la sua attività letteraria," *Archivum Franciscanum Historicum*, 61 (1968): 115 - 195.

¹⁵⁵ Davide Gutiérrez, "Testi e note su Mariano da Genazzano (d. 1498)," *Analecta Augustiniana* 32 (1969): 117 - 204.

kind of preaching was by then showing itself alongside the older and, one might say, more medieval preaching which would eventually be left behind.¹⁵⁶

From this point of view, therefore, Busti may well represent the slow evolution of the Observant Franciscan preaching tradition into the categories representing incipient renaissance humanism. The use of classical models and the slightly less radical approach to the Jewish issue testify to the presence in Observant sermons of some interesting novel elements. More specifically, as the *Rosarium Sermonum* shows, and as examples of sermons by other preachers from Michele Carcano to Pietro Arrivabene indicate, the aim of realizing clusters of preaching material falling within the medieval tradition of “florilèges spirituels”,¹⁵⁷ went together with the ability to accept novel pastoral and stylistic elements in the sermons of this “third generation” of Observant Franciscans.

¹⁵⁶ And even different from the eagerness of some other Observant Franciscans, since Mariano was called to preach in Florence by Lorenzo il Magnifico in the place of Bernardino of Feltre, whose preaching had had such a “devastating effect” in 1488. See: Walter Ingeborg, *Lorenzo il Magnifico e il suo tempo* (1st It. Tr. Rome: Donzelli Editore, 2005), 258 - 260. See also: Magli, *Gli uomini della penitenza*, 107.

¹⁵⁷ Cf.: Henri Rochais, *Dictionnaire de Spiritualité*, 5 (Paris, 1964), 435 - 460.

2. The *Rosarium Sermonum* by Bernardino Busti within the Context of Preaching and Confession

In the first chapter I explained how during the last quarter of the fifteenth century a generation of Observant Franciscans characterized by peculiar features developed. The friary of St. Angelo in Milan became one of their main centres of development. I have also hinted at the growth of “*oeuvres spécialisées*”, as Michaud-Quantin has called them,¹ or texts expressly meant for the pastoral care and the role of the Milanese friary in preaching.

The aim of this second chapter will be to focus on some aspects concerning the literary production connected to preaching and confession of these Observants, placing Busti's *Rosarium Sermonum* within that context. These sermons constitute the necessary premises to speak of coeval concepts of sin and “superstition”.

The main literary medium through which the discourse of the friars took place, whether related to “superstition” or any other pastoral theme, was the *sermo*.² The matter and form of the medium gave a specific and recognizable shape to the various topics it addressed. For example, as I shall show later, the insertion of specific doctrinal issues related to particular types of human behaviour, such as “superstition itself”, appeared in the general framework of the Ten Commandments' discourse.

Sermons were arranged around a liturgical calendar that consisted of two main liturgical cycles: the Nativity cycle of fixed feasts centred on Advent, commencing four Sundays before Christmas and celebrating the Nativity of Jesus at Christmas, and the cycle of movable feasts centred on Easter, which was - and still is - based on the Jewish lunar calendar, falling on any Sunday between March 22 to April 25.³ With Ash Wednesday, the Lent began, a period of forty days of preparation for Easter and to the precept of compulsory confession and communion that came out of the canon 21 of the Fourth Lateran Council. Palm Sunday was the concluding moment of the Lenten period and, at the same time, the

¹ See: Pierre Michaud-Quantin, “Sommes de casuistique et manuels de confession au moyen âge (XII - XVI siècles),” *Analecta mediaevalia Namurcensia* 13 (1962).

² For a primary orientation see: Louis-Jacques Bataillon, “Approaches to the Study of Medieval Sermons,” *Leeds Studies in English* 11 (1980): 19 - 35 ; *The Sermon. Typologie des sources du Moyen Age occidental* 81-83, ed. Beverly Mayne Kienzle (Turnhout: Brepols, 2000).

³ The Jews celebrate Passover on a fixed day: it is always the fourteenth day of the month called Nisan (between our March and April) which corresponds to the fourteenth moon after the spring equinox. Christians celebrate it on the first Sunday after the fourteenth moon of the spring equinox, that is to say, after Nisan 14, thus making it a feast held on a range of dates because of the gap between the lunar and solar calendars.

initial day of Holy Week culminating in the Easter Sunday.⁴ It has been pointed out how such a division of the liturgical time, which was called the *ecclesiasticus usus*, could act as a means of “Christian initiation” for the laity, since it was the moment in which people’s *fides implicita* could be shown to be *fides explicita*.⁵

The various feast days dividing the liturgical calendar have been seen as “temporal borders between one segment of time and the next”,⁶ thus producing different types of sermons: principally *sermones dominicales*, *quadragesimales*, *de sanctis*, and *de tempore*.⁷ It was during the Lenten period that the major part of preaching concerning doctrinal issues with a moral-behaviour base took place. This was obviously due the pivotal role of Easter in the liturgical calendar of the Church - as well as in the life of the faithful marking his connection to the parish⁸ - as a period celebrating the core moments of Christ’s passion and resurrection, recognized as the foundational events of Christian faith, at least since St. Paul’s letter to the Corinthians.⁹ Moreover, as Paton has pointed out, the widespread attention paid to social vices in the Lenten sermons should be associated with the aim of preachers to encourage people to maintain peace and stability within their communities, especially by means of being good neighbours to each other.¹⁰

At the core of those preaching cycles there was the *sermo modernus*, Le Goff’s and Schmitt’s “parole nouvelle”,¹¹ a new way to conceive preaching as a discourse based on sermons with a biblical *thema*, instead of a dry explanation of an entire piece of the Gospel as in the old tradition of the *homilia*.¹² The particularity of *sermo modernus* was that it was very well adapted to every contingency and to the inventiveness of the preacher, allowing a *dilatatio* or a complication of the preaching material through successive *divisiones* and *subdivisiones* of the original theme, which allowed an ever more complicated rendering of

⁴ See: Edward Muir, *Ritual in Early Modern Europe* (New York: Cambridge University Press, 2005), 64 - 71.

⁵ Zelina Zafarana, *Da Gregorio VII a Bernardino da Siena. Saggi di Storia Medievale* (Florence: La Nuova Italia Editrice, 1987), 513.

⁶ See: Muir, *Ritual in Early Modern Europe*, 64.

⁷ Cf.: Letizia Pellegrini, *I manoscritti dei predicatori* (Rome: Istituto Storico Domenicano, 1999), 214 ff; See also: D’Avray, *The Preaching of the Friars*, 78 - 80.

⁸ Cf.: Dieter Mertens, “Clero secolare e cura d’anime nelle città del tardo medioevo,” in *Ordini religiosi e società politica in Italia e Germania nei secoli XIV e XV*, ed. by Giorgio Chittolini and Kaspar Elm (Bologna: Il Mulino, 2001), 261.

⁹ ...*Quod si Christus non resurrexit vana est fides vestra adhuc enim estis in peccatis vestris*, 1 Cor: 15 - 17.

¹⁰ See: Bernadette Paton, *Preaching Friars and the Civic Ethos: Siena, 1380 - 1480* (London: University of London, 1992), 41.

¹¹ Jaques Le Goff - Jean Claude Schmitt, “Au XIII siècle: une parole nouvelle,” in *Histoire vécue du peuple chrétien*, ed. Jean Delumeau (Paris, 1979), 157 - 180.

¹² On *sermo modernus* see: Carlo Delcorno, “La predicazione medievale,” *Lettere Italiane* 33 (1981): 234 - 276; David L. D’Avray, “Method in the study of medieval sermons,” in *Modern questions about medieval sermons: Essays on Marriage, Death, History and Sanctity*, ed. by Nicole Bériou and David L. D’Avray (Spoleto: CISAM, 1994), 3 - 29; Kienzle, *The Sermon*, 81 - 83.

the matter being preached.¹³ This “new” way of dealing with sermons was strictly related to the development of a particular *curriculum* in Mendicant *studia*, based on two main components: philosophical and theological knowledge, and the study of the *Artes Predicandi*. What can be defined as the specific “communication theory” of the Mendicant friars was founded on the uniformity of the didactic programs in their schools.¹⁴ Such a common and thorough cultural background characterizing the *curricula studiorum* of the friars at a European level is clearly visible in the collections of sermons and in the texts for confession. It was also one of the two key factors in the success of their approach to their pastoral duties. The other key to the spread of this pastoral form was the development of movable type printing. The Observant Franciscans above all others were mass users of this technology in the period called “the incunabula era”,¹⁵ during the last two decades of the fifteenth century. In those decades, collections of sermons, confession manuals, and devout booklets formed the better part of book production as a whole. The Franciscans and Dominicans accounted for more than 50% of this production.¹⁶

It is exactly within such a discourse that I shall contextualize the source(s) I will be using in this study. Their background is constituted by pastoral texts whose aim was basically to enhance the efforts of the ecclesiastical elites in spreading their message. I shall do this in order to avoid what Gabriella Zarri, using a literary metaphor, has called “looking at the tree and losing touch with the wood”,¹⁷ where the tree is the source(s) and the wood is the background of texts of the same nature that is around it (or them).

In my case, the “tree” is represented by Bernardino Busti’s *Rosarium Sermonum*.¹⁸ I have already indicated in the previous chapter how the publication of a revised and corrected version of the *Rosarium* was taken care of by Busti himself and published in Venice in

¹³ Cf.: Carlo Delcorno, “L’ars predicandi di Bernardino da Siena,” in *Atti del simposio internazionale cateriniano-bernardiniano, Siena, 17-20 aprile 1980*, ed. Domenico Maffei and Paolo Nardi (Siena: Accademia senese degli intronati, 1982), 435 ff; Zelina Zafarana, “La predicazione francescana,” in *Francescanesimo e vita religiosa dei laici nel ‘200: Atti dell’ 8° Convegno internazionale, Assisi, 16-18 ottobre 1980*, Società internazionale di studi francescani (Perugia: Università degli Studi di Perugia, 1981), 221.

¹⁴ See: Roberto Rusconi, “Predicatori e predicazione,” in *Storia d’Italia, Annali 4, Intellettuali e potere*, ed. Corrado Vivanti (Turin: Einaudi, 2000), 981 - 982; Pellegrini, “Cultura e devozioni,” 406 - 407.

¹⁵ Cf.: Miriam Turrini, *La coscienza e le leggi. Morale e diritto nei testi per la confessione della prima età moderna* (Bologna: Il Mulino, 1991) 69 ff.

¹⁶ Turrini, *La coscienza e le leggi*, 74.

¹⁷ Gabriella Zarri, *Libri di spirito. Editoria religiosa in volgare nei secoli XV - XVII* (Turin: Rosenberg & Sellier, 2009), 8.

¹⁸ The complete title reads: *Rosarium Sermonum predicabilium ad faciliorem predicantium commoditatem noviter compilatum, in quo quicquid preclarum et utile in cunctis sermonariis usque in hodiernum editis continetur*. I have relied on one of the exemplars printed in Venice in 1498 and held in the Biblioteca Angelica in Rome. Cf. the Appendice to this work for more details.

1498.¹⁹ As Miriam Turrini has pointed out, to be printed in Venice meant a book was destined to have a long-lasting editorial fortune,²⁰ indeed, all the following editions of the *Rosarium* were based on the Venetian edition. The supposed existence of two earlier copies, of which one printed in 1490 and held in the library of the Chartusian monastery of Trisulti,²¹ and the other printed in Strasbourg in 1496,²² proved to be wrong the former, and unverifiable the latter.²³ The *Rosarium* was published after 1498 in several other cities even beyond the Alps, which ultimately proves its “European” appeal and the respect it enjoyed.²⁴

With his *Rosarium Sermonum* Busti aimed at producing a “polyvalent *summa* of preaching materials”,²⁵ a learned compilation for preaching purposes, taking a great deal from other texts of the same genre, as was customary in his period and as he himself states in his *epistola prohemialis* of the *Rosarium*: *multorumque predicatorum piis uotis annuere volens Rosarium hoc sermonum predicabilium composui in quo omnia ad humanam salutem pertinentia per varios codices dispersa congessi*. It has been noted how the same term *Rosarium* belongs to the tradition of the “florilèges spirituels”; nevertheless, by using it, the author shows that he clearly aimed at realizing something more specific, namely a collection of sermons and excerpts of sermons based on the order of the liturgical year and having preachers as its audience.²⁶

The *Rosarium Sermonum* is a collection of 80 *sermones quadragesimales* still intended for *totum anni circulum*, as the *incipit* records. Thus, it was intended for use in all parts of the liturgical year. The *Rosarium* consists of two *partes* or books of 40 sermons each: from the Sunday of Septuagesima to the Saturday after the fourth Sunday of Lent, in the first book; from the Sunday of the Passion to the Monday after Whit Sunday, in the second book.

¹⁹ Cf.: Bernardino de Bustis e il Mariale (Busto Arsizio: Comune, Convento dei Frati Minori, 1982), 12.

²⁰ Turrini, *La coscienza e le leggi*, 76.

²¹ See.: Renato Giancola, “Il patrimonio bibliografico delle abbazie d’Italia,” *Vita italiana. Documenti e informazioni* 11 (1974): 1061.

²² Paolo Maria Sevesi, *Santa Maria della Misericordia in Melegnano* (Melegnano, 1932), 59.

²³ See my notes to the transcription of *sermo* 16 of the *Rosarium Sermonum* in the Appendices of this work. Cf. also: Giuseppe Galli, “Due ignote edizioni quattrocentine della Corona della Beatissima Vergine Maria di fra’ Bernardino de’ Busti,” in *Miscellanea bibliografica in memoria di don Tommaso Accurti*, ed. Lamberto Donati (Rome: Edizioni di Storia e letteratura, 1947), 104, footnote No. 3.

²⁴ It was published at: Lyon, 1498; Hagenau, 1500; Lyon, 1502 and 1503; Lyon 1506 (first part) and 1507 (second part); Lyon, 1513; Lyon, 1525; Brescia, 1588; Köln, 1607; Lyon, 1625. Cf.: *Catalogo degli incunaboli della biblioteca comunale di Assisi*, ed. G. Zaccaria (Florence: Olschki, 1961), No. 119 - 122.

²⁵ See: Roberto Rusconi, “La predicazione francescana sulla penitenza alla fine del Quattrocento nel *Rosarium Sermonum* di Bernardino Busti,” *Studia Patavina* 22 (1975): 72.

²⁶ Cf.: Maria Elisa Lage Cotos, “Auctoritates clásicas para la salvacion humana: el *Rosarium Sermonum* de Bernardino de Bustis,” *Euphrosyne* 27 (1999): 166.

As for the first book, which is the one of interest here, a sort of introductory cycle is deployed from sermon 1 to sermon 10. Its aim was to introduce the basic features of preaching and penitence. It begins with preliminary words on what constitutes a good preacher and good preaching in sermon 1. Following a tradition that can be traced back to Bernardino da Siena, Busti notes the “seven conditions” - the *virtutes elucutionis*²⁷ - that render a preaching a “good preaching”: *prima dicitur sublimitatis; secunda claritatis; tertia veritatis; quarta medietatis; quinta diuersitatis; sexta vigorositatis; septima et ultima appellabitur charitatis*.²⁸ Thus, in order to make a sermon clear and comprehensible to the audience, the preaching has to be sublime, clear, truthful, well-balanced, diverse, vigorous, and charitable. The recommendation to be “clear” is immediately reminiscent of what Bernardino da Siena said in this regard: “it is necessary that our discourse is understood. Do you know how? Say it clearly clearly” (“chiarozzo chiarozzo”).²⁹ It was exactly Bernardino da Siena to inaugurate a rhetorical style that could be easily comprehended by everyone. This has been seen as the “theorization of accessible communication”.³⁰ Moreover, this is achieved by Busti through the employment of specific rhetorical elements, as he indicates in sermon no. 1: *rationes*, *auctoritates* and *exempla* are the means traditionally used to develop the sermon.³¹

After having indicated the main features of effective preaching, in sermon 2 Busti deals with the characteristics that should be possessed by those who aspire *de verbo fructum cupiunt reportare*; the importance of attending sermons and whether they should be preferred to mass is dealt with in sermon 3;³² in sermons 4 and 5 the preacher deals with the institution and consistency of fasting, clearly seen in a Lenten context. In sermon 6, Busti deals with the seven deadly sins, the earliest and traditionally most important grid for the identification of sins;³³ immediately after having dealt with the seven deadly sins, in sermon 7 Busti indicates the multiple ways in which the devil keeps the faithful tied to sin, and in sermon 8 the preacher shows how it is important not to wait in order to confess one’s own sins. Finally sermons 9 and 10 are dedicated to the last judgment. The first series of sermons

²⁷ Cf.: Maria Giuseppina Muzzarelli, *Pescatori di uomini. Predicatori e piazze alla fine del Medioevo*, (Bologna: Il Mulino, 2005), 19.

²⁸ Busti, *Rosarium*, sermon 1, 4v.

²⁹ Bernardino da Siena, *Prediche volgari sul campo di Siena 1427*, ed. Carlo Delcorno (Milan: Rusconi, 1989), sermon 3, 164.

³⁰ Muzzarelli, *Pescatori di uomini*, 51.

³¹ Cf.: Lage Cotos, “Auctoritates clásicas,” 167.

³² Cf.: Bernardino da Siena, *Prediche volgari sul Campo di Siena 1427*, sermon 3, 149.

³³ Cf.: Aviad Kleinberg, *Seven Deadly Sins. A Very Partial List* (Cambridge: Harvard University Press, 2008), 29 - 31.

clearly shows the Lenten and the penitential nature of the *Rosarium*. The centrality of preaching and confession is developed around a sermon on the seven deadly sins.

However, the core of the *Rosarium* lies in the series of its “doctrinal” sermons, which forms another cycle in itself, from sermon 16 to 30. Through these sermons, Busti provides details on the principles of Christian faith, taking the Ten Commandments as a reference scheme. Each commandment contains a message concerning one specific aspect of the personal or social behaviour that the preacher is required to preach about to the faithful. Thus, the cycle is opened by sermon 16, whose scope is to introduce a general discourse on the Ten Commandments and more specifically on the first, thus concerning faith - the area of interest of the First Commandment - and explaining in detail the “offences” surrounding the First Commandment, basically “superstitious” behaviours, which I will discuss later. Sermon 17 deals with subject related to the Second Commandment, concerning oaths and blasphemy; sermon 18 explains different kinds of vows, still covering a subject lying within the Second Commandment; sermon 19 introduces the Third Commandment, speaking of the respect due to Christian feast days and explaining in which cases it would be possible to work on those days; sermon 20, based on the Fourth Commandment, concerns the obligation of the children towards their own parents; also sermon 21 relies on the Fourth Commandment, explaining the reward God gives to sons and daughters who are respectful to their parents, and the punishment awaiting those who are not; sermon 22 deals with the Fifth Commandment, confronting the sin of murder; sermon 23 is based on the Sixth Commandment, dealing with the issue of lust in general, and analysing its main components: fornication, rape, and adultery; sermon 24 explains the Sixth Commandment further by providing more cases: when it is possible to repudiate a wife, incest, and sodomy; sermon 25 following the Seventh Commandment, deals with thievery; sermon 26 still deriving from the Seventh Commandment speaks of simony and usury; sermon 27 explains the sin of usury further; sermon 28 also deals with money related matters, explaining how to deal with unconventional sources of income such as gambling or prostitution; sermon 29 concerns the issue of defamation, based on the Eighth Commandment; and finally sermon 30 puts together matters related to the Ninth and Tenth Commandments. Already the extent to which Busti carefully explains the Decalogue through fifteen sermons, clearly shows the shift of importance once attributed to the seven deadly sins to what can be defined as “economy of penitence”. These sermons provided preachers with a real checklist to help them examine virtually every aspect of a Christian’s life. It is clear, in fact, how every single commandment provides the preacher a scheme by pointing to specific behaviour that strongly impacted on both an individual’s own personal morality and on social and

community life. It should be sufficient, for understanding such a point, to take usury and murder as examples together with all their implications and place them in a discourse concerning late medieval Italian town.

Five sermons appear between this second cycle and the first ten sermons which I have mentioned earlier. They clearly represent a sort of transition from the introductory to the doctrinal cycle, and begin the discussion of faith-related themes. Sermons 11 and 12 concern features that render prayer an effective means for reaching God. Sermon 13 defines faith by means of an explanation of the twelve articles of faith, which is another of those lists, along with the seven deadly sins and the Ten Commandments, which would provide a scheme for classifying the sins used by a confessor. Sermons 14 and 15 concern what was believed to be a major threat to faith: the former deals with *secte paganorum, maumethanorum et iudeorum*, while the latter, as I have already mentioned, propose a *consilium* against the Jews composed on the occasion of an anti-Jewish trial taking place in Milan in 1488.

Sermons from 31 to 36 on confession follow the doctrinal cycle. They represent a sort of arrival point for both the faithful and the preacher. This is the practical part in this handbook for preachers. We have to imagine how, after the explanation of numerous points concerning all the main issues that may have an impact on a Christian's life, the penitent should be ready to head for confession and thus for the obligatory Easter communion. Here, the direct link is clearly evident between preaching and confession and the penitential character of the *Rosarium*.

"Contrition" is the issue dealt with in sermon no. 31, as the necessary psychological attitude towards one's own sins can ensure the right predisposition to confession,³⁴ since *sine contritione peccatorum commissorum non possit quamvis salus esse et diuina gratiam recipere*.³⁵ Sermon 32 deals with the necessity of confession itself, presented as a means to free oneself from the dangers that lie in the mind: *confessio est quedam ulcerum apertio, quia peccati uirus salubriter aperitur in confessione quod pestifere latebat in mente*.³⁶ Confession is, thus, presented as something necessary for one's own spiritual health. Nevertheless, sins are sometimes so repugnant that it becomes difficult to actually confess them. Using a diffused stereotype, sins are represented by Busti as toads.³⁷ In an interesting

³⁴ Repentance is a necessary step that brings a person to confession and thus to the final "satisfaction." See: Rusconi, *L'ordine dei peccati*, 115.

³⁵ Busti, *Rosarium*, sermon 31, 198v.

³⁶ Busti, *Rosarium*, sermon 32, 209r.

³⁷ See: Giovanni Pizza, "Toads," in *Encyclopedia of Witchcraft. The Western Tradition* (Santa Barbara: ABC-Clio, 2006) Vol. 4, 1123 - 1125.

exemplum he tells about something that had happened to two confessors who were passing *per quoddam castellum*. While one of the two was confessing *quedam mulier vana*,

[The other preacher] saw among the toads running out from her mouth, which were as many as the sins she was confessing, one toad much bigger and more awful than the others, which while trying to get out from her mouth, kept going back in. Eventually, he saw that once the woman had received the absolution from the confessor, all the toads she had expelled earlier, who were jumping all around the church, went back again into her mouth. So, after she had left, the younger preacher told the confessor: father, I saw this and that. The confessor clearly understood from what had happened that every toad was one mortal sin confessed by the woman, and that the bigger toad returning to the woman's mouth meant some serious sin she had not confessed because of her embarrassment.³⁸

Thus, by means of a colourful *exemplum*, Busti explains the necessity for a comprehensive confession. Only in this way could the penitent's contrition be genuine and the confession effective. The other sermons in the cycle deal with several other aspects of confession. Sermo 33 confronts the issue of the exemption from confession and its yearly occurrence; sermon 34 concerns the choice of confessor and the conditions upon which a confession is gladly received by God; sermon 35 concerns preparation for and the making a confession as well as the relevance of explaining the circumstances of one's own sins, when one should reiterate a confession, and the *sigillum confessionis*, the issue of its secrecy; sermon 36 deals with the dubious cases. The last four sermons in the first book of the *Rosarium* mainly concern moral issues, such as sermon 37, which is on the necessity and utility of *bonorum operum*; sermon 38 on the exaltation to remain patient under adverse circumstances; sermon 39 on the goodness of a Christian martyrdom for the salvation of one's own soul; and finally sermon 40, which deals with plague explaining *de causis quibus Deus eam mittit* and the bodily and spiritual remedies to it. This appears to be indeed a good conclusion for the first part of the *Rosarium*, as a handbook aiming to give preachers the instruments to guide the faithful through the necessity of penitence and thus flee the dangerous omnipresence of sin.

To reiterate, there was a practical aspect to the *Rosarium Sermonum* as a manual for preachers. Themes and the timing of preaching are organized in order to give preachers a handbook that was easy to consult. Every volume provides a system of *tabulae* or indexes:

³⁸ *Ab illa domina sic confitente tot bufones ab eius ore egredi quot peccata confitebatur videbat insuper quendam bufonem alium maiorem et horribiliorem procedere sepiissime usque ad os deinde retrocedere semper. Tandem vidit quod domina illa absolutione recepta a confessore resuscipit in ore suo omnes bufones per ecclesiam saltantes quos prius emiserat. Post igitur recessus illius domine ille iuvenis simplex confessori dixit: pater mi sic et sic uidi. Qui confessor rei seriem intelligens videlicet quod quot bufones illa emiserat tot culpas mortales illa confessa fuerat et quod maior bufo in ore retentus significabat aliquod grave peccatum quod illa pre verecundia confessa non fuerat. Busti, Rosarium, sermon 32, 211r.*

an index of sermons in their actual order; an index of the topics in alphabetical order; a *tabula per totum annum*, which shows a use for the *Rosarium* beyond its Lenten nature, as stated on the *incipit* of the *proemium* itself.³⁹ As Letizia Pellegrini has convincingly shown, the indexes for preaching became very soon an important instrument for the use of Mendicant preachers, and then even became a literary genre in themselves. They had been already used in manuscript collections of sermons well before the invention of movable type printing. These *tabulae* rendered *sermonarium* simply a point of departure, since they provided the users with the possibility of composing different kinds of sermons on the basis of the entire preaching material contained in the collection and thereby adapting it to the potentials of the *sermo modernus*.⁴⁰ What is more, the use of indexation changed the way it was read and the way texts and *auctoritates* were used, outside their original context. Thus, the *sermonarium* could also become a product destined for individual reading.⁴¹ This draws attention once again to the importance of the sermon as a genre to explain and convey pastoral discourse to the masses.

This topic has been thoroughly investigated by scholars from different points of view. From the four main approaches indicated by Kienzle (the “formalistic”, aiming at the formal characteristics of the medium; the “essential”, referring to oral discourse; the “functional”, dealing with its achievements; and the “historical”, referring mainly to the context),⁴² to the “performance theory”, still described by Kienzle that seeks to grasp the meaning of sermon as an oral discourse by “categorizing types of utterances as well as their social convention and context”,⁴³ sermon studies have passed through different phases each of which focused on distinct aspects related to sermon studies. These ranged from the importance of the text itself and the problem of its transmission, to preaching as a global event beyond mere verbal communication.⁴⁴ Links were established between the pulpit and the nave, the preacher and his audience. This is an issue that I will reconsider in the last chapter of this study.

³⁹ *Incipit Rosarium Sermonum predicabilium per Quadragesimam, et totum anni circulum editum.*

⁴⁰ See: Letizia Pellegrini, “Indici per predicare: le tavole nei manoscritti di sermoni fra XIII e XV secolo,” in *Fabula in tabula. Una storia degli indici dal manoscritto al testo elettronico*, Atti del Convegno di studio della Fondazione Ezio Franceschini e della Fondazione IBM Italia, Certosa del Galluzzo, 21 - 22 ottobre 1994, ed. Claudio Leonardi, Marcello Morelli, Francesco Santi (Spoleto: CISAM, 1995), 135 - 143.

⁴¹ See: Letizia Pellegrini, “Cultura e devozioni: i frati predicatori, la politica e la vita religiosa in Europa fra il 1348 e il pontificato di Martino V,” in *Vita religiosa e identità politiche: universalità e particolarismi nell’Europa del tardo Medioevo* (Pisa: Pacini Editore, 1998), 408 - 409; 413.

⁴² Kienzle, *The Sermon*, 145 - 146.

⁴³ Cf.: Beverly Mayne Kienzle, “Medieval Sermons and their Performance: Theory and Record,” in *Preacher, Sermon and Audience in the Middle Ages*, ed. Carolyn Muessig (Leiden: Brill, 2002), 122.

⁴⁴ See in particular: Augustine Thompson, “From Texts to Preaching: Retrieving the Medieval Sermon as an Event,” in *Preacher, Sermon and Audience*, 13 - 35. See also: D’Avray, “Method in the study of medieval sermon,” 3 - 29; David L. D’Avray, *The Preaching of the Friars. Sermons Diffused from Paris before 1300* (Oxford: Clarendon Press, 1985).

The traditional distinction between *sermo* as a literary genre and the *sermonarium* as an object (the manuscript or later the volume) containing the *sermones* suggests a two-fold possibility of inquiry: one concerning the text, and the other concerning the material holder. With the introduction of printing such a two-fold approach originally concerned the analysis of manuscript sermons was partially resolved due to the correspondence between the original text and its copies.⁴⁵ In my case, I am more concerned with studying the text and the information it conveys based on certain learned traditions concerning “superstition”. From this point of view, following Delcorno, I consider the sermon to be a discourse that can connect clerical culture, mental categories and linguistic forms used by the laity by means of words and rhetoric.⁴⁶ This implies looking at the sermon using the “eclectic” approach introduced by Kienzle.⁴⁷ Thus, the sermon may be seen as the result of interrelationships between multiple sources: the learned traditions, the echo of the preaching sessions on the ground, the political and social context of the cities where the preaching took place and the special role of the audience. The relevance of this last point was explicitly pointed out by Busti himself. I have noted in the previous chapter that at the moment he had recourse to erudite Classical models, his exact aim was to render his material more palatable to his urban audience, always so eager to listen to the sayings of poets and the knowledge of philosophers. Ultimately, the use of erudition employing a far different prose style from previous Observant Franciscan models such as Bernardino da Siena, characterized by a practical and basic style,⁴⁸ points again to the need to meet the changing taste of audiences as well as to a different kind of sensitivity on the part of the preachers in the age of Humanism.

Moreover, the prose can be contextualized within a more general discourse pointing to preaching as an instrument in the pastoral “acculturation” of the urban masses in the long history of European “Christianisation”.⁴⁹ The organization of the preaching material in the *Rosarium* and the specific themes dealt with within the scheme of the Ten Commandments, fits well within what has been described by Miccoli as the process of religious education and propaganda carried out by the Mendicants who claimed a particular role for religion and

⁴⁵ Pellegrini, *I manoscritti dei predicatori*, 191 - 192.

⁴⁶ Carlo Delcorno, “Medieval Preaching in Italy (1200 - 1500),” in Kienzle, *The Sermon*, 450.

⁴⁷ Cf.: Kienzle, *The Sermon*, 146.

⁴⁸ Cf.: Rusconi, “La predicazione francescana sulla penitenza,” 71 - 72.

⁴⁹ Jean Delumeau uses both those terms in order to explain the long way of Europe to become a Christian continent, although he prefers to apply the term “acculturation” to a later period. Cf.: Jean Delumeau, *Un chemin d’histoire. Chrétienté et christianisation* (Paris: Fayard, 1981).

piety in the daily lives of laypeople.⁵⁰ Overall, this kind of an approach leads to the institutionalising of a sort of “ideological hegemony” on the part of the clergy. On the one hand, it has been pointed out how as a main category that has still to be proved wrong;⁵¹ on the other hand, it is not easy to measure the real consistency of such a supposed cultural “hegemony” since any analysis can only draw on the basis of the sources that still exist, which are normally produced by the self-same representatives of these “hegemonic” circles. This limitation in the sources makes it far more complicated to grasp the existence of other “voices” that may possibly have been present. Thus, if we are ultimately allowed to speak of “hegemony”, then preaching should be recognized as one of the major means through which it could be deployed, still bearing in mind the role played by communicative processes in shaping religious identities.⁵² The processes of communication are still multifaceted and dialogical implying the existence of a multiplicity of actors. Thus, the characteristic pastoral care based on preaching and confession frames what has been defined as “discursive formations”, which are both systems for interpreting the world and “processes of institutionalization and materialization”. This is all about the power and the role of words articulated by cultural elites, since discourses can influence non-discursive elements as they are basically instruments of power.⁵³ The *sermo* can thus have been one of those instruments.

Speaking of the “dialogical” character inherent to those communicative processes, it can be asked whether even sources such as sermons or other learned literary compositions have resonance today. Carlo Ginzburg has explained how the “dialogical” structure of a text can be either “explicit”, mainly in archival texts such as inquisitorial trials or confessions of accused people, or “implicit” as in ethnographic notes describing a rite, a myth or an instrument.⁵⁴ From this point of view, a sermon as source falls somewhere within the data cluster revealing an implicit dialogical structure to the extent that the preacher - who was generally also a confessor and sometimes even an inquisitor - provides narrative elements related to his duties of pastoral care within the populace.

There are some *exempla* through which the existence of a human connection can be grasped when the event narrated took place, as in the specific case where a preacher had

⁵⁰ See: Giovanni Miccoli, *La storia religiosa*, in *Storia d'Italia* (Turin: Einaudi, 1974; reprint: Milan: Il Sole 24 Ore, 2005), 838.

⁵¹ Cf.: Pellegrini, “Cultura e devozioni,” 409.

⁵² See: Kocku Von Stuckrad, *Locations of Knowledge in Medieval and Early Modern Europe* (Leiden: Brill, 2010), 16.

⁵³ Cf.: Von Stuckrad, *Locations of Knowledge*, 4 - 5.

⁵⁴ Carlo Ginzburg, *L'inquisitore come antropologo*, in *Il filo e le tracce. Vero falso finto* (Milan: Feltrinelli, 2006), 274.

something to discuss with an illiterate person from his diocese. Thus, Giacomo della Marca reported how once a certain *mulier malefica* had a church built in the countryside and lead all the inhabitants of the area to that church. Giacomo tells how upon asking her by whose authority she had built that church she answered *ex auctoritate divina*, clearly believing in the lawfulness of her behaviour. It was only later, as described by the preacher, that his questions led her to change her version of the events: *et nesciens respondere dixit coram populo: miserere quia venit diabolus*, confessing that she was convinced by the devil himself to build the chapel.⁵⁵ Now, should this tale be considered as a proof of a hidden dialogical structure? Probably it can be grasped the occurrence of some kind of dialogue. The preacher voluntarily offers to his reader details tracing the different steps in a typical dialogical sequence. Obviously, one has to consider the special weight or role of literary models and *topoi* in the plot of the tale. Still, it is precisely in the balance or imbalance among elements of different provenance in the sermon that the existence of a “dialogical” background connected to communicative processes and creation of identities can be measured.

Ultimately, the core of what we are asking here, which basically revolves around a need to rediscover the communicative process underlying the structure of the sermon, is directly connected to the possibility of using the medium to grasp the social and cultural background within which the preacher displayed his pastoral activity. However, while sermons have been plentifully investigated as literary genres, they have been only partially studied as sources to understand the social role of their writers. As Debby Nirit Ben-Aryeh has noted, most works on medieval or Renaissance Christian preaching tend to concentrate on the sermon as a literary text, rather than on the social and political role of the preacher within society.⁵⁶ In my study, I shall proceed down the road indicated by Nirit Ben-Aryeh, in examining “superstition” by comparing related elements in sermons and other genres of texts, primarily confession manuals and tracts.

It has been pointed out how texts for confession, especially when written in the vernacular, represented the main catechetical medium in a period in which “confession and spiritual direction became common practice... in the absence of organic works of Christian doctrine”.⁵⁷ However, from this point of view, the famous *Summa Angelica* composed by

⁵⁵ See: Giacomo della Marca, *sermo 27 De sortilegiis*, in Idem *Sermones Dominicales*, ed. Renato Lioi (Falconara Marittima: Biblioteca Franciscana, 1978), 422 - 423.

⁵⁶ Debby Nirit-Ben Aryeh, *Renaissance Florence in the Rhetoric of Two Popular Preachers: Giovanni Dominici (1356 - 1419) and Bernardino da Siena (1380 - 1444)* (Turnhout: Brepols, 2001), 8.

⁵⁷ Zarri, *Libri di spirito*, 71.

Angelo da Chivasso in 1486,⁵⁸ one of the most influential works of the third quarter of the fifteenth century, might in a way be considered an “organic work of Christian doctrine”. It is “organic” in the way it, as an alphabetical repertoire of *casus conscientiae*, explains entry by entry all the relevant concepts in Christian theology. Its use, however, was conceived to be mostly “practical” as shown by the fact that it even contains a schema of questions to be posed to penitents. Thus, the practical inspiration is a feature also characterizing other texts conceived at St. Angelo. The main duties of the friars there were specifically reconnected to the practical aspects of preaching and confession.⁵⁹

In addition, I believe, works such as Busti’s *Rosarium* were also conceived as substitutes for those “organic works of Christian doctrine” that Zarri sees as missing in this period. I have shown, in fact, how the *Rosarium Sermonum* may be seen as a manual of Catholic doctrine, though intended for the practical use of preachers. This is particularly true for the cycle of doctrinal sermons based on the Ten Commandments. These sermons really sum up a large part of the Christian tradition concerning all the main doctrinal issues. Handbooks such as the *Rosarium* or even more collections of sermons such as Michele Carcano’s *Sermones quadragesimales de decem praeceptis*, printed in Venice in 1492,⁶⁰ which is less synthetic and more versed in theological discussion are not, however, works of doctrine *strictu sensu*. I have shown how, especially in the case of the *Rosarium*, the doctrinal part of the text has to be contextualized primarily within its general aim to prepare preachers for their work in pastoral care. They should be connected to the rise of a particular method of catechism which needed to rely on manuals providing practical indications to be used in preaching and confession. From this point of view, issues, materials and traditions were shared among the friars of the Order with a special line of transmission apparent among the friars of St. Angelo in Milan. There is a clear correspondence between the moment of preaching, its literary instruments and confession.

One of the most effective means for the preparation for confession was the so-called “confessionale generale” (*confessio generalis*) or general confessional, a short booklet of never more than 16 folios in length generally containing a list of all the possible sins that could be committed by the faithful. The lack of any formula of absolution in such texts

⁵⁸ *Gesamtkatalog der Wiegendrucke*: 1923-1946; *Indice generale degli incunaboli delle biblioteche d'Italia*: 559-571.

⁵⁹ See: Turrini, *La coscienza e le leggi*, 76 - 78; Michaud-Quantin, *Sommes de casuistique*, 99 - 101.

⁶⁰ *ISTC No.* ic00193000; *Gesamtkatalog der Wiegendrucke* 6133; *Indice generale degli incunaboli delle biblioteche d'Italia* 2522.

shows that they were basically intended for the use of the penitents.⁶¹ The popularity of such a texts genre is related to a general development in the production of penitential literature between the end of the fourteenth and the beginning of the fifteenth century. At that time leaner confessional texts began to be reprinted at the expense of the overly costly and cumbersome *Summae confessorum*.⁶² These more flexible confessional texts were thus dispersed among the laity of the Italian peninsula. The use of vernacular along with their brevity and low cost permitted the message to be spread more easily and shows their pedagogical value. What is more, these confessional texts were often issued under the names of the most popular of the preachers, such as Bernardino da Siena, Antonino da Firenze, or Michele Carcano.⁶³ Both the confessor and the faithful were instructed on how to manage confession, while the penitent had to introduce the listing of his sins through the formula “dico mia colpa” (“I say my sin..”), as explicitly requested in Carcano’s *Confessionale generale de la gran tuba*, printed in Venice in 1484.⁶⁴

The points of contact between preaching and confession are particularly striking in the manuals for confessors called *interrogatorii*. They still fall within the genre of “confessioni generali”, although written in Latin and therefore evidently intended for a learned audience at a European level. These texts display many points of contact and similarities with the sermon collections, marking osmosis underway between preaching and confession. Such a strict relationship between those two moments in pastoral practice is particularly striking at the friary of St. Angelo in Milan. The texts produced there indicate how the preaching activity of the Observant Franciscans was mainly intended as a preparatory course for penitence and confession, showing once more the interrelation of these two moments in pastoral practice as two sides of the same coin. The themes and issues addressed in preaching are just like those one finds in the confessional literature, as I shall point out later concerning “superstition”. Thus, the *Interrogatorium sive Confessionale* published in Milan in 1474⁶⁵ by Bartolomeo Caimi, who was also in charge of the

⁶¹ See: Rusconi, “Manuali milanesi di confessione editi tra il 1474 e il 1523,” *Archivum Franciscanum Historicum* 65 (1972): 116; Michaud-Quantin, “Sommes de casuistique,” 82; See also: Rusconi, *L’ordine dei peccati*, 249 - 250.

⁶² Cf.: Rusconi, “Manuali milanesi di confessione,” 107 - 108; Michaud-Quantin, “Sommes de casuistique,” 98.

⁶³ Rusconi, “Manuali milanesi di confessione,” 116; 150 - 156.

⁶⁴ “Necessario è che il peccator dica sua colpa” (“it is necessary that the sinner tells his sin”), Carcano, *Confessionale*, page with no number. I have used the edition printed in Venice in 1484 by Bernardino Benalio: ISTC No. ic00190300; *Gesamtkatalog der Wiegendrucke*: 6121; *Indice generale degli incunaboli delle biblioteche d'Italia* 2513.

⁶⁵ The incipit of the *Confessionale* specifies: *compositum in loco sancta marie de angelis apud mediolanum*. *Gesamtkatalog der Wiegendrucke* 6540-6550; *Indice generale degli incunaboli delle biblioteche d'Italia* 2718-2723.

guardianship of St. Angelo twenty years before Busti, in 1466, offered a scheme on which Busti relied attentively when speaking of “superstitions” in his sermon 16 in the *Rosarium*.

Rusconi has already pointed out how preaching actuates a strict link between the redaction of *sermonarii* and the production of devout literature in vernacular. The connection with the practice of confession and the centrality of the penitential issue is determined by the Lenten orientation of preaching itself.⁶⁶ In this strict relationship between different kinds of productions, the aim of preaching was basically to illustrate morals and sin with penitence and confession being the only way to escape infernal punishments. Devout literature, in contrast, provided a “stairwell to paradise”. Both were intended as a means to salvation.⁶⁷ Antonio da Vercelli’s *Tractato utile et salutifero de li consigli della salute del peccatore*, printed in Italy in vernacular in 1470,⁶⁸ is exactly one of those “devout booklets” showing the fifteenth century tendency to disseminate a morality and a devotion that were once consigned to the closed world of monastic environments. Both Antonio’s *Tractato* and his other tract *Trattato ovvero sermone de duodeci frutti della confessione*, printed in Parma in 1479,⁶⁹ are texts related to confession yet strictly linked to the preaching practice of the author: the former gathers material used by Antonio when he was preaching in Borgo San Sepolcro in 1466, while the latter gathers the preaching material he used in Volterra in 1478.⁷⁰ The circularity of penitential themes and schemes was not exclusive to circles belonging to the same religious Orders, but fruitful dialogue was also seen as possible among the different Orders. Thus, Caimi’s *Interrogatorium*’s wide popularity was basically due to its close dependence on the famous and must respected confession manual that begins with the words *Defecerunt scrutantes scrutinio*,⁷¹ composed before 1440 by the Dominican Antonino Pierozzi (d. 1459) archbishop of Florence.⁷²

By and large, there was certainly a close connection among friars, centres of production of texts and schools. That fact brings us back to the issue concerning the process

⁶⁶ Cf.: Rusconi, *L’ordine dei peccati*, 194 - 195.

⁶⁷ See: Zarri, *Libri di spirito*, 74.

⁶⁸ *ISTC* No. ia00917000; *Gesamtkatalog der Wiegendrucke* 2256; *Indice generale degli incunaboli delle biblioteche d’Italia* 713.

⁶⁹ *ISTC* No. ia00917900; *Gesamtkatalog der Wiegendrucke* 2259; *Indice generale degli incunaboli delle biblioteche d’Italia*, 716; I have considered the edition printed in Modena by Domenico Rococioli in 1491.

⁷⁰ Cf.: Rusconi, *L’ordine dei peccati*, 195; Turrini, *La coscienza e le leggi*, 43 - 44.

⁷¹ It was known with the title: *Defecerunt. Confessorum refugium atque naufragium portus tutissimus*. See: *Gesamtkatalog der Wiegendrucke*: 2080-2151; *Indice generale degli incunaboli delle biblioteche d’Italia*: 616-657; see: Rusconi, *L’ordine dei peccati*, 219 - 222.

⁷² See: A. D’Addario, “Antonino Pierozzi, santo,” in *Dizionario Biografico degli Italiani* Vol. 3, 524 - 532; Cf.: Rusconi, *L’ordine dei peccati*, 222. The use of Caimi’s *Confessionale* was recommended to the preachers by the synods of Basel in 1503 and Augsburg in 1548. See: C. Gennaro, “Caimi, Bartolomeo,” *Dizionario Biografico degli Italiani*, Vol. 16, 346 - 347; Rusconi, “Manuali milanesi di confessione,” 124; Michaud-Quantin, *Sommes de casuistique*, 76.

of elaboration and transmission of knowledge in Mendicant friaries and schools. The manner in which that process took place through the circulation of texts and the use of particular *curricula* of study, favoured the shaping of a common background. Thus, sharing a common tradition and material was basically the rule in the composition of texts. As already pointed out, Busti explicitly states that he made abundant use of other preachers' works. That was a way to compose pastoral texts and a literary genre in itself using the "florilèges spirituels".⁷³ This way of producing works of compilation must have been even more usual in an environment such as the friary of St. Angelo, where a number of friars devoted to the compilation of preaching and confession texts were already gathered. The custom of learned compilation implies that the *Rosarium* should be considered the last example of a series of texts sharing the same features and in direct connection with the teaching of Bernardino da Siena.⁷⁴ Busti may also have had occasions to study Bernardino da Siena's texts at close range. Certainly in 1480 he was able to consult the manuscripts of the preacher in a friary near Siena on his way back from Rome with Bartolomeo Caimi. In Rome he had presented his *Officium de Conceptione Virginis* to Pope Sixtus IV.⁷⁵ Still, it is to Michele Carcano that Busti owes his major literary obligations. Rusconi has showed how Busti derived a great part of his material covering the issue of penitence from Carcano's *Sermonarium de penitentia*.⁷⁶ In addition, I later highlight the way he directly derived material concerning "superstition" from Carcano, and in turn from Bartolomeo Caimi as well. There is an evident commonality linking the texts composed in St. Angelo.

In conclusion, the large editorial success of the *Rosarium* until a relatively late period and even in regions beyond the Alps can partially be derived from its encyclopaedic nature. Thus, for instance, unlike Carcano's *Sermones quadragesimales*, which are more theologically structured and wordier, Busti's handbook for preacher gathered the most representative elements of a certain tradition, binding them together in a book that was easy to consult and therefore thoroughly practical. However, as I shall show later, his work also contained some original and worthy reflections.

It was also probably due to these characteristics that the *Rosarium* could still play an essential role in the library of a friary newly built in 1605 near Parma under the protection of Ranuccio I Farnese, duke of Parma and Piacenza. Ranuccio was the son of the more famous Duke Alessandro Farnese, who was a Christian commander at the battle of Lepanto. The *Rosarium* also appears among a few other Observant Franciscan titles - primarily those

⁷³ Cf.: Michaud-Quantin, *Sommes de casuistique*, 76.

⁷⁴ See: Rusconi, "La predicazione francescana sulla penitenza," 91.

⁷⁵ See: Rusconi, "La predicazione francescana sulla penitenza," 72 - 74.

⁷⁶ See: Rusconi, "La predicazione francescana sulla penitenza," 78 and note No. 50.

authored by Bernardino da Siena - before the Council of Trent in a list dated 1611 from the same friary as one of the books whose possession was deemed mandatory. Subsequently, the *Rosarium* appears again in another list from 1640. These indications are even more relevant when one considers that prospectuses for that library were intended to list material needed to prepare preachers. Furthermore, the choice of texts in Parma probably mirrored a similar schema used in other Franciscan libraries in the period following the Council of Trent.⁷⁷

All that being said, it appears to be particularly meaningful that Samuele Cassini himself - along with another Franciscan preacher called Illuminatus Novariensis⁷⁸ - exhorted Busti to write his *Rosarium Sermonum* “by selecting flowers from various texts”, dedicating to him a brief but intense *exhortatoria epistola metro conscripta*:

A letter of exhortation set in verse by the venerable father Samuele Cassini of the Order of the Observant Minors and the greatest expert professor in theology, to friar Bernardino Busti, in which he asked him by means of various comparisons to compose an anthology of sermons to be preached by picking ornate passages from various books.⁷⁹

The peculiar practice of text composition through selection of material from other texts is thus endorsed and even suggested by Cassini. Two elements are worth highlighting here. The first concerns the inherent value of the particular composition technique itself, encouraged by a significant figure in the Milanese Franciscan Observance. The other, partially linked to the first and to which I return much later, regards the connection established in this way between Cassini and Busti. This will be of great relevance when dealing with an issue such as witchcraft and the reality and unreality of some of its most representative stereotypes. Clearly, the manner of transmission of those elements was also connected with the form of composition of the text itself. In other words, far from being a mere act of copying, as the case of Busti shows, “selecting” material from other texts

⁷⁷ See: Stanislao da Campagnola, “Ranuccio I Farnese (1569 - 1622) fondatore della biblioteca dei Cappuccini di Fontevivo (Parma),” *Collectanea Francescana* 38, 3 - 4 (1968): 308 - 363.

⁷⁸ *Fratis Illuminati Nouariensis ordinis minorum predicatoris ad lectores huius operis exhortatoria*. Busti, *Rosarium*, 2r.

⁷⁹ *Venerandi patris fratris Samuelis de Cassinis ordinis minorum observantie ac sacre theologie lectoris peritissimi ad fratrem Bernardinum de Busti exhortatoria epistola metro conscripta in qua similitudinis argumento multiplicis eum rogavit ut Rosarium perficeret sermonum predicabilium de variis libris flosculos excerpando*.

Fluidum resonat mare gurgitibus/ Sinuosa vadis vere replentibus/ Fera nec refugit alere catulos/ Modo quum resonant zephiri dulcius/ Apium strepitans pede mellifluo/ Modulos resonat sonus ambiguos/ Pia corticibus petit e laceris/ Dominum fugitans turba nec humiles/ Revocans motus summa liceu/ Nisi qui teneat cimbala quatiens/ Mater ad amnem/ Ea codicibus bona que variis/ Tenuit quondam tua calliope/ Refera redeunt bustevolentibus/ Aurea fecia/ Mare quo celebrant litora feriunt/ Ferit ut ipsum litora sonitu/ Tua me pulsant fortis opinio/ Mea te pulsant crebra petitio/ Sonus hic dulcis strepitans volucres/ Agit in saltus nemoris varios/ Agit ut redeant vatibus animi/ Teneant nimis pia tractatibus/ Volitans remeet alta bicornibus/ Elio remissis modo de collibus/ Sit tibi vera salus. Busti, *Rosarium*, 2v - 3r.

represented a way of explicitly choosing a line of thought or taking a specific position on given issues. Highlighting this with regard to “superstition” and witchcraft is one of the aims of this work. On the other hand, the path to that aim leads to the consideration of sin and the various ways to classify and analyze it. That is, after all, an issue at the core of preaching and confession, and at the same time, the pattern leading to the identification of “superstition” itself as a sin based on one of the several available schemes: the Ten Commandments. Considering the issue of sin through its classifications will be the topic of the next chapter.

3. Tallying Sins Between the Thirteenth and Fifteenth Centuries The Use of Classificatory Grids

The aim of this chapter is to trace some of the main features of a period that bore witness to dramatic changes in the concept of sin and the use of specific schemes for its classification. My attempt is to determine the precise place of Bernardino Busti within this discourse also taking into account some of his closer Franciscan Observant colleagues.

In 1515, the year of Bernadino Busti's death, the principles of canon 21 *Omnis Utriusque Sexus* issued by the Fourth Lateran Council in 1215¹ had come a long way: precisely three centuries had passed since the date of "the first great assembly of the whole Church since Late Antiquity".² The canon stated the obligation to individual auricular confession at least once a year and Easter communion for the faithful of both sexes,³ as a consequence establishing a great divide with the late Antique and early medieval practice of public penitence based on fees. For the first time, an articulated form of private confession, placing the confessor and the penitent in direct and exclusive connection, emerged as an obligation in the western Christian tradition after a century of theological elaboration.⁴ What was originally designed to create a much closer relationship between priests and parishioners in order to check heresy rapidly became an instrument with far broader

¹ *Omnis utriusque sexus fidelis, postquam ad annos discretionis pervenerit, omnia sua solus peccata confiteatur fideliter, saltem semel in anno, proprio sacerdoti, et iniuncta sibi penitentiam studeat pro viribus adimplere, suscipiens reverenter ad minus in Pascha eucharistiae sacramentum... Si quis autem alieno sacerdoti voluerit iusta de causa sua confiteri peccata, licentiam prius postulet et optineat a proprio sacerdote, cum aliter ille ipsum non possit solvere vel ligare. Decretales Gregorii IX, 5, tit. 38, c. 12, Emilius Friedberg, Corpus Iuris Canonici, II (Leipzig, 1879 - 1882); Constitutio 21, ed. A. García y García, Constitutiones Concilii quarti Lateranensis una cum commentariis glossatorum (The Vatican City, 1981), 67-8; the specific obligation to individually confessing sins at least once a year and to receiving the communion at Easter, was introduced for every Christian of both sexes who had reached the age of discretion. See: P. M. Gy, "Le précepte de la confession annuelle et la nécessité de la confession," *Revue des sciences philosophiques et théologiques* 63 (1979): 529 - 547.*

² Brenda Bolton, *Innocent III: Studies on Papal Authority and Pastoral Care* (Aldershot: Variorum, 1995), 57. Bolton defines the Fourth Lateran Council as "a show with a meaning," the careful preparation of the Council reflected the creation of the most important body of disciplinary and reform legislation of the Medieval Church.

³ On the canon and its relevance in the history of confession see: Groupe de La Bussière, *Pratiques de la confession des Pères du desert à Vatican II. Quinze études d'histoire* (Paris: Les Editions du Cerf, 1983), 13 - 136; M. Maccarone, "Lateranense IV, Concilio," in *Dizionario degli istituti di perfezione* 5 (Rome: 1978), 474 - 495; Roberto Rusconi, *L'ordine dei peccati. La confessione tra Medioevo ed età moderna* (Bologna: Il Mulino, 2002); Ilarino da Milano, "Le concepte de reforme comme solution des tensions religieuses au XIII siècle," in *The Church in a Changing Society. Conflict-Reconciliation or Adjustment? Proceedings of the CIHEC Conference in Uppsala, August 17 - 21, 1977* (Uppsala: Publications of the Swedish Society of Church History, 1978), 30, 48 - 54.

⁴ From the 8th century Carolingian reformers began to introduce a double system of public and private penitence depending on the typology of the sins. However, it was still linked to the old tariff-based model. Groupe de la Bussière, *Pratiques de la confession*, 74 - 76.

potential as an instrument to control conscience.⁵ The changes that had elapsed since the ninth century, which included the introduction of lighter and arbitrary penances found their culmination in canon 21, which established confession as compulsory and necessary.⁶ This would play a role in a medieval Christianity characterized by “the existence of a church, of a clergy, of a dogma”: an aspect that would distinguish it from all other religions.⁷ Confession became, in fact, one of the instruments through which a progressively institutionalized Church handled the everyday spiritual life of the faithful.⁸

Linked to this is a discourse concerning the principles of faith and the instruments through which they were diffused from the clergy to the laity. By “principles” of faith, I mean the doctrinal elements of Catholicism, systematized over time by papal councils and synods, and spread through the use of specific “instruments”, such as doctrinal, canonical and pastoral writings. With these tools it was possible to spread those principles among the faithful. The main channels through which these “instruments” were put in use were preaching and confession, two pastoral moments that received a fundamental impulse through canon 21 of Lateran IV, as noted by many scholars. Citing Focault, Elliott reminds us of the central role played by Lateran IV in identifying confession as “one of the main rituals we rely on for the production of truth”.⁹ Rusconi pointed out how after the Council of 1215, preachers and confessors began to perform a more precise function in the transmission of themes and modes of the catholic faith. It was up to the preacher, Rusconi wrote, to propose from the pulpit the articles of faith to be believed and the behaviours to be followed by the faithful, while it was up to the confessor to check the extent of acceptance of what the preacher had said at the individual level.¹⁰ Considering the Mendicants’ action over society, which Letizia Pellegrini has outlined as functioning “at a more profound level”, from the

⁵ Luigi Pellegrini explained that canon 13 of the synod of Toulouse of 1229 reused the canon 21 of Lateran IV in order to identify the heretics among those who were not accomplishing its regulations. See: Luigi Pellegrini, “Mendicanti e parroci coesistenza e conflitti di due strutture organizzative della “cura animarum”,” in *Francescanesimo e vita religiosa dei laici nel ‘200: Atti dell’ 8° Convegno internazionale, Assisi, 16-18 ottobre 1980, Società internazionale di studi francescani* (Perugia: Università degli Studi di Perugia, 1981), 135 - 136.

⁶ Cf.: Thomas Tentler, *Sin and Confession on the Eve of the Reformation* (Princeton: Princeton University Press, 1977), 16 - 22.

⁷ Jean-Claude Schmitt, “Les superstitions,” in *Histoire de la France religieuse*, ed. Jacques Le Goff and René Rémond (Paris: Seuil, 1988), Part 1, 419.

⁸ It is one of the theses at the core of Prosperi’s research. Although his focus is on the post-Tridentine era, the premises of the phenomenon, as he highlights, date back to the events we are dealing with. Cf.: Adriano Prosperi, *Tribunali della coscienza. Inquisitori, confessori, missionari* (Turin: Einaudi, 1996).

⁹ Dyan Elliott, *Proving Woman. Female Spirituality and Inquisitional Culture in the Later Middle Ages* (Princeton and Oxford: Princeton University Press, 2004), 14.

¹⁰ Roberto Rusconi, “Reportatio,” in *Dal pulpito alla navata. La predicazione medievale nella sua ricezione da parte degli ascoltatori (secc. XIII-XV). Convegno Internazionale di Storia Religiosa in memoria di Zelina Zafarana, Florence, 5-7 June 1986*, ed. Gian Carlo Garfagnini, *Medioevo e Rinascimento* (Florence: Olschki, 1989), 34 - 35; Cf. also: Glauco Maria Cantarella, Valeria Polonio, Roberto Rusconi, *Chiesa, chiese, movimenti religiosi* (Roma: Laterza, 2007), 224.

thirteenth century onwards the mendicant Orders provided society with “new categories and instruments of thought”, of which their standardized education at a European level (*studia*) and the means of transmission to the faithful (*sermo modernus*) were primary factors.¹¹ Thus auricular confession, as well as attending sermons became a crucial moment in the formation of religious identities in the Italian cities at the end of the Middle Ages.

Delcorno and Rusconi have remarked how between the thirteenth and fifteenth centuries iconography testifies to the existence of a direct connection between preaching and confession, as the initial-letters in miniatures of numerous manuscript-copies of the *Tractatus de poenitentia* in the *Decretum Gratiani* clearly show. Examples include the miniature of a 1340 copy of the *Tractatus* painted by an artist from Bologna, in which a Franciscan friar is represented preaching outside a church from the height of a pulpit while inside the church a Dominican friar hears the confession of a penitent kneeling at his feet.¹² Alongside miniatures, frescoes also often show the same iconographical motif, as in the depiction of a woman confessing her sins at the feet of a friar in the “cappella maggiore” or the presbytery of the dome of Orvieto,¹³ frescoed by Ugolino di Prete Ilario from 1370. Iconographical evidence therefore shows the emergence of a confessional practice that differed both from that of the high middle ages and from the one that became common after the council of Trent. In the pre-Tridentine age confession was auricular and individual, but there was nothing to separate physically the penitent and the confessor. The wooden confessional constitutes a typical post-Tridentine addition.¹⁴

Thus, Canon 21 of the Fourth Lateran Council only apparently concerned merely the history and the role of penitence. In fact it went well beyond the mere transformation of the previous tradition concerning sacramental confession. By and large, it has been emphasized how one of the major aims of pope Innocent III’s program was the general reformation (*reformatio*) of the Church, the fundamental premise of which was the persisting repression

¹¹ Letizia Pellegrini, “Cultura e devozioni: i frati predicatori, la politica e la vita religiosa in Europa fra il 1348 e il pontificato di Martino V,” in *Vita religiosa e identità politiche: universalità e particolarismi nell’Europa del tardo Medioevo* (Pisa: Pacini Editore, 1998), 407 - 408.

¹² See: Carlo Delcorno, “Medieval Preaching in Italy (1200 - 1500),” in *The Sermon*, ed. Beverly Mayne Kienzle (Turnhout: Brepols, 2009), 451; Rusconi, *L’ordine dei peccati*, 161 - 181.

¹³ See: Eraldo Rosatelli, *Il duomo di Orvieto. Fede, arte, letteratura* (Ponte San Giovanni: Quattroemme, 2000).

¹⁴ The confessional was introduced for the first time by Gian Maria Giberti, bishop of Verona, in the fourth decade of the 16th century, as is indicated in the *constitutiones* that he published for his diocese in 1542. Such a tool was intended to render more difficult the visual contact between the confessor and his female faithful. Carlo Borromeo bishop of Milan between 1564 and 1584 contributed largely to the spread of its use. However, it was only in 1614 that the *Rituale Romanum* made the use of confessional mandatory in every Catholic church. Cf.: *Rituale Romanum Editio Typica 1952* ed. Manlio Sodi, Alessandro Toniolo (Rome: Libreria Editrice Vaticana, 2000), 141 ff; See: Rusconi, *L’ordine dei peccati*, 331 - 335.

of the heretics, in particular the Cathars, a task later accomplished by his successors.¹⁵ Within this discourse, the norms contained in the canon 21 have been seen as an instrument to instruct the faithful, but also to measure their level of orthodoxy, distinguishing the obedient from the disobedient, the real Christian from the heretics.¹⁶ More specifically, the canon has been seen as the innovative proposal of a system of penitential law constituting a step forward within Innocent III's plans for a juridical redefinition of *Christianitas* as an institution identified with the Church and structurally based on the parish.¹⁷ The fact that the parish clergy turned out to be inadequate to accomplish such a task, entailed the non-compliance of the faithful to confess their sins *proprio sacerdote*, thus the better trained Mendicant friars could soon replace the parish priests in the completion of pastoral duties.¹⁸ Here the core element represented by the double expertise of the friars as preachers and confessors merits repeated emphasis. It was in fact exactly because of the operative link between preaching and confession, the triggering element of which can be seen in canon 21 of the Fourth Lateran Council, that the friars could attend to their pastoral duties better than the parish clergy. This would imply for the scholar the need to reevaluate the confessor's effort in light of the preacher's work, thus giving to Ovidio Capitani's "il diritto del quotidiano" ("the law of daily life") its cause and at the same time its outcome: the increasing concern for behavioural and social control through the use of a "penitential law" related to the annual obligation to confess.¹⁹

During the fifteenth century, when the pastoral activity of the Observant preachers and the diffusion of their written works spread, the indications of Canon 21 encouraged to the identification of possible "deviations" from social and religious norms. In the instruments compiled by the friars, *sermonarii* and texts for confession, one finds the use of specific classificatory grids the function of which was to identify and evaluate sins. Michele Carcano wrote in the prologue of his *Confessionale generale de la gran tuba*:

... And then the priest has to ask about the condition of the sinner: namely what is his profession, in order to recognize easily in which sin he or she might fall. Then, the priest has to move the sinner emotionally by saying kind words, such as: my

¹⁵ See: Giovanni Miccoli, "L'Italia religiosa," in *Storia d'Italia. Dalla caduta dell'Impero Romano al secolo XVIII*, ed. Ruggiero Romano and Corrado Vivanti (Milan: Il Sole 24 Ore, 2005), Vol. 2, 689 - 707.

¹⁶ Cf.: Elliott, *Proving Woman*, 12 - 13 and note no. 14; Pellegrini, "Mendicanti e parroci," 136.

¹⁷ See: Ovidio Capitani, "Verso un diritto del quotidiano," in *Dalla penitenza all'ascolto delle confessioni: il ruolo dei frati mendicanti, atti del XXIII Convegno internazionale, Assisi, 12 - 14 ottobre 1995* (Spoleto: Centro Italiano di Studi sull'Alto Medioevo, 1996), 11; Cf.: Paolo Prodi, *Una storia della giustizia* (Bologna: Il Mulino, 2000), 80 - 82.

¹⁸ See: Rusconi, *L'ordine dei peccati*, 59; Jaques Le Goff, *Tempo della Chiesa e tempo del mercante e altri saggi sul lavoro e la cultura nel medioevo* (It. tr. Turin: Einaudi, 2000), 147.

¹⁹ Capitani, "Verso un diritto del quotidiano," 5 - 6.

little son and brother, our lord God does not wish death to the sinner, rather that he repents of his sins and lives.²⁰

Although the words used by the preacher are part of a *cliché* that is stereotypical of the genre, I should point out how the interrogation of the penitent is formulated on the basis of his or her affiliation with a specific *status* or “arte”, or in other words, the “social-anthropological” identification of the penitent occurs on the basis of his or her profession. The tradition in preaching of the *sermones ad status* as “a tendency to define, to order, and to direct perceptions of society” corresponds to this effort to identify the socio-economical status of the penitent in the moment of confession.²¹ The use of “polite words” with which Carcano instructed the confessor on how to “move the sinner” therefore indicates a deportment deliberately oriented to obtain the desired effect, repentance, by relying on a sort of psychological sensitivity to the mood of the faithful.²² The aim was to obtain the most exhaustive confession possible from the penitent, and the manner of speaking on the part of the confessors differs according to the “arte” of the faithful. This tendency appears as soon as the beginning of the thirteenth century. Robert of Flamborough clearly considers the existence of a connection between sins, penance and professional roles,²³ recognizing Pierre le Chantre’s conviction that oral confession to the priest was absolutely essential for the expiation of sins.²⁴

The centrality of speech appears, therefore, as a crucial element in the urban and mercantile society of the thirteenth century, strictly related to the development of the mendicant Orders: speech as an instrument in the hands of the new urban “classes” or *status* (merchants, bankers, jurists), and speech as an instrument of persuasion employed by preachers. It has been said that the need for the spirituality of the urban society expressed

²⁰ *Poi el sacerdote debe domandare la conditione del peccatore: cioè che arte è la sua, acìò che possa conoscere facilmente in quali errori possa quella persona cadere. Poi comenzi el sacerdote a commovere el peccatore con dolce parole, dicendo fiolo e fratello mio il nostro signore dio non vuole la morte del peccatore, ma piuttosto vuole che se pentisca de li suoi peccati e che viva.* Michele Carcano da Milano, *Confessionale Generale de la Gran Tuba* (Venice, 1525), 1v.: ISTC Number: ic00190300; *Gesamtkatalog der Wiegendrucke*: 6121; *Indice generale degli incunaboli delle biblioteche d'Italia*: 2513.

²¹ Cf.: Carolyn Muessig, “Audience and Preacher: Ad Status sermons and Social Classification,” in *Preacher, Sermon and Audience in the Middle Ages*, ed. Carolyn Muessig (Leiden: Brill, 2002), 275; See also: Jaques Le Goff, *Tempo della Chiesa*, 133 - 152; Zelina Zafarana, *Predicazione francescana ai laici*, Eadem, *Da Gregorio VII a Bernardino da Siena. Saggi di storia medievale* (Florence: La Nuova Italia Editrice, 1987), 187 ff.

²² As of the twelfth century, theological reflections on penitence had been elaborating a characteristic articulation of confession in specific steps: *contritio*, *confessio* and *satisfactio*. It is particularly in order to favour contrition or the interior repentance (*contritio*) of the penitent that the confessor can use “dolci parole” or polite words. Cf.: Tentler, *Sin and Confession*, 18 - 22.

²³ Robert of Flamborough, *Liber poenitentialis*, ed. J.J. Firth (Toronto, 1971): see *Liber Quintus: De poenitentiis pro singulis peccatis Introductoria*, 204.

²⁴ Groupe de la Bussière, *Pratiques de la confession*, 78 - 79.

itself in speech.²⁵ A revival of *ad status* preaching can be traced also in Bernardino Busti's *Rosarium Sermonum*, since when speaking of the act of confession he highlights the importance for the penitent to confess even the sins related to *officia, artes et exercitia quae fecit*.²⁶ That testifies to the responsibility of the preacher to provide people's interior and exterior lives with an order that should be even more profound, adapted to their different "social-functional" characterization, evidently according to a dominant pastoral orientation aiming at encompassing all the aspects of one's life.²⁷ Thus, little doubt remains that at least in the intentions of the preachers, speech was deemed genuinely able to produce outcomes, mainly patterns of social and personal behaviour, by engraving one's conscience. After all, the "post-social" reflection has pointed out the importance of speech and discourse in conceptualizing "categorical framework or social imaginary" and thus basically in constructing social reality.²⁸

Although this centrality of speech under the species of preaching was true for urban preachers in general,²⁹ it has been pointed out how particularly Observant Franciscans used it in a peculiar way that differentiated them from "the scholarly" Dominicans and "the establishment-favoured" Augustinians.³⁰ The preaching of Observant Franciscans seemed to Rusconi more disposed to touch upon the heart of the masses to reform society,³¹ while Ghinato has suggested the existence of an equation between Franciscan Observance and popular preaching *tout-court* during the fifteenth century.³² On the other hand, Letizia Pellegrini has warned that "the pulpit" (i.e. preaching) should be seen as merely one of the spheres in which the importance gained by "the new religious order" of the Fifteenth

²⁵ Lester K. Little, *Religious Poverty and the Profit Economy in Medieval Europe* (London: P. Elek, 1978), 197 - 199.

²⁶ Busti, *Rosarium*, sermon 35, 225r. I have used and will use throughout the chapter the following exemplar of Busti's text: Bernardinus de Busti, *Rosarium Sermonum* (Venice: Giorgio Arrivabene, 1498), ISTC No.: ib01336000; GW 5807; Hein 4163.

²⁷ Cf.: Roberto Rusconi, "Da Costanza al Laterano: la "calcolata devozione" del cetto mercantile-borghese nell'Italia del Quattrocento," in *Storia dell'Italia religiosa. I. L'Antichità e il Medioevo*, ed. André Vauchez, (Bari: Laterza, 1993), 507; Pierre Michaud-Quantin, "Les méthodes de la pastorale du XIII au XV siècle," in *Methoden in Wissenschaft und Kunst des Mittelalters, Miscellanea Medievalia* 7 (Berlin: 1980), 88 ff.

²⁸ Cf.: Michael Cabrera, *Postsocial History. An Introduction* (Oxford: Lexington, 2004), 43.

²⁹ Letizia Pellegrini has spoken of "la centralità del predicare," see: Letizia Pellegrini, *I manoscritti dei predicatori* (Rome: Istituto Storico Domenicano, 1999), 16.

³⁰ Precisely resulting in what Oberman has defined Observant Franciscans' "non-violent revolutionary eschatology, their tendency towards anti-intellectualism and the psychological rather than metaphysical basis of their theology in pulpit and confessional". See: Heiko A. Oberman, "The Shape of Late Medieval Thought: The Birthpangs of the Modern Era," in *The Pursuit of Holiness: Papers from The University of Michigan Conference*, ed. Charles Trinkaus with Heiko A. Oberman (Leiden: Brill, 1974), 7.

³¹ See: Rusconi, "Manuali milanesi di confessione," 112.

³² "Dobbiamo dire che la predicazione popolare è particolarmente caratteristica dell'Osservanza francescana, e che l'Osservanza francescana è particolarmente caratterizzata dalla predicazione popolare. Quando il Feyaerts, nella sua rapida sintesi sulla storia della predicazione, arriva al Quattrocento, è principalmente dei Francescani dell'Osservanza che si ferma a parlare. E così in genere gli altri storici, come il Pastor." Alberto Ghinato, "La predicazione francescana nella vita religiosa e sociale del Quattrocento," *Picenum Seraphicum* 10 (1973): 26.

century, the Franciscan Observance, became evident. It would be possible, in fact, to identify at least two more aspects equally relevant: the diplomatic missions and the elaboration of a specific socio-economic theory.³³

During his Sienese preaching cycle of 1427, Bernardino da Siena - relying on an argument already used transversally by both Franciscans (such as Bernardino da Feltre) and Dominicans (such as Humbert of Romans and Giordano da Pisa) - urged people to prefer public preaching over the Sunday mass, if one had to choose between the two.³⁴ Muzzarelli has read in such a suggestion the echo of the desire to get back to the origins of the Christian message by touching the heart of the audience directly, which on the other hand was at the basis of St. Francis' claim for a return to the purity of evangelic life.³⁵ This would be confirmed by a particularly strict approach concerning moral behaviour on the part of the Observants.³⁶

On the connection between preaching and confession and the extent to which either was effective during the fifteenth century, one should notice that Gregory IX identified the Mendicants with the *viri idonei* about whom the canon 10 *De Praedicatoribus instituendis* of the Lateran IV had spoken.³⁷ The function of the *viri idonei* was to engender support for the pastoral activities of the bishops. Zelina Zafarana has highlighted the rapid increase of Mendicant friars in managing the pastoral reorganisation of parishes according to the canons of 1215. This was due to the scarce interest showed by the synods' legislation of the Italian peninsula,³⁸ which led the Mendicants to take the place of parish clergy in pastoral care.

It is not my intention here to take up the old historiographical debate concerning the competition between the Mendicants and secular clergy in dealing with pastoral care in the parishes. However, one should bear in mind that a certain number of papal dispositions

³³ See: Letizia Pellegrini, "Predicazione osservante e propaganda politica: a partire da una caso di Todi," in *La propaganda politica nel basso medioevo, Atti del XXXVIII Convegno storico internazionale, Todi, 14 - 17 October 2001* (Spoleto: CISAM, 2001), 522.

³⁴ "E se di queste due cose tu non potesse fare altro che l'una, o udire la messa o udire la predica, tu debbi piuttosto lassare la messa che la predica" ("if between these two things, attending the preaching and attending the mass, you might do just one, you should rather leave the mass than the preaching"). Quotation in: Maria Giuseppina Muzzarelli, *Pescatori di uomini. Predicatori e piazze alla fine del Medioevo* (Milan: Il Mulino, 2005), 25.

³⁵ Cf.: Muzzarelli, *Pescatori di uomini*, 25.

³⁶ Cf.: Bernadette Paton, *Preaching Friars and the civic ethos: Siena, 1380 - 1480* (London: University of London, 1996), 324 - 326.

³⁷ *Unde præcipimus tam in cathedralibus quam in aliis conventualibus ecclesiis viros idoneos ordinari quos episcopi possint coadiutores et cooperatores habere non solum in prædicationis officio verum etiam in audiendis confessionibus et pœnitentiis iniungendis ac cæteris quæ ad salutem pertinent animarum. Conciliorum Oecumenicorum Decreta*, Basileae: Herder, 1962, 215. Cf.: M. -H. Vicaire, "Sacerdoce et prédication aux origines de l'ordre des Prêcheurs," *Revue des Sciences philosophiques et théologiques* 64 (1980): 252; See: Rusconi, *L'ordine dei peccati*, 121.

³⁸ Zafarana, *Da Gregorio VII a Bernardino da Siena*, 201 - 202.

definitively confirmed that the shift of the preaching and confessional duties into the hands of the friars is a simple matter of fact.³⁹

The growth of the pastoral responsibilities of the Mendicant friars made them able to suggest and systematize issues in matter of faith by means of their “œuvres spécialisées”:⁴⁰ *sermonarii*, *summae de casibus*, “confessionali generali” and confession manuals. As we know, the diffusion of such specialized literature for pastoral use knew no bounds between the twelfth and the sixteenth centuries. Observant Franciscans did not privilege messages strictly intended for the elites, dealing instead with topics that could easily be spread to a large audience in print.⁴¹ It is obvious that one cannot speak of the message of preachers and confessors *tout court*. Their message was actually a number of different messages aiming to touch on the diverse issues at the core of their vision of society and human behaviour. My interest here is to analyze what lies below the “message”, which means analysing the conceptual structures and grids that preachers and confessors used in order to read reality through the consideration of sin. From there, and this is the core of my research, I consider their peculiar manner of classifying and analysing the sin of “superstition” and, within it, witchcraft.

The scholarship dealing with the theme of classification and proliferation of “a world of sin”⁴² is vast. Among the numerous authors who have dealt with the theme of confession over the course of the last decades, Tentler intended to enrich what according to him was Lea’s overly dry approach, by proposing an analysis of the ways in which auricular confession basically replied to the social and psychological needs of Western Christendom. Thus, Tentler aimed to foster a new approach that would consider the available vast body of sociological and psychological knowledge in order to study confession as a means through

³⁹ The bulls *Nimis iniqua* and *Nimis prava*, both written in 1231, were followed by the *Sicut olim* in 1234, all issued by Pope Gregory IX, who in response to German prelates confirmed and supported the pastoral efforts of the Minor friars. Issued by the same pope in 1237, the *Quoniam abundavit iniquitas* ordered that the friars had to be accepted by the clergy as preachers and that they would not have to be obstructed as confessors of those who approached their preaching. It was an organic discipline concerning the pastoral activities carried out by the friars, in which it was even possible to recognize a close connection between preaching and confession. An almost identical letter was already addressed in 1227 to Dominicans friars. With the bull *Super Cathedram*, issued by Boniface VIII on 18 February 1300, again expressing itself in favour of the Mendicants, the trend would remain unchanged until the Council of Trent. See: Celsus Uyttenbroeck, “Le droit pénitentiel des religieux de Boniface VIII à Sixte IV,” *Etudes Franciscaine* 47 (1935): 171 - 189; Hdgolin Lippens, “Le droit nouveau des Mendiants en conflit avec le droit coutumier du clergé séculier du Concile de Vienne à celui de Trente,” *Archivum Franciscanum Historicum* 47 (1954): 241 - 292; Rusconi, *L’ordine dei peccati*, 105 - 160.

⁴⁰ Pierre Michaud-Quantin, *Sommes de casuistiques et manuels de confession au Moyen âge, 12-16 siècles* (Louvain: Nauwelaerts, 1962), 11.

⁴¹ Rusconi, *L’ordine dei peccati*, 243.

⁴² As Jean Delumeau titled chapter 4 of his extensive work on sin. See: Jean Delumeau, *Le péché et la peur. La culpabilisation en Occident (XIII - XVIII siècle)* (Paris: Fayard, 1983).

which the Church displayed a form of control over society.⁴³ Also Bossy has insisted on this point speaking of medieval confession as a system to regulate collective behaviours,⁴⁴ and Jean Delumeau has suggested again the role of social and religious control over the “individual conscience” through the sacrament of confession, which he has also contextualized within the broader consideration of the history of fear.⁴⁵ Furthermore, we have already hinted at the link between preaching and confession studied by Rusconi as a means of shaping social behaviours. These positions appear to be inspiring insofar as they allow us to grasp a more profound and multifaceted meaning inherent in the use of concepts such as sin and confession in the period under consideration.

Lists of all the possible sins to be confessed appeared in Europe by the thirteenth century or even earlier.⁴⁶ As Rusconi has pointed out, from the last quarter of the twelfth century, the outcomes of a new penitential literature still relying on the *libri poenitentiales* developed. Its *ordo confitendi* was based on the seven deadly sins and it showed some features characterizing the genre of the *summa confessorum*, which continued to develop after 1215. It was between the thirteenth and fourteenth centuries, therefore, that the practice of penitence arrived at a crucial turning point. The sacrament began to be referred to with the verb *confiteri*, which expressed the central act of confessing one’s sins privately, while in the previous period it was generally indicated by the word *poenitentia*, which on the contrary gave importance to penance.⁴⁷ Thus, again, after 1215 speech became the central act.

Robert of Flamborough’s *Liber poenitentialis* (whose final redaction dates back to 1208 - 1215)⁴⁸ was among the first to differ from the old-fashioned penitentiary books,⁴⁹

⁴³ Cf.: Tentler, *Sin and Confession*, preface, xii.

⁴⁴ See: John Bossy, “The social history of confession in the age of the Reformation,” in *Transactions of the Royal Historical Society*, 25 (1975), 21 - 38.

⁴⁵ See: Delumeau, *Le péché et la peur*; Delumeau, *L’aveu et le pardon: les difficultés de la confession, XIIIe-XVIIIe siècle* (Paris: Fayard, 1990).

⁴⁶ See: Carla Casagrande, “La moltiplicazione dei peccati. I cataloghi dei peccati nella letteratura pastorale dei secoli XIII-XV,” in *La peste nera: dati di una realtà ed elementi di una interpretazione. Atti del XXX Convegno storico internazionale, Todi 10 - 13 ottobre 1993*, (Spoleto: CISAM, 1994), 253 - 284; Carla Casagrande, Silvana Vecchio, “La Classificazione dei peccati tra settenario e decalogo (secoli XIII - XV),” in *Documenti e studi sulla tradizione filosofica medievale*, (Spoleto: CISAM, 1994), 331 - 395; Carla Casagrande, Silvana Vecchio, *I sette vizi capitali: storia dei peccati nel medioevo* (Turin: Einaudi, 2000); Roberto Rusconi, “Il peccato, l’individuo e la Chiesa: Ordinate confiteri,” now in Idem, *L’ordine dei peccati*, 83 - 103; John Bossy, “Moral Arithmetic: Seven Sins into Ten Commandments,” in *Conscience and Casuistry in Early Modern Europe*, ed. Edmund Leites (Cambridge: Cambridge University Press, 1988), 214 - 234; Silvana Vecchio, “Il decalogo nella predicazione del XIII secolo,” in *Cristianesimo nella storia* (Bologna: EDB, 1989), 41 - 56; Thomas Tentler, “The Summa for Confessors as an Instrument of Social Control,” in *The Pursuit of Holiness*, 103 - 126; Scott Wenzel, “The Seven Deadly Sins: Some Problems of Research,” *Speculum* 43 (1968): 1 - 22.

⁴⁷ See: Roberto Rusconi, *Ordini medievali del peccato. La penitenza tra confessione e tribunale*, in *Peccato e pena. Responsabilità degli uomini e castigo divino nelle religioni dell’Occidente*, ed. Michelina Corsari and Daniele Francescani (Modena: Fondazione Collegio San Carlo, 2007), 103 - 125.

⁴⁸ Rusconi, *L’ordine dei peccati*, 70 and note No. 44.

defining a precise “order” through which the confessor should examine the penitent during confession. While confessional practice, Robert says, is commonly based on an exposition of sins that relies on personal, biographical and chronological memories, it would be much more convenient if a penitent followed a specific “order”. Robert suggests the seven deadly sins as a grid to be used for the orderly listing of all the sins, proceeding from the first, pride, towards the last, lust.⁵⁰ The orderly way of confessing sins came thus to replace the way to confess *inordinate*,⁵¹ without any order or, more precisely, without the order that the confessor wanted the penitent to follow. Passages like this show how the clerical elites attempted to instil in the faithful a precise “model” of sacramental life by disciplining their manner of accessing and using it.

The seven deadly sins remained pivotal in the long run, clearly being considered the best way to meet Canon 21’s order to confess *omnia peccata*. The seven deadly sins offered the possibility to dominate the entire universe of sin thanks to a limited number and precise genre of categories and filiations.⁵² The emergence of the seven deadly sins as a schema through which to classify various aspects of human behaviours, took place in the penitential literature at the time of Scholastic reflection.⁵³ However, its original emergence has to be traced back to the fourth century Egyptian hermitic environment, when Evagrius Ponticus created his system of *logismoi* or the eight “evil thoughts”. Such a schema migrated to the West through the works of Cassian. It was in the poem called *Psychomachia*, composed by Prudentius at the beginning of the fifth century, that the number of sins dropped from eight to seven. A list of seven “capital vices” or *vitia capitalia*, considered “deadly sins” or *peccata mortalia* (*Superbia, Avaritia, Luxuria, Ira, Gula, Invidia, Acedia*), was spread into theological and pastoral reflections by Gregory the Great, being known by their mnemonic Latin acronym SALIGIA, used for the first time by Henry of Susa in the twelfth century.⁵⁴ Thus, originally intended for monks, the schema was reused by preachers and confessors of

⁴⁹ Cf.: Groupe de la Bussière, *Pratiques de la confession*, 78.

⁵⁰ *Fere omnes inordinate confitentur; quia omisso ordine vitiorum ordinem aetatis, locorum et temporum observant, dicentes: “In illa aetate feci illam fornicationem, illud adulterium, illud furtum, illum perjurium, illum homicidium. Item in illa aetate feci illum incestum, illam monialem procatus sum, illud sortilegium feci”. Et ita et se et sacerdoti memoriam confundunt. Mihi placuit ut incipiens a superbia, quae est radix omnium malorum, singula cum suis speciebus confitearis gradatim vitia prout unum ab alio nasciture et procedit; scilicet prius vanam gloriam, secundo invidiam, tertio iram, quarto accidiam, quinto avarizia, sexto gulam, septimo luxuriam.* Robert of Flamborough, *Liber poenitentialis* (Under the heading: *Qualiter confiteri debeat poenitens*), 62.

⁵¹ Cf.: Rusconi, *L’ordine dei peccati*, 71.

⁵² Casagrande - Vecchio, “La classificazione dei peccati,” 362 - 363.

⁵³ Cf.: Rusconi, “Ordini medievali del peccato,” 116 - 118.

⁵⁴ Cf.: *In the Garden of Evil. The Vices and Culture in the Middle Ages*, ed. by Richard Newhauser (Pontifical Institute of Medieval Studies: Toronto, 2005), x - xi; Morton Wilfred Bloomfield, *The Seven Deadly Sins: An Introduction to the History of a Religious Concept, with Special Reference to Medieval English Literature* (East Lansing: Michigan State University Press, 1967) 86; Casagrande, “La moltiplicazione dei peccati,” 268; Aviad Kleinberg, *Seven Deadly Sins. A Very Partial List* (Cambridge: Harvard University Press, 2008), 29 ff.

the mercantile age in order to categorize all the facets of human behaviour under the species of sin. Just on an explanatory level, under the heading of *avarice* one could find grouped the sins that arose through contact with money, such as fraud and usury; under *envy* one finds the sins that had to do with forms of social conflict; while *pride* might include the sinful excesses of female fashion, as well as superstitious behaviour.⁵⁵

However, this “simple” classification based on the seven deadly sins (a topic in which authors such as Robert of Flamborough, Thomas of Chobam and Raymond of Peñafort distinguished themselves) was followed, shortly between the first half of the thirteenth century and the fourteenth century, by a more multifaceted classification, in which other grids of evaluation were placed alongside the previous schema. From the Ten Commandments to the five senses, from the deeds of mercy to the sacraments, from the articles of faith to the social-professional categories, the choice became wider in the works of authors such as Robert Grosseteste, Guillaume d’Auvergne and Astesano da Asti.⁵⁶ The need to find more grids according to which to classify sins - a phenomenon that Carla Casagrande has shrewdly referred to as “the multiplication of sins” - undoubtedly corresponded to changes in the social, economical and urban setting of the time. The choice of one system instead of another, in fact, reflects the entire system of values on which a society bases itself.⁵⁷ At the beginning of the fourteenth century, for instance, the *incipit* of *Tractatus de vitiis* composed by the Augustinian Heinrich of Friemar, begins with a citation of the verse of the Apocalypse on the beast with seven heads. Only one of the heads of the beast recalls the seven deadly sins though, while the other six refer to different sets of sins, namely *peccata clamantia*, *peccata muta*, *peccata in spirituum sanctum*, *peccata aliena*, *peccata maledicta*, *peccata venialia*.⁵⁸

Such a “poly-schematization” of the typologies of sin is well exemplified by Carcano’s *Confessionale*. In his text the preacher relied on nine schemes of classification instructing the confessor on how to evaluate the faithful:

And then the priest asks about the twelve articles of the Christian faith ...then he asks about the ten commandments of the law ...and then he begins to ask about the seven deadly sins ...once having seen and asked about the seven deadly sins ...it remains to look at the five senses. Firstly eyesight, hearing, olfaction, taste and lastly touch. ...God has given three sets of seven virtues: the first one consists of seven main virtues. Faith, hope, charity, prudence, temperance, justice, fortitude. ...After the aforementioned virtues the eternal God decorates the

⁵⁵ See: Mireille Vincent-Cassy, “L’Envie au Moyen Age,” *Annales E.S.C.* 35 (1980): 253 - 271; Georges Duby, Michéle Perrot, *Storia delle donne II, Il Medioevo* (It. tr. Rome: Laterza, 1990), 113 - 117.

⁵⁶ Cf.: Casagrande, “La moltiplicazione dei peccati,” 256 - 258.

⁵⁷ Casagrande, Vecchio, “La Classificazione dei peccati,” 331.

⁵⁸ Henricus de Friemar, *Tractatus de vitiis*, ms. Basel Univ. A. VIII. 34, ff. 87v-121r. Quotation in: Casagrande, “La moltiplicazione dei peccati,” 260 and note no. 10.

creature with the gift of the seven beatitudes. Again, the eternal God has offered to the human generation the seven magnificent and great gifts of the Holy Spirit... which are the gift of wisdom, the gift of knowledge, the gift of advice, the gift of awe of God, the gift of intellect, the gift of mercy, the gift of fortitude. ...once the sinner has confessed all the aforementioned things, it is still convenient that he confess his guilt about the seven sacraments of the holy mother church: in other words if he has ever mistrusted any of them, and if he has honoured them as he is obligated to do. The sacraments are these: baptism, confirmation, holy orders, confession, marriage, holy communion, extreme unction. ...what remains to see are the deeds of mercy, of which you must know that some of them are those of spiritual mercy and others are those of bodily mercy: ...to pay a visit to the sick, to prisoners, to widows, to orphans..., to offer as something to drink to the thirsty not the worst kind of wine one has..., to offer something to eat to whom does not have anything to live off ...you have to dress those who are naked and who are undone by the pains of this world ...you have to give hospitality to pilgrims ...you have to bury the dead and pray God for them..., thus the spiritual mercy deeds are seven ...comfort those whom you think need comfort, punish with humility and pleasantness those who hurt someone else, teach and train those who do not act with kindness, excuse those who insult you, aid those who lie in sufferings, tolerate the faults of those who are close to you, pray for those who offend you.⁵⁹

The text is not original, since it is similar to many others of the same genre; nevertheless, it shows how different grids of interpretation of sins were put side by side, and what the matrix used by an Observant Franciscan preacher in the fifteenth century consisted of. Carcano suggests, in order, the twelve articles of faith, the Ten Commandments, the seven deadly sins, the five sentiments, the seven virtues, the seven gifts of the Holy Spirit, the seven sacraments, and the seven works of mercy. The seven deadly sins are still vital in

⁵⁹ Carcano, *Confessionale Generale de la Gran Tuba*, 3v. ff. The text in vernacular reads: *E poi el sacerdote lo domandi deli dodeci articoli della fede ... e poi domandi de diece comandamenti dela lege ... e poi comenza domandar de li sete peccati mortali Veduto e domandato di sette peccati mortali secondo che pare ali sacerdoti ... resta a veder de cinque sentimenti. Et primo del vedere ... de auditu ... de odoratu ... de gustu ... de tactu. ... dio li ha donato uno triplice septenario de virtu: unde lo primo se contiene in sette virtu principale. Fede, speranza, carita, prudentia, temperanza, iustitia, forteza. ... dopo le predichte virtude lo eterno dio orna la creatura ... con la donatione di sette beatitudini ... beati li poueri dello spirito. Beati li humili et pietosi. Beati chi piange li peccati. Beati chi possede la iustitia. Beati li mundi del core. Beati li pacifici. Beati li misericordiosi. Ancora lo eterno dio ... per roborar et confortar et fortificar la humana generazione li ha donati sette doni amplissimi e grandi... di spiritosancto ... cioe donum sapientie, donum scientie, donum consilli, donum timoris domini, donum intellectus, donum pietatis, donum fortitudinis. ... Habiendo el peccator confessato tutte le sopraditte cose ancora conviene chel dica sua colpa di sette sacramenti dela sancta madre giesia: cioe se mai hauesse dubitato di alcuni dessi: e se non li hauesse honorati come le obligato de fare. Li sacramenti sono questi: cioe baptismo, la chresma, li ordeni sacri, la confessio, lo matrimonio, el corpo de christo, la unctione extrema. ... resta a uedere le opere dela misericordia: de le quale ... tu dei sape che alcune son lope della misericordia spirituale: e alcune son corporale ... visito l'infermi, li prisioneri, le vedove, li orphani ..., poto, cioe dar beuere a chi ha sete, e non del pegior vino che thabi ..., cibo, cioe de dar manzar a chi non ha da poter vivere a chi ha fame ..., debi vestir li nudi liquali son disfati per le disgratie di questo mondo ..., colligo cioe che tu debi dar albergo alli peregrini, ..., redimo, debi sepelir li morti e pregar dio per lor. ... le opre dela misericordia spirituale aduncha sono sette ... consule, cioe de consilio a chi te pare chi ha debisogno, castiga, cioe color che fano male con humilita e mansuetudine, doce amaistra color che non fano con benignita, remitte, cioe perdona a chi te offende, solare, cioe conforta color che sono nela tribulatione, fer, porta in pace li defecti del tuo proximo, ora, prega per chi te offende.*

his list - although they by now exist alongside a number of other grids - and they were losing the prominent position they used to have in the literature. That prominent position would be replaced by the twelve articles of faith and especially by the Ten Commandments, the rediscovery of which had begun already in the thirteenth century.

Busti constitutes a good example of how different schemes of classification of sins continued to coexist at the end of the fifteenth century, although each of them plays a different role and has a diverse grade of relevance in the penitential setting of his text. Thus, in the *Rosarium Sermonum* our preacher seems to favour three schemes among all those available. The first scheme is, of course, the *vitia capitalia* or *peccata mortalia*, cited in sermon 6.⁶⁰ The seven deadly sins are reduced to patterns of human moral fallibility: following the aforementioned scheme “SALIGIA”, Busti retraces all the vices, generally relying to a large extent on *De fide orthodoxa* by John of Damascus as a point of departure. Thus, following a vision dating back to the Bible’s book of *Ecclesiasticus* and then elaborated by Pope Gregory the Great, *superbia* is defined by Busti as *caput et regina omnium peccatorum*,⁶¹ being nothing more than an *inordinatus amor proprie excellentie*; *avaritia* is *inordinatus amor pecunie*; *luxuria* is *libidinose uoluptatis appetitus*; about *gula* Busti says that *quidam facetus predicator dicebat fuisse uxorem carnisprivii*, or in other words that “it was defined by a certain witty preacher as the wife of Lent”, and here Busti clearly plays with its connotation of complementarity/opposition to Lent and fasting; thus *ira*, which is *appetitus vindictae*; then *inuidia*, which is defined as *tristitia de alienis bonis et leticia de malis*;⁶² and last, *accidia*, which is *torpor mentis bona negligentis inchoare et perficere*, or a torpor of the mind that fails to undertake and accomplish good deeds.

In sermon 13, when speaking of faith, Busti considers the twelve articles of faith as the paramount scheme, and he gives the reason for their importance:

The twelve apostles, wishing to depart for various places of the world to preach Christ’s faith after the Ascension of the Lord and the reception of the Holy Spirit, before [doing so], composed a small symbol of the faith, that is, a creed, in which they placed twelve articles of the faith ... these twelve articles of the faith are the foundations of the Church of God.⁶³

⁶⁰ Busti, *Rosarium*, sermon 6, 26 v. - 35v.

⁶¹ Cf.: Aviad Kleinberg, *Seven Deadly Sins*, 30. In *Eccl.* 10:15 it is said: *Initium omnis peccati superbia est*; Gregory the Great, retaking the words of *Ecclesiasticus* in his *Moralia in Job* 31:45, speaks of *superbia vitiorum regina*.

⁶² St. John of Damascus defines it: *tristitia de bonis alienis et gaudium de adversis*: “sorrow for others’ good fortune and joy at their harms”, see: John of Damascus, *De fide orthodoxa*, 2, 14.

⁶³ *Duodecim apostoli volentes post ascensionem domini et receptionem spiritus sancti per diversas mundi partes ad predicandum Christi fidem proficisci prius composuerunt symbolum fidei id est credo paruum in quo posuerunt articulos fidei qui sunt duodecim ... isti duodecim articuli sunt fundamenta ecclesie dei*. Busti, *Rosarium*, sermon 13, 86v. - 87r.

Busti retakes the old tradition according to which the *Symbolum apostolicum* with its twelve articles was created by the apostles themselves when they had gathered in Jerusalem after the resurrection of Christ for the feast of Whit Sunday, and before they left to spread his teachings.⁶⁴ I have already noted how the major classificatory scheme for importance is represented, however, by the Ten Commandments, and I will elaborate on this in more detail later, when dealing with “superstition”. For the moment, it is worth considering how the core doctrinal part of the *Rosarium Sermonum* is actually built on the basis of the Decalogue. The traditional superiority of what Busti calls the *mandatum Domini Dei*, the Ten Commandments, clearly derives from their distinctive quality as rules given by God himself: *scitis quae praecepta dederim vobis per Dominum Iesum*⁶⁵ ...*secundum omnes leges superioribus obediendum est in licitis et honestis*.⁶⁶

These grids therefore have a practical implication in the moment of confession. Busti indicates their use in his sermon 35, while describing how one should confess his or her sins:

All those who want to confess diligently, after examining their conscience in respect to the seven deadly sins, then they have to run through Ten Commandments and also the precepts of the Church, considering whether they observed them. Then again, if they have believed in the twelve articles of the faith accurately and if they had in themselves the seven gifts of the Holy Spirit. Also, if they have accomplished corporal and spiritual deeds. Moreover, [they should consider] whether they have guarded well the bodily senses, and if they have practiced the four cardinal virtues and the three theological, and the other moral rules.⁶⁷

Busti relies here on the principle of the *ordinate confiteri*, mentioning all the main schemes that were traditionally used to confess one's sins. The seven deadly sins are indicated as the traditional starting point, then in order: the Ten Commandments, a more generic mention of the “precepts of the church” (indicating the sacraments), the twelve

⁶⁴ The first to indicate the apostles as the authors of the *symbolum* was St. Ambrose bishop of Milan (d. 397), who in his *Epistola* 52,5 wrote: *Credatur Symbolo Apostolorum, quod Ecclesia Romana intemeratum semper custodit et servat*, followed by Rufinus of Aquileia (d. 410); see: Ferdinand Kattenbusch, *Das Apostolische Symbol* (Darmstadt, 1962, 3rd ed.); Curt F. Bühler, “The Apostles and the Creed”, *Speculum* 28 (1953): 335-339.

⁶⁵ See 1 Thess 4:2.

⁶⁶ Busti, *Rosarium*., sermon 16, 125r.

⁶⁷ *Debet quoque qui vult diligenter confiteri postquam examinaverit conscientiam suam super septem peccatis capitalibus discurrere per decem precepta divina et etiam precepta ecclesie considerans si illa servavit. Item duodecim articulos fidei, si perfecte credidit. Et septem dona spiritus sancti si in se illa habuit. Opera quoque corporalia et spiritualia si perfecit. Si etiam sensus corporis bene custodivit et si quattuor virtutes cardinales et tres theologicas aliasque morales exercuit.* Busti, *Rosarium*, sermon 35, 225v. - 226r.

articles of faith, the seven gifts of faith, the spiritual and bodily deeds;⁶⁸ the senses, the four cardinal virtues, the three theological virtues and “all the other moral virtues”. However, Busti wanted the preacher to adhere to more than simply the theological schemes made available by tradition. Even before mentioning those schemes, in fact, Busti warns that sins must also be analyzed from the point of view of one’s own personal biography, thus beginning the confession process by:

Remembering all the sins, not just those committed during the current year, but also all throughout one’s life... first of all the age, that is, infancy, childhood, adolescence, youth, old age and the decrepitude, in case [the penitent] has reached it, and see which sins he/she committed in those ages, analyzing every year and every part of the year, since different sins are committed in the summer, and others in the winter, and so with regard to all the others.⁶⁹

Thus, at the beginning of the thirteenth century, Robert of Flamborough considered not only giving confession on the basis of the order of the vices, but also on the criteria of age, place, and time (by relying on memories of one’s own life) to be a method that could confuse the penitent and the confessor himself;⁷⁰ on the contrary, Busti definitively considers it one possible way to confess, along with adherence to the order provided by specific grids. Connecting the order of the grids to personal memories might be considered a signal of certain openness towards a use that was innate to the penitents’ habit, but we can imagine it could function as a way to render confession much more “autobiographical” and bound to one’s own life. The use of classificatory grids of theological derivation is therefore a subsequent step, which in Busti has to follow, not to precede, the more spontaneous but still rigorous listing of sins based on a chronological scale. Moreover, what makes confession effective is not a generic listing of the sins, not even when it is done on the basis of these grids. Busti adds in fact that: *ad bonam confessionem non sufficit confessio in generali puta dicendo: commisi omnia peccata vel dicendo commisi peccatum luxurie, auaritie etc.*⁷¹ What matters is what Busti calls *explicatio specialis circumstantiae peccatorum*:⁷² the detailed explanation of the circumstances leading to the occurrence of the sinful actions. I shall address this point in more detail below. For the moment I want rather point out how the difference between the traditional order of the seven deadly sins in

⁶⁸ Prayer, fast, alms, pilgrimage. Cf.: Dieter Mertens, “Clero secolare e cura d’anime nelle città del tardo medioevo,” in *Ordini religiosi e società politica in Italia e Germania nei secoli XIV e XV*, ed. Giorgio Chittolini and Kaspar Elm (Bologna: Il Mulino, 2001), 260.

⁶⁹ *Recordari de omnibus peccatis non solum que fecit in anno sed in tota vita sua... primo etatem scilicet infantie, pueritie, adolescentie, iuventutis, senectutis, et etatem decrepitam si est in ea, et videre quae peccata in his etatibus commisit discurrendo singulos annos et quaslibet partes anni, quia alia peccata fiunt in estate et alia in hyeme et sic de aliis.* Busti, *Rosarium*, sermon 35, 226r.

⁷⁰ Cf.: Rusconi, *L’ordine dei peccati*, 83.

⁷¹ Busti, *Rosarium*, sermon 35, 226v.

⁷² Busti, *Rosarium*, sermon 35, 226v.

literature and, in Busti's aforementioned comments on the more practical moment of confession, the fact that he chose two sins by way of an example, raises the question as to why precisely those two sins have been taken as representative. The role of pride as leader of all the sins is not questioned. We have seen how Busti has defined it as *caput et regina omnium peccatorum*. However, the preeminence of lust and greed in this sentence could be meaningful as indication of the appropriation by the confessor of two very actual areas of sin. On the one hand, by representing lust, Busti points to a particularly intimate sphere of one's individual life; while greed can testify to the persistence of an area of sinning representative of the urban society, the developed economy, and the prosperous capitalistic Northern Italian cities in which the preacher was living. It should be noted how two centuries earlier, in Robert of Flamborough,⁷³ this order was exactly the other way round: the preeminence of lust and greed figured first, but the preacher was more concerned with greed.⁷⁴ This may be expressive of a possible shift of topical issues in society.

On the whole, the adoption of a number of different grids may suggest the existence of precise classificatory strategies and, therefore, of a specific *Weltanschauung* that would see human beings in society as permanently prone to sin. In line with this, confession became the moment at which the behavior of the Christian and his knowledge of the principles of faith were tested, according to the same peculiar *Weltanschauung*. Nevertheless, the specific choice of classificatory models used by a preacher in a given context can be approached from a "social constructionist" point of view, considering such interpretative grids as "constructed ideas"⁷⁵ within a vital context of social and intellectual interaction. As Newhauser reminds us with reference to the work of Reinhart Koselleck on *Begriffsgeschichte*, they would be "fundamental, conceptual fields bound firmly into the social and political life of the humans who articulated them".⁷⁶

Despite such a massive availability of classifying grids, the seven deadly sins maintained a central role during and even well after the Middle Ages. The iconographic fortune of this scheme was unparalleled, though it developed rather late. Around the fourth decade of the fourteenth century, in fact, Buonamico Buffalmacco painted the frescos of the Last Judgement in the "Camposanto" of Pisa, representing the subdivision of sinners in hell according to seven typologies directly inspired by the seven deadly sins. This would

⁷³ Cf.: Robert of Flamborough, *Liber poenitentialis*, 383.

⁷⁴ Cf.: Rusconi, *L'ordine dei peccati*, 99.

⁷⁵ *The Seven Deadly Sins. From Communities to Individuals*, ed. by Richard Newhauser (Leiden: Brill, 2007), 2.

⁷⁶ Cf.: Newhauser, *In the Garden of Evil*, ix.

constitute a model for the further representations of the theme.⁷⁷ Furthermore, Laura Gelfand has shown how Hieronymus Bosch's painting *The Seven Deadly Sins and the Four Last Things*, articulates differences in social classes around 1490.⁷⁸ The representation of the vices pivots around the divine eye at the center. Its *imago pietatis* or representation of Christ as the Man of Sorrows, bears a Latin inscription that reads: "Beware, beware, the Lord is watching", encouraging the self-analysis of one's behaviors on the basis of the seven deadly sins, basically in line with the coeval tendencies of piety pointing to interiority.⁷⁹ This is, in other words, an overall tendency toward mass introspection reached through the individualization of sins and the analysis of one's own behavior. This aspect would imply the "substantial subordination of the faithful to the cultural hegemony of the clerics and to their religious models" as counteraltar, which would represent the necessary context for its functioning.⁸⁰

If the different classifications of sins and the "orderly" way of confessing them can be considered elements pointing to the existence of such cultural hegemony of the clergy by means of specific religious models, one element can be still be added. It is about the preacher's call to go to confession well "prepared". It is, in fact, precisely in a precise genre of "preparation" that a new model of personal introspection can be seen as emerging, matching with what has just been said.

In this regard Busti writes:

Thus many people going to confession can say this in order to receive indulgence and, when they do not receive it because of their unpreparedness and evil disposition, their confession is useless. For this reason God says to all those who go to confess *amend your ways* [Jer 7:3]. And I tell you the same, that you should not go to confession unprepared and unsorted, lest Lord Jesus should banish and expel you from his grace as he did today with those selling and buying in the temple.⁸¹

Thus, self-preparation and a good disposition of mind are necessary conditions to render one's confession effective and to be not "chased away from the temple" - or refused

⁷⁷ See: Jérôme Baschet, *Les justices de l'au-delà. Les représentations de l'enfer en France et en Italie (XII – XV siècle)*, (Rome: Ecole Française de Rome, 1993); Carla Casagrande and Silvana Vecchio, *I sette vizi capitali* (Turin: Einaudi, 2000), 225 - 258.

⁷⁸ Laura D. Galfans, "Social Status and Sin: Reading Bosch's Prado *Seven Deadly Sins and Four Last Things* painting," in Newhauser, *The Seven Deadly Sins*, 229 - 256.

⁷⁹ Cf.: Elliott, *Proving Woman*, 10.

⁸⁰ Cf.: Rusconi, *L'ordine dei peccati*, 71.

⁸¹ *Sic possunt dicere multi euntes ad confessionem ut recipiant indulgentiam et non recipientes propter eorum impreparationem et malam dispositionem talium enim confessio est vana. Ideo omnibus euntibus ad confitendum dicit deus Hiere. vii bonas facite vias vestras. Et ego vobis idem dico ne si impreparati et indispositi accedatis ad confessionem, dominus Iesus vos proiciat a gratia et expellat sicut hodie fecit de vendentibus et ementibus in templo.* Busti, *Rosarium*, sermon 35, 225v.

by the grace of God - as happened to the vendors and buyers in the temple of Jerusalem. No confession is possible without these two elements. The preacher goes on to explain what such “preparation” would consist of:

It has to be known that according to all the theologians and doctors, confession has to be approached with great preparation. Thus, before confession itself everyone has to prepare themselves diligently, working so that all their sins are recalled in order to be able to confess them along with their circumstances.⁸²

The necessary preparation is described by Busti as a conscious act of remembering sins, calling to mind not only the sins but even the circumstances within which they occurred. In conclusion, from these passages it is possible to grasp the role that a preacher and confessor such as Busti assigned to the work of the penitent himself. One could certainly read in that something similar to a sort of “modern” introspection. Busti’s indications are in fact meant to inform preachers how to spur the penitent to analyze their own behavior. This is reasserted by Busti when he urges - even relying on Seneca’s philosophical authority - the penitent to *quotidie examinare scientiam suam et videre quod boni fecerit et quomodo vixerit ut inquit Seneca libro tertio de ira*.⁸³ *Multo magis pro confessionis debet unusquisque in aliquo secreto loco diligenter premeditari peccata sua et examinare scientiam suam*.⁸⁴

That is the only possible way to make an ordinate and complete confession. Not even a single sin can be missed if one wants *veniam consequi*, the attainment of remission. Moreover, the issue of remission in such a penitential context would lead one to consider confession as a real “tribunal of sins”, according to the development of the sacrament in the direction of a “juridical” connotation after the Fourth Lateran Council.

The Church began to acquire something of this role under Pope Alexander III (1159 - 1181). His papacy has been spoken of as a sort of “juridical” Church or papacy, due to the vast increase of legal transactions in Rome and the consequent development of a papal *curia*.⁸⁵ It has been noted how already the first *summae* outlined the tendency to present the

⁸² *Sciendum est secundum omnes theologos et doctores quod confessio debet fieri cum magna preparatione ita quod ante confessionem debet quisque diligenter se preparare et dare operam ut omnia sua peccata ei ad memoriam reuocentur ut possit illa confiteri cum circumstantiis suis*. Busti, *Rosarium*, sermon 35, 225v.

⁸³ Seneca stoically encouraged the practice of self-examination as a way to know and dominate oneself: *Omnes sensus perducendi sunt ad firmitatem; natura patients sunt, si animus illos desit corrumpere, qui cotidie ad rationem reddendam vocandus est. Faciebat hoc Sextius, ut consummato die, cum se ad nocturnam quietem recepisset, interrogaret animum suum: quod hodie malum tuum sanasti? Cui vitio obstitisti? Qua parte melior es?* Seneca, *De ira*, l. 3, 36, 1.

⁸⁴ Busti, *Rosarium*, sermon 35, 226r.

⁸⁵ See: Bernhard Schimmelpfennig, *Il Papato. Antichità Medioevo Rinascimento* (It. tr. Rome: Viella, 2006), 181.

confessor as a judge, and the relationship between the faithful and his parishioner as a relationship between a subject and the judge to such an extent that Michaud-Quantin spoke of a “morale juridisée”.⁸⁶ Thus, the emergence of the auricular confession coincided with its use as a preferred proof of orthodoxy in the same period in which a gradual rise of the inquisitorial procedure could also be observed.⁸⁷ In particular, the *Summa de casibus conscientiae*, written by the Spanish Dominican Raimond de Peñafort in its first draft in 1225 and then completed in 1234, was among the texts more frequently read and diffused until the fifteenth century, and it brought a “juridicization” to the practice of confession, consolidating the tradition of the *forum poenitentiale* or “penitential court”. Raymond himself played a primary role in the further development of this approach in canon law, compiling in 1234 for Pope Gregory IX the *Decretales* commonly known as *Liber Extra*.⁸⁸ Furthermore, it is important to note how the emergence of the metaphor of confessor as judge occurred in the same period that bore witness to the rediscovery of the Ten Commandments as the only grid that could compete with the seven deadly sins. Thus, in turn, such a rediscovery coincided with the development of canon law and the “juridicization of the conscience”.⁸⁹

It has been hypothesized that at the basis of such a search for an alternative to the seven deadly sins there was a need to place more adequately specific kinds of sins, namely *infidelitas* and *haeresis*, which had not had any specific spot within the tradition of the other schemes of classification.⁹⁰ Thus, already in the *Summa confessorum* written by Thomas of Chobham in 1216,⁹¹ the emergence of the Ten Commandments is connected to the need to make up for the lack of space given in the seven deadly sins to issues related to “superstition”.⁹² Subsequently, Pietro di Giovanni Olivi proved to be rather critical about the seven deadly sins, singling out in the absence of *heresis* and *infidelitas* the weaknesses of that grid, and even Duns Scotus underlined the limits of the Gregorian schema from the

⁸⁶ Cf.: Pierre Michaud-Quantin, “A propos des premières *summae confessorum*: théologie et droit canonique,” *Recherches de Théologie ancienne et médiévale* 26 (1959): 295; Prodi, *Una storia della giustizia*, 83.

⁸⁷ See: Elliott, *Proving Woman*, 14 - 15.

⁸⁸ See: Prodi, *Una storia della giustizia*, 90; Elliott, *Proving Woman*, 22 - 23.

⁸⁹ Prodi, *Una storia della giustizia*, 88.

⁹⁰ See especially: John Bossy, “Moral Arithmetic: Seven Sins into Ten Commandments,” in *Conscience and Casuistry in Early Modern Europe*, ed. by Edmund Leites (Cambridge: Cambridge University Press, 1988), 214 - 234; Casagrande and Vecchio, “La classificazione dei peccati,” 331 - 395; Casagrande, “La moltiplicazione dei peccati,” 254 - 284.

⁹¹ Thomas of Chobham, *Summa Confessorum*, ed. Frederick Broomfield, *Analecta Mediaevalia Namurcensia* 25 (Louvain-Paris 1968).

⁹² *Preterea neque Apostolus neque Gregorius neque Augustinus inter peccata mortalia posuit mendacium, vel idolatriam, vel apostasiam, vel veneficium, vel sortilegium, neque peccatum in Spiritum Sanctum, sed omnia talia comprehenduntur subenumeratis.* Thomas of Chobham, *Summa confessorum*, 27.

same point of view.⁹³ All this lead to the multiplication of classifying grids, as has already been noted. However, from the fourteenth century onwards, the Ten Commandments became a steady presence in all the texts dealing with confession, becoming the greatest crucible of all Christian moral teaching and also marking the distance between Franciscans and Dominicans, the latter of whom adhered more strictly to the old Septenary, according to Raimond of Peñafort's preference.⁹⁴ Thus, Christian doctrine was cast on the Decalogue, from the *Tractatus decem praeceptorum* by Henry from Friemar (1324) to later pastoral texts such as Carcano's *Sermones Quadragesimales de decem praeceptis* (Venice, 1492), and the Busti's *Rosarium Sermonum*. The Septenary remained alive despite the preachers' choice in favour of the Ten Commandments, and as we have noted the two models proceeded often in parallel. Carcano wrote a *quadragesimale de peccatis* cast on the seven deadly sins before compiling the *sermonarium* on the Ten Commandments. Now, in the prologue to the latter he justified his choice regarding the Decalogue as a matter of completeness and his decision not to repeat what had already been written in the former.⁹⁵

Conclusively the seven deadly sins were intended as a model in need of integration, Thomas of Chobham testifies. As has been pointed out - and as I shall show in the next chapter - the progressively more important reputation of the Ten Commandments in pastoral activity and theological reflection derived from their being intended as a repertory of norms dictated directly by God and in fact transmitted through the Holy Scripture.⁹⁶ The faithful were called upon increasingly often to make their behaviour conform in every aspect to those norms, which are both positive and negative indicating what the faithful must do and what they must avoid. In other words, the Ten Commandments appeared to be more precise, complete and authoritative than the old Septenary, more capable of comprising all the facets of the human behaviour.

The affirmation of the Ten Commandments between the thirteenth and fifteenth centuries, and then after the Reformation, has been connected to the emergence of an alternative to the Septenary with broader implications. Thus, while the seven deadly sins would represent a sort of "horizontal" level in social-human relationships, in which the

⁹³ Casagrande and Vecchio, "La classificazione dei peccati," 342.

⁹⁴ Cf.: Casagrande and Vecchio, "La classificazione dei peccati," 380 - 381; Casagrande, "La moltiplicazione dei peccati," 278 - 279; Silvana Vecchio, "Il decalogo nella predicazione del XIII secolo," in *Cristianesimo nella storia* (Bologna: Edizioni Deoniane, 1989), 50 - 51.

⁹⁵ *Verum cum in alio tractatu, que de moribus et peccatis nuper edidimus, omiserimus multa, ut lucidius omnia habeatur, hic aliqua miscendo describemus et que ibi fuerunt enumerate subticenda in presentiam arbitror evitans fastidiosam prolixitatem*: Michele Carcano, *Sermones quadragesimales de decem preceptis*, 2r.

⁹⁶ Cf.: Casagrande, Vecchio, "La classificazione dei peccati," 387 - 388.

sense and the obligations among the members of a community are predominant, the Ten Commandments testify to a shift of importance towards the obligations between the faithful and God, therefore pointing to a “verticality”, whose preponderance would be represented by the centrality played by idolatry. It was, in other words, a sort of cultural/social shift from community to individual, where the relationship between God and the faithful becomes progressively more personal and based on one’s own individual behavior.⁹⁷ This picture is obviously sharable and represents schematically the core importance of a process of change from a social and theological perspective. Nevertheless, it needs to be rendered more multifaceted. The “horizontal” or “verticality” was, in fact, not exclusive. Also, in the use of the Ten Commandments one can find strong implications aiming at the construction of a sense of “community”, although from a different point of view, which is always looking at the prerogatives of God, and thus of his Church. This is recognizable - as I shall show in Busti’s case - in the whole pastoral context within which the preacher attended to his duties, such as in the numerous ways in which he aimed to explain or interpret the peculiar aspects of the life of the faithful through the lens of the indications provided by the Ten Commandments, always referring to one’s place within urban society and structures.

On the whole, a sort of centrality of sin seems to appear from the second half of the fourteenth century. Delumeau has spoken of the emergence of “a process of acculturation pivoted on the sense of guilt”, in spite of the Renaissance.⁹⁸ This process would be well represented by the *Stultifera navis* (*Das Narrenschiff* or *The ship of fools*) composed by Sebastian Brant in 1494,⁹⁹ in which the ship leading to Narragonia, the land of fools, is loaded with fools each one of whom represents a different vice. It has to be noted that the passengers of the ship set out to sea without any reference point: neither navigation maps nor compass, what has been linked to the desire to represent the “ship of Christianity” endangered within the waves of a particularly ill-omened century.¹⁰⁰ Thus, the painting “The ship of fools” (1500 - 1502) by Hieronymus Bosch represents similarly a ship of sinners who proceed irreparably towards perdition while singing and laughing, and it acquires even more significance when considered alongside Bosch’s other painting, “The seven deadly sins”. Finally, both the fools and the ship become metaphors for life, mirrors of everyday

⁹⁷ Cf.: Bossy, “Moral Arithmetic,” 229.

⁹⁸ See: Delumeau, *Il peccato e la paura*, 207.

⁹⁹ Sebastian Brant, *The Ship of Fools*, tr. by William Gilles (London: The Folio Society, 1971).

¹⁰⁰ Delumeau, *Il peccato e la paura*, 216 and 235 - 236.

sinful behavior and at the same time free harbor for uncovering and poking fun at the weaknesses of the different social classes.¹⁰¹

The problem of the correct worship and definitively of idolatry and “superstition” is also relevant in the context of this discussion. Although the coexistence of rational and “superstitious” mentalities can also be demonstrated from a general point of view in the modern age,¹⁰² one should not forget that the medieval preachers generally condemned certain kinds of “superstitious” beliefs, such as those known as *vanae observations*, as “pazie” or fooleries, even before explaining them with the recourse to demonic power.¹⁰³ Thus, the only way to escape such foolish forms of behavior and sin was, according to Newhauser, to rely on an “apparatus of (self-) control”, a “catalogue of moral concepts”, the primary purpose of which was “to anchor a spiritual perspective in everyday life”.¹⁰⁴ In this manner, a door is opened to the study of the “social discipline” in early modern Europe.

One could invoke Gerhard Oestreich's concept of “Sozialdisziplinierung” or rather “Sozialregulierung”,¹⁰⁵ which would apply better to the fifteenth century, in order to explain the tendency to control individual behaviour and ultimately “the tension towards order in the sense of harmonization of the existing social relations”¹⁰⁶ that derives from the reading of the pastoral texts mentioned previously. Like the state-building process that occurred between the fifteenth and sixteenth centuries, to which Oestreich devoted all his attention, the introduction of a “discipline” for the faithful by the Church has been seen as present in the late medieval period as well as after the Reformation, at the level of both the Catholic and the Protestant churches.¹⁰⁷ From this perspective, the canons of Lateran IV could be

¹⁰¹ See: Delumeau, *Il peccato e la paura*, 235 - 236; Massimo Centini, *Bosch. Una vita tra i simboli* (Florence: Edizioni Polistampa, 2003), 54 - 55

¹⁰² *The Religion of Fools? Superstition Past and Present*, ed. S. A. Smith and Alan Knight, *Past and Present Supplements* 3, 2008 (Oxford: Oxford University Press, 2008), 48 - 51.

¹⁰³ Thus, for instance Bernardino da Siena condemned the use of spitting to avert the illness known as “fire of St. Antony” as “pazie”: “Che pazia è quella a sputare quando si ricorda el fuoco di santo Antonio! Chi mi sa dire quello che significa? Che so’ tutte pazie”, Bernardino da Siena, *Ciclo Senese 1425*, ed. Ciro Cannarozzi (Florence: 1958), sermon 26, 63. Cf.: Marina Montesano, *Supra aqua et supra ad vento. Superstizioni, maleficia e incantamenta nei predicatori francescani osservanti, (Italia, sec. XV)*, (Rome: Istituto Storico Italiano per il Medioevo, 1999), 27.

¹⁰⁴ Newhauser, *In the Garden of Evil*, viii.

¹⁰⁵ “Strukturprobleme des europäischen Absolutismus,” Gerhard Oestreich, *Geist und Gestalt des frühmodernen Staates. Ausgewählte Aufsätze* (Berlin: 1969), 179 - 197; Winfried Schulze, “Gerhard Oestreichs Begriff ‘Sozialdisziplinierung’ in der frühen Neuzeit,” *Zeitschrift für Historische Forschung* 14 (1987): 265 - 302; It. tr. “Il concetto di disciplinamento sociale nella prima età moderna in Gerhard Oestreich,” *Annali dell’Istituto storico italo-germanico in Trento* 18 (1992): 371 - 411.

¹⁰⁶ Schulze, “Il concetto di disciplinamento sociale,” 373.

¹⁰⁷ For the period post-Reformation it has been proposed a “theory of *Konfessionalisierung*” that finds in the differentiation of the religious systems a way to elaborate a specific identity. It is a “planned transformation of human behaviour” distinct from the social discipline. See: Wolfgang Reinhard, “Disciplinamento sociale, confessionalizzazione, modernizzazione. Un discorso storiografico,” in *Disciplina dell’anima, disciplina del*

considered the first steps in the process of construction of a “modern” Church within society, being the creation of the structures for major control over society with the consequent tendency toward “Disziplinierung” and “Regulierung” as part of the process, although they would be much more complete and visible only after the Reformation.¹⁰⁸ The introduction of compulsory confession and of various grids to classify sins, the development of which I have tried to outline, ended up representing two of the instruments convenient to categorize the faithful and analyse their moral and social behaviour. Thus, some of the elements highlighted so far may persuade one to share Schulze’s conclusions concerning “Disziplinierung”.¹⁰⁹ the final aim of preachers and confessors seems actually to have been to change the way of living of the faithful.

Thus, the tendency to measure the “orthodoxy” of the faithful and the aim of regulating behaviours with moral and social impact on the part of fifteenth century preachers, heralds in a certain way the process of doctrinal and pastoral systematization tending in the same direction that occurred at the fourteenth session of the Council of Trent, in 1551. It is important to highlight two main outcomes of a process that started in the period at the core of my research. At the Tridentine assembly the priest’s absolution was assimilated to an *actus iudicialis*, while the formula of confession *proprio sacerdoti* was abolished, definitely opening the way to the pastoral action of the religious orders. The power of both the pope and his bishops was thus gaining ground. Every confessor had to be approved by the bishop before assuming his office. Moreover, in 1566 pope Pius V, on the basis of canon 22 of the Fourth Lateran Council *Quod infirmi prius provideant animæ quam corpori*,¹¹⁰ made confession compulsory for the sick as *conditio sine qua non* to receive medical treatment.¹¹¹ In this way, the canon *omnis utriusque sexus* eventually became the battering ram of an action of control over people, as is also illustrated by the multiplication of the parish registers aiming at checking the participation of the faithful in the liturgical activities and the sacraments administered in every parish.¹¹² The role played by the old medieval canons of the Fourth Lateran Council thus was clear, and it urges one to inquire

corpo e disciplina della società tra medioevo ed età moderna, ed. Paolo Prodi, *Annali dell’Istituto storico italo-germanico*, Quaderno 40 (Bologna: Il Mulino, 1994), 111.

¹⁰⁸ Cf.: Prosperi, *I tribunali della coscienza*.

¹⁰⁹ Cf.: Schulze, “Il concetto di “disciplinamento sociale,” 384.

¹¹⁰ *Conciliorum Oecumenicorum Decreta*, ed. Giuseppe Alberigo, Perikle P. Joannou, Claudio Leonardi, Paolo Prodi (Freiburg i. Brsg.: Ed. Herder, 1962), 245.

¹¹¹ Cf.: Rusconi, *L’ordine dei peccati*, 303 - 322; Prosperi, *I tribunali della coscienza*, 469 - 470.

¹¹² See: *Fonti ecclesiastiche per la storia sociale e religiosa d’Europa: XV-XVII secolo*, ed. Cecilia Nubola and Angelo Turchini (Bologna: Il Mulino, 1999); *La “conta delle anime”. Popolazioni e registri parrocchiali: questioni di metodo ed esperienze*, ed. Gauro Coppola and Casimira Grandi (Bologna: Il Mulino, 1989); *Le visite pastorali. Analisi di una fonte*, ed. Umberto Mazzone and Angelo Turchini, (Bologna: Il Mulino, 1985).

into its reception in the pastoral practice of the pre-Tridentine period, of which the pastoral action of the Observant preachers constitutes an implication.

The fierce opposition against confession by the Servite friar Paolo Sarpi has been regarded justly as particular significant.¹¹³ In his *Istoria del Concilio tridentino* (London, 1619),¹¹⁴ Sarpi recognized the role of Canon 21 as central in the construction of a form of Western European Christianity that he criticized;¹¹⁵ furthermore, in the Italian translation of Sir Edwin Sandys' *A Relation of the State of Religion in Europe* (London, 1605), published in Geneva in 1625¹¹⁶ with extensive additions by Sarpi himself, the canon of Lateran IV is described as the basis of all the negative features appearing in the subsequent years in the history of the Church. A particular target of critics is confession, which is described as a "powerful means" in the hands of the "Romans". The use of preaching to praise such a means "with many amplifications", along with the huge prominence assumed by the study of canonical, theological and juridical quibbles, are also the target of Sarpi's harsh critiques. In his opinion, these elements ended up replacing the all-worthy and proper dedication to the study of the Holy Scriptures and eventually the search for God. What interested and worried Sarpi more was the increasing number of works dealing with the *casus conscientiae*, to such an extent that, as he wrote, "all the mathematics and metaphysics do not require the same commitment".¹¹⁷ Sarpi's critical attitude was not unprecedented. Already in 1415, during the Council of Constance, doctrines attributed to John Wycliffe were condemned. They had put in relief the negative reaction to confession of a part of Christianity, by saying: "It is grave and unsupported practice for a priest to hear the confessions of the people in the ways in which the Latin use. For [the devil] introduced private confession, which cannot be justified."¹¹⁸

Critical voices through time can definitely represent an indicator of the extent to which the penitential system conceived by the ecclesiastical elites was occasionally perceived as a form of control exerted by a caste over consciences, confession being one of the modalities through which the power displayed itself.¹¹⁹ As already noted, on the one

¹¹³ Rusconi, *L'ordine dei peccati*, 338 - 341.

¹¹⁴ Paolo Sarpi, *Istoria del Concilio tridentino*, ed. Giovanni Gambarin (Bari: Laterza, 1935), in *Scrittori d'Italia*, Vol. 3, 151 - 153.

¹¹⁵ Prodi, *Una storia della giustizia*, 323.

¹¹⁶ Paolo Sarpi, *Opere*, ed. Gaetano and Luisa Cozzi (Milan: 1969), 295 - 330. See: Rusconi, *L'ordine dei peccati*, 338.

¹¹⁷ Sarpi, *Opere*, 306 - 309.

¹¹⁸ Elliott, *Proving Woman*, 9.

¹¹⁹ Cf.: Prosperi, *Tribunali della coscienza*, 214 - 215.

hand, such a process concerning an aspect of the pastoral and social history of the Church has to be placed within the context of a general redefinition of *Christianitas*, of its goals and the modes to achieve them. On the other hand, as Grossi points out, the meaning of canon 21 might even be seen in a more complicated light. It could be the expression of a specific Catholic anthropology aimed at resolving the religious problem par excellence, which is the problem of salvation, within the worldly time and in a social perspective. That would be basically indicated by the choice of giving a juridical organization to pastoral measures.¹²⁰ As a consequence, as has been noted, the connotation of confession as a form of “social control” would indicate the consequence of the principle, rather than its necessity.¹²¹ The alleged fortune of confession was due not to its imposition from above or to its “legalization”, but rather to the skills of a new school of preachers and confessors who became “doctors” of sick souls and tormented minds.¹²²

¹²⁰ Paolo Grossi, *L'ordine giuridico medievale* (Rome-Bari: Laterza, 1995), 113.

¹²¹ Capitani, “Verso un diritto del quotidiano,” 10.

¹²² Cf.: Adriano Prosperi, *L'inquisitore come confessore*, in *Disciplina dell'anima*, 202 -203.

PART II

**The First Commandment of the Decalogue and “Superstition” in
Bernardino Busti’s Sermon 16 of the *Rosarium Sermonum***

1. *Superstitio*. Terminological and Historical Considerations from the Origin to Franciscan Observants

Few other intellectual categories are more multifaceted than that of *superstitio*.¹ “Superstition” is a concept that has been far from being univocal, for through time it has assumed different meanings and has been used in different ways depending on the periods and geographical areas.² However, it is by now possible to attempt to give a coherent definition of the term. Among the most recent ones, I find particularly captivating that by Richard Gordon, who writes: “properly conceived, superstition is one form of religious or mythological thinking, and can usually be explained by means of historical research.”³ This appears to be a particularly “aseptic” description, which does not aim at touching the area of historical judgement as done by Jean-Claude Schmitt, who describes “superstition” as a “discours de l’autorité, de l’ordre et de la contrainte.”⁴ Descriptions like Schmitt’s, pinpointing the central problem behind the label, open the way to the consideration of “superstition” as a “category of abscription,” as Smith wrote, considering it “as a pejorative label of a particular religious or ideological orthodoxy to beliefs and practices of which they disapprove.”⁵ Thus, in such a way, the category of “superstition” is set within a context of social relations, exchanges, and eventually judging processes that occurred not just once and for all, but repeatedly through time and in different socio-historical contexts. However, before arriving at such a complex categorization of “superstition”, I shall begin with the definition of Gordon, who provides the possibility to consider the terminological issue as a central element for the identification of the concept and its changing meanings through time.

First of all, as already implied by Gordon’s definition, “superstition” immediately recalls religion. It has been said, in fact, that “superstition” emerged in relation to religion to

¹ For the contextualization of the term and the concept of *superstitio* see the classical work of Dieter Harmening, *Superstitio. Überlieferungs- und theoriegeschichtliche Untersuchungen zur kirklich-theologischen Aberglaubensliteratur des Mittelalters* (Berlin: Erich Schmidt, 1979), 14 - 25 ff.

² For this aspect I rely on a recent volume to which I will be referring quite often in the course of this study: *The Religion of Fools? Superstition Past and Present*, ed. S. A. Smith and Alan Knight (Oxford: Oxford University Press, 2008); see also: L. F. Janssen, “Die Bedeutungsentwicklung von *superstitio*/*superstes*,” *Mnemosyne* 2 (1975): 135 - 188.

³ Richard Gordon, “*Superstitio*, Superstition and Religious Repression in the Late Roman Republic and Principate (100 BCE-300 CE),” in *The Religion of Fools?* 72.

⁴ Jean-Claude Schmitt, “Les superstitions,” in *Histoire de la France religieuse*, ed. Jacques Le Goff and René Rémond (Paris: Seuil, 1988), I, 423.

⁵ S. A. Smith, “Introduction,” *The Religion of Fools?* 10.

such an extent that it has been spoken of as a sort of “parallel religion”.⁶ According to Émile Benveniste,⁷ the term *religio* started to be used in archaic Rome to indicate “a hesitation that holds back, a scruple that impedes.” Cicero, in particular, connected the verb *religio* to the adjective *religiosus* referring to someone who is “scrupulous with regard to cult,” and linked both terms to the verb *religere*, in the sense of “reconsidering a previous step,” out of concern for not having done something properly. Thus, in pagan Rome the term originally indicated a disposition or a sort of *feeling*, eventually coming to pertain to the forms of cult, hinting at the accurate performance of a rite.⁸ According to the classical thesis of Benveniste, it was in direct opposition to this concept of religion that the term *superstitio* arose in the classical Roman period. The French linguist has linked *superstitio* to the adjective *superstes* as derived from the verb *superstare*, in the sense of “having gone through a certain event and subsisting beyond it,” in other words, indicating a “witness” under the connotation of a “survivor” or relict of past events. Yet, Benveniste found in Plautus, in the late third century BCE, a connection between *superstitio* and the area of meaning of *hariolatio* or prediction, which shaped the original meaning of *superstitio* through what he calls the “gift of second sight,” the capacity to know what happened in the past as if one had actually been present. Therefore, the French scholar explained the opposition to the term *religio* through this early connection of *superstitio* with the world of magic and divination, which was eventually seen by the “rationalist Romans” as a sort of “degraded and perverted form of religion,”⁹ something similar to religion but in fact opposed to it.

Nowadays, scholars tend to render more multifaceted the image of an originally too-clear opposition between *religio* and *superstitio*.¹⁰ On the one hand, it has been highlighted how the term *religio* could possibly imply a meaning close to that expressed by

⁶ See: Peter Dinzelbacher, “Superstition,” in *Encyclopedia of Witchcraft. The Western Tradition* (Santa Barbara, CA: ABC-CLIO, 2006) Vol. 4, 1092. With all his Illuminist appeal, Voltaire described “superstition” and “religion” as strictly connected with one another, the former being a worsening of the latter, while nevertheless both used to rule the world: “La superstition est à la religion ce que l’astrologie est à l’astronomie, la fille très folle d’une mère très sage. Ces deux filles ont longtemps subjugué toute la terre”. Voltaire, *Traité sur la tolérance*, Ch. 20.

⁷ Émile Benveniste, *Il vocabolario delle istituzioni indoeuropee* (It. tr. Turin: Einaudi, 1976), 485 - 490.

⁸ Benson Saler, *Conceptualizing Religion. Immanent Anthropologists, Transcendent Natives, and Unbounded Categories* (Leiden: Brill, 1993), 64 - 65.

⁹ Benveniste, *Il vocabolario delle istituzioni indoeuropee*, 494 - 496.

¹⁰ Bailey prefers to synthesize by saying that “in both pagan antiquity and medieval Christian Europe, the term *superstitio* meant excessive or improper devotion or ritual practices.” Michael D. Bailey, “The Meanings of Magic,” *Magic, Ritual and Witchcraft* 1 (2006): 8.

superstitio;¹¹ on the other hand, it has been pointed out how the development of the concept of “superstition” should be read within “a strategy for delimiting an imagined community by claiming the existence of consensual frontiers between traditional/sanctioned/proper and non-traditional/unsanctioned/improper religious action.”¹² Such a point of view highlights how at a certain point there was the necessity for the Roman elite to delimit the area of the supposed true religion, depending on cult and based on the traditional rules, through the adoption of the notion of *superstitio* with the aim of identifying what should be left behind. Moreover, the seemingly deliberate vagueness characterizing “superstition” in the Roman world, has been justified by the need to leave the concept open to the possibility of condemning a broad spectrum of practices.¹³

Nevertheless, originally, two areas of meaning were ascribed to *superstitio*.¹⁴ First of all, the term appears to have become a cognate to the Greek word *deisidaimonia*:¹⁵ with Theophrastus, and especially Plutarch, the originally positive meaning of “fear of the gods”, “respectful piety” or, more generally, of being a synonym of “religion”, changed into the pejorative connotation of excessive, obsessive, fearful apprehensions of supernatural beings, divine anger or magical attack;¹⁶ secondly, it indicates non-Roman religions, foreign credulity, which identified both exotic or illicit cults, including the Christian cult during the third century CE. This second connotation gained the upper hand in the subsequent period, since the shift of meaning from foreign credulity to open hostility and total illegitimacy was just adopted by Christians and applied in turn to non-Christian cults.¹⁷ Thus, with the first Christian authors the line separating “religion” from “superstition” began to coincide with the line distinguishing the “worship of what is true” from the worship of a number of false gods.¹⁸ With Lactantius and Tertullianus the presence of the “link of piety,” which is the dependence of the faithful on the only and true God,¹⁹ became a central element and

¹¹ One example refers to Caesar, who in the *De Bello Gallico* speaks of *novae religiones*. The modern author sees them - although probably not totally correctly - as “fresh superstitions.” Saler, *Conceptualizing Religion*, 67.

¹² Gordon, “Superstitio, Superstition and Religious Repression,” 75.

¹³ See: Michael D. Bailey, *Magic and Superstition in Europe. A Concise History from Antiquity to Present* (Plymouth: Rowman & Littlefield Publishers, 2007), 36 - 37.

¹⁴ Gordon, “Superstitio, Superstition and Religious Repression,” 93.

¹⁵ Dale B. Martin, *Inventing Superstition: from the Hippocratics to the Christians* (Cambridge: Harvard University Press, 2004), 20; 93 ff.

¹⁶ It is what Fritz Graf has represented as the separation of an original unity of Greek religion in two “opposing domains:” magic and religion, the former encompassing “a whole series of noncivic religious forms.” See: Fritz Graf, *Magic in the Ancient World* (Cambridge: Harvard University Press, 1997), 34.

¹⁷ Gordon, “Superstitio, Superstition and Religious Repression,” 93; Edward Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft: from Augustine to the Sixteenth Century,” in: Karen Jolly, Catharina Raudvere, Edward Peters, *Witchcraft and Magic in Europe: The Middle Ages*, ed. by Bengt Ankarloo and Stuart Clark (Philadelphia: University of Philadelphia Press, 2002), 178.

¹⁸ Cf.: Gordon, “Superstitio, Superstition and Religious Repression,” 94.

¹⁹ Benveniste, *Il vocabolario delle istituzioni indoeuropee*, 487 - 488.

consequently a way to identify the point of detachment between *religio* and *superstitio*, the former being “the true cult paid to God” and the latter “the false.”²⁰ What is more, by the first quarter of the fourth century, a totally negative understanding of “superstition” had definitively been inaugurated, which Lactantius linked to the survival of paganism, soon taking the double aspect of divination of the dead and idolatry.²¹ In addition, the connotation of “superstition” as foreign credulity or illicit cult in early Christian thinking helped define it as idolatry, since the church fathers began to use that category to identify the gods and the rites of the Graeco-Roman tradition. In this way, idolatry itself became “the paramount meaning” of “superstition” in the Roman world during the first two centuries following the Edict of Constantine (313 CE).²²

The crucial moment in the Christian reflection concerning “superstition” arrived with Augustine, bishop of Hippo, in the early fifth century: his line of thought - as Schmitt has pointed out - kept its value as a reference point at least until the age of Thomas Aquinas in the thirteenth century, but through the latter even further to the great theoretician of the seventeenth century, Jean-Baptiste Thiers, whose *Traité des superstitions*, published in 1679, constitutes an important testimony of such a “medieval continuity”.²³

In his *De doctrina christiana* Augustine specifies that:

Something instituted by humans is superstitious if it concerns the making and worshipping of idols, or the worshipping of the created order or part of it as if it were God, or if it involves certain kinds of consultations or contracts about meaning arranged and ratified with demons, such as the enterprises involved in the art of magic.²⁴

In this text “superstition” is openly identified with “idolatry”, “the making and worshipping of idols” or the worshipping of a creature as if it were God. What is more, Augustine establishes a connection between “superstition” and the demonic, since “superstition” is the context that renders communication between men and demons possible by means of *pacta significationum* or “pacts concerning certain meanings” agreed to by both. This has to be contextualized within the theory of signs, which in turn is part of the doctrine on knowledge illustrated by Augustine in his *De doctrina christiana*. According to it, knowledge and teaching can concern *res* or “things”, in other words material objects

²⁰ Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 178.

²¹ Schmitt, “Les superstitions,” 426.

²² Smith, “Introduction”, in *The Religion of Fools?* 13.

²³ Cf.: Schmitt, “Les superstitions,” 420 and 428.

²⁴ *Quidquid institutum est ab hominibus ad facienda et colenda idola pertinens vel ad colendam sicut deum creaturam partemve ullam creaturae vel ad consultationes et pacta quaedam significationum cum daemonibus placita atque foederata, qualia sunt molimina magicarum artium.* Augustine, *De Doctrina Christiana*, ed. R. P. H. Green (Oxford: Clarendon Press, 1995), II, XX, 90.

“which are not employed to signify something”, and *signa*, “signs” that can refer to other things or even to other objects making “some other thing come to mind”.²⁵ Signs can be of two types: *signa naturalia* or “natural signs”, which operate “without a wish or any urge to signify cause”, signifying something only by observation, like when, by observing smoke, one understands that there must be fire;²⁶ and *signa data* or “given”, “conventional signs”, which are intended to communicate something either among humans, or between the divine and the human spheres. “Superstitions” belong to this second type of sign, so for Augustine they were nothing else than “conventional signs” for communicating with demons. Quite interestingly, Fritz Graf has read Augustine’s theory of signs as a sort of “sociological” approach *ante litteram*, since the distinction between “natural” and “conventional” or “imaginary” signs would mirror the distinction between a public or official sphere (that of the first ones given publicly by God) and a private and thus more suspicious domain (that of the second ones, not given officially by God). According to Graf, such a distinction could reflect the consequences of Theodosius II’s edicts in the 390s, where the officiality was reserved to Christian rites, while the ancient unlawful pagan rites were by then relegated to “the shadow of private houses”.²⁷

However, as a general tendency, what changed during the following centuries was the replacement of the manifold and generic figures of demons with the “monocratic” figure of the devil, Lucifer, who assumed a more definite characterization only gradually and no earlier than the twelfth century, after a secular process of amalgamation of features pertaining to different sets of myths and traditions concerning the issue of evil.²⁸ Moreover, the nature of demons helped explain the extent of their potential action. Demons retain some characteristics of their previous angelic nature. Their ethereal bodies, half material and half spiritual, make them capable of performing various exceptional actions, like introducing themselves into people’s bodies and souls to affect both. In this way, what has been defined as the “psychologie de l’action démoniaque” takes place, in other words, the process through which demons can interfere with the imaginative power of the human mind, urging it to produce fantasies or illusions.²⁹ This is a concept that had a great echo in later reflections on the issue of the reality of witchcraft. Augustine also recognizes a direct link

²⁵ Augustine, *De Doctrina Christiana*, I, II, 13 - 15 and II, II, 57.

²⁶ Augustine *De Doctrina Christiana*, II, II, 57.

²⁷ Fritz Graf, “Theories of Magic in Antiquity,” *Magic and Ritual in the Ancient World*, ed. Paul Mirecky and Marvin Meyer (Leiden: Brill: 2002), 99 - 100.

²⁸ Robert Muchembled, *A History of the Devil* (Cambridge: Polity Press, 2003), 12 - 21. Cf. Also the classic works by Arturo Graf, *Il Diavolo* (Milan: Fratelli Treves Editori, 1889) and Jeffrey Burton Russell, *The Devil: Perceptions of Evil from Antiquity to Primitive Christianity* (Ithaca: Cornell University Press, 1977).

²⁹ Schmitt, “Les superstitions,” 433 - 436.

between “superstition” and magic when he writes that the pacts of which he speaks can concern “the enterprises involved in the art of magic”. What he refers to is probably a practical form of magic, which he does not seem to separate fully from “superstition”,³⁰ which can be deemed to belong to the set of practices the fundamental characteristics of which are today recognized in contacting occult powers to achieve or avoid practical outcomes.³¹ At this point, it is worth noticing how in Augustine one can find *in nuce*, for the first time, all the main elements that subsequently characterized the reflections on “superstition”, magic and demonology, although he still basically identifies *superstitio* with the survival of pagan beliefs.³²

After Augustine, throughout late antiquity and medieval times, “superstition” continued to be characterized by a multifaceted meaning, although Marina Montesano has pointed out how during the Middle Ages the two classical connotations of *superstitio* as “bad religion” and as the “religion of the others”, gradually came to overlap.³³ However, especially for the first centuries of the medieval era, consideration of the problem of “superstition” has to be set within the issues of the process of Christianization carried out by bishops and missionaries throughout Europe.³⁴ St. Martin of Tours - Sulpicius Severus’ “man filled with God”³⁵ - was the prototype of the monk-bishops who discovered several unexpected “superstitions” during their missionary activities. He himself was described by Gregory of Tours, and occasionally by his first biographer, Sulpicius Severus, as a famous destroyer of pagan temples, persecutor of heretics as well as a strenuous builder of churches.³⁶ It was quite common for the missionaries walking through the countryside and rural villages to discover practices and behaviours that were immediately recognized as pagan. Gregory of Tours reports how a Christian hermit destroyed the statue of a pagan deity that he had identified with the goddess Diana, still venerated by the peasants of a village nearby Trier.³⁷ Thus, the physical destruction of the supposed relics of paganism was

³⁰ Richard Kieckhefer, “The Specific Rationality of Medieval Magic,” *The American Historical Review* 3 (1994): 816, note No. 14.

³¹ Cf.: Smith, “Introduction,” *The Religion of Fools?* 39.

³² See: Schmitt, “Les superstitions,” 428.

³³ Marina Montesano, “*Supra aqua et supra ad vento.*” “*Superstizioni, malefici e incantamenta nei predicatori francescani osservanti (Itali, sec. XV)*, (Rome: Istituto Storico Italiano per il Medioevo, 1999), 7 - 8.

³⁴ That is “La vaste entreprise d’éducation religieuse” of which Pierre Riché has spoken. Cf.: Riché, *Instruction et vie religieuse dans le Haut Moyen Age* (London: Variorum Reprints, 1981), 218.

³⁵ See: Clare Stancliffe, *St. Martin and His Hagiographer. History and Miracle in Sulpicius Severus* (Oxford: Clarendon Press, 1983), 149.

³⁶ Gregory of Tours, *Historia Francorum*, in *Monumenta Germaniae Historica*, ed. W. Arndt and Br. Krusch, (Hannover: 1884), I, 39; cf.: Valerie Flint, *The Rise of Magic in Early Medieval Europe* (Oxford: Clarendon Press, 1991), 47. Particularly remarkable were Martin’s missionary endeavours in the Aeduan territory. See: Stancliffe, *St. Martin and His Hagiographer*, 328 - 340.

³⁷ Gregory of Tours, *Historia Francorum*, 8, 15.

the way generally endorsed by the ecclesiastical elites of the time in order to get rid of a past still too cumbersome.

However, in the year 601, Pope Gregory the Great inaugurated a more moderate and “diplomatic” way to deal with this issue, as is clearly indicated in the letter he sent to Abbot Mellitus, who was trying to Christianize the Anglosaxons.³⁸ As I have attempted to show elsewhere,³⁹ Gregory’s letter clearly indicates a shift in his way of approaching the issue of Christianization. From the endorsement of the common tactic of destroying elements referring to the non-Christian past, as written in his letter to Ethelbert King of Kent, Gregory passed to a different strategy - or to what I have called an “anti-strategy”, being totally opposed to the other and the only “strategy” conceivable at that time. He ordered Mellitus to appropriate rather than to destroy,⁴⁰ and to keep as much as it was possible of the ancient structures and rites, although Christianizing them. Thus, Christianization led to what has been described as a process of “acculturation” of autochthonous cultures, although, in order to be more effective, the process needed in the first moment to make a major use of “inculturative” rather than of “acculturative” practices.⁴¹ Thus, such a process of contact and exchange and, within that, the interpretation that Pope Gregory gave to it, indicated the conduct to keep in the process of conversion. What is more, a similar approach was undoubtedly also applied to magic and more broadly to the “superstitious” elements discovered, of which the missionaries still tried to offer similar but Christianized versions to the populations⁴² in order to render the shift to the new religion smoother. A similar position of compromise characterized the pastoral approach towards Christian populations,⁴³ which in the eyes of the ecclesiastical elites appeared to show a generally poor adherence to the

³⁸ See: Schmitt, “Les superstitions,” 448.

³⁹ I refer here to my study “Gregorio Magno e gli Anglosassoni. Considerazioni sullo sviluppo di una strategia missionaria,” *Studi Romani* 3 - 4 (2005): 460 - 481.

⁴⁰ Cf.: Michael Camille, *The Gothic Idol. Ideology and Image-making in Medieval Art* (Cambridge: Cambridge University Press, 1989), 197.

⁴¹ The concept of “acculturation” has a long tradition in sociological studies and can be described as “the process of adaptation of a people or a social group to a dominant culture;” “inculturation” is a more recent term which indicates “the process of the adaptation of the Christian message to local cultures.” See: Bruno Luiselli, *La formazione della cultura europea occidentale* (Rome: Herder, 2003), 15 - 16. Typical outcomes of the processes of “acculturation” and “inculturation” and of their mutual encounter was represented, according to Luiselli, by the council of Tours of 813, in which it was set that preachers had to adapt linguistically to their audience by translating their sermons *in rusticam Romanam linguam ac Theodiscam*; and by the council of Châlon sur Saône of the same year, 813, in which, for the first time, a Christian school was instituted where pupils had to study both the Latin literary tradition and the biblical text, thus ratifying the role of the Latin cultural categories for the setting of a Christian culture; for this last aspect, see: Luiselli, *La formazione della cultura europea*, 453 - 471. On the issue of Christianization see the recent: *Christianizing Peoples and Converting Individuals*, ed. Guyda Armstrong and Ian Wood (Turnhout: Brepols, 2000).

⁴² See: Richard Kieckhefer, *Magic in the Middle Ages* (Cambridge: Cambridge University Press, 1989), 44 - 45.

⁴³ Camille says that in this way Gregory “set a pattern that continued throughout the Middle Ages,” leaving an important imprint even on the way of developing of the characteristic medieval artistic expression. See: Camille, *The Gothic Idol*, 197.

principles of the Church. The way of approaching this issue became substantially different in a later period when, in the thirteenth century, something began to change in the attitude of the ecclesiastical elites, by then aiming at checking the compliance of the knowledge of the population with the “minimum of explicit faith” that the theological reflection was developing at the same time within the re-elaboration of the concept of *fides* itself.⁴⁴ The need to recognize the boundary of “that” *fides* implied the task of identifying the *superstitiones* as the signals of the same boundary.

Among the numerous kinds of sources, some appear to be particularly relevant to approach the issue of “superstition”. They are: the sermons of Caesarius of Arles (d. 543), which were a model for a major part of the subsequent literature on “superstition”; the *De correctione rusticorum* composed by Martin of Braga in 574; the *Indiculus superstitionum*, which are lists of beliefs condemned by councils and individual churchmen; the *Liber de Synodalibus causis et disciplinis ecclesiasticis*, compiled by Regino of Prüm ca. in 906 for the archbishop of Trier; the *Decretum*, compiled by Burchard of Worms between 1008 and 1012; and the penitential handbooks.⁴⁵ I would highlight how especially the penitentials handed down two elements which played a central role, although in a different context, after the thirteenth century: the attention to magic and the attitude to classifying different kinds of “superstition”. In the penitential handbooks, which were introduced on the continent by Irish and Anglosaxon missionaries around the sixth century, “superstitions” were in fact placed within the scheme of a penitence based on private confession - as contrasted to the public penitence of the earlier Christian centuries - as well as on tariffs, the penances to atone for the sins committed. An essential feature of these texts was the listing of all possible sins with their corresponding penances.⁴⁶ Gurevich has shown how the penitential handbooks constitute an interesting source for the study of “popular superstitions”. These were not simply relics of the pagan past, but rather behaviours, habits, and outlooks ingrained in the populace as part of their common and specific mindset, which was basically that of a strict interrelationship between nature and humans.⁴⁷ Thus, among the penitential writers,

⁴⁴ Jean-Claude Schmitt, “Du bon usage du credo,” in *Faire croire. Modalités de la diffusion et de la réception des messages religieux du XIIe au XVe siècle* (Rome: Ecole Française de Rome, 1981), 337 - 343.

⁴⁵ Cf.: Schmitt, “Les superstitions”, 450; Flint, *The Rise of Magic*, 41 - 42; Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 182 ff.

⁴⁶ See: Giannino Piana, “Peccati e penitenza nel Medioevo”, in *A pane e acqua. Peccati e penitenze nel Medioevo. Il penitenziale di Burcardo di Worms*, ed. by Giorgio Picasso Giannino Piana, and Giuseppe Motta, (Novara: Europa 1986), 7 - 40. The classical anthology of *libri poenitentiales* is: *Medieval Handbooks of Penance: A Translation of the Principal Libri poenitentiales and Selections from Related Documents*, ed. John T. McNeill and Helena M. Gamer (New York: Columbia University Press, 1938).

⁴⁷ See: Aron Gurevich, *Medieval Popular Culture: Problems of Belief and Perception* (Cambridge: Cambridge University Press, 1988), 81.

Burchard of Worms (d. 1025) was particularly influential. In the *Corrector*⁴⁸ inserted in his *Decretum*,⁴⁹ he still deals with “superstitions” as a mirror of the *traditiones paganorum*. According to Gurevich, such supposed relics of the pagan past were in reality signs of a much more complex layer of popular consciousness based on the idea of human participation in the cosmos.⁵⁰ Thus, what clerics conceived as the “superstitions” of rural folk was actually connected to beliefs and behavioral mechanisms whose function was to participate in maintaining the balance among the cycles of nature and life. Moreover, this should be read in the context of primitive technology and the lack of technical expertise characterizing those societies.⁵¹ After all, already Lucien Febvre, citing Henry Wallon, has pointed out that

A universe in which the sole muscular force of a man has to cope with the concrete beings raising against him is not, it cannot be the same universe in which a man has subdued electricity to his own needs and has subjugated the forces of the nature themselves in order to produce such an electricity.⁵²

Thus, with some imaginative effort, one can certainly try to figure out the feelings likely to concern folk whose existence depended almost completely on nature and the extent of its clemency; moreover, one can even imagine the psychological situation of never-ending peril such people had to feel immersed in, especially after the sunset when the only mean they had to master the surrounding space was the feeble light of a candle. In this way, maybe one can grasp the intimate importance and the meaning that what we call “superstitions” could have had for such people. The extent to which magical means were supposedly used - and discovered and listed in the penitentials - may testify to the need to cope with a universe (of nature, but even that of the other men and women) perceived as full of dangers as well as forces that could be attracted to one’s own bidding.

However, “superstitions” discovered while confessing the populations were in some cases considered *vanitates* or *stultitiae*. As Stephen of Bourbon in the thirteenth century still shows, in the period preceding Thomas Aquinas one does not find the harsh attitude towards “superstition” that characterized preachers and confessors at the end of the Middle Ages. John of Salisbury (d. 1182) and William of Auvergne (d. 1249) asked themselves to what extent “superstition” was connected to the power of the devil. After Augustine nobody

⁴⁸ Burchard of Worms, *Decretum*, in *Patrologia Latina*, Vol. 140, ed. Jean-Paul Migne (Paris: Garnier, 1853), 962.

⁴⁹ See: Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 205.

⁵⁰ Gurevich, *Medieval Popular Culture*, 81.

⁵¹ Gurevich, *Medieval Popular Culture*, 83.

⁵² My translation from: Lucien Febvre, *Studi su riforma e rinascimento* (It. Tr. Turin: Einaudi, 1966).

doubted that the operations of demons were deeply intertwined with the “illusion” of “superstitions”. However, in most cases, “superstition” was a matter of diabolic trickery (*ludificatio*), in which people were seen as victims themselves. For this reason it often stood behind heresis in the search for the devil.⁵³ Thus, if one considers, for instance, the set of beliefs connected to the so-called *strigae* or witches, what stands out is the little concern that official texts show in this regard. Still, Gurevich reminds one how the Edict of Rothar, for instance, prohibited kill witches since it was not even allowed to believe that they could really devour man’s entrails.⁵⁴ In the same way, Burchard’s penitential as well as the other penitential handbooks label similar beliefs as false fantasies, at most condemning the believers to light penance, such as fasting or reciting specific prayers. In contrast, a dramatically different attention towards the same issues arose just a few centuries later.

For the most part, the literature between the sixth and the tenth century deals with “superstition” in the same way as the penitentials. The *Indiculus superstitionum* no. 20, for instance, lists a series of “superstitions” according to the division among *sacrificia*, *auguria* and *observatio*.⁵⁵ All the texts of the eighth or the ninth century - as the already mentioned *De correctione rusticorum* of Martin of Braga and those by Agobard of Lyon - show a rather skeptical stance towards “superstitious” behaviours. Agobard speaks of the foolishness of those who believe in the myth of *Magonia*, from where evil sailors would arrive in order to take the crops destroyed by storms and hail.⁵⁶

Thus, Agobard says:

We have, however, seen and heard many men plunged in such great stupidity, sunk in such depths of folly, as to believe and say that there is a certain region, which they call Magonia, whence ships sail in the clouds, in order to carry back to that region those fruits of the earth which are destroyed by hail and tempests; the sailors paying rewards to the storm wizards and themselves receiving corn and other produce.⁵⁷

The so-called *canon episcopi* rendered a “moderate” and skeptical approach to “superstition” authoritative for centuries. The text first appeared in the *Liber* by Regino of

⁵³ Cf.: Schmitt, *The Holy Greyhound*, 16 and 33.

⁵⁴ Gurevich, *Medieval Popular Culture*, 84.

⁵⁵ Harmening, *Superstitio*, 159 - 174.

⁵⁶ Cf.: Schmitt, “Les superstitions,” 451; 464 - 466; Kieckhefer, *Magic in the Middle Ages*, 46; Marina Montesano, “La circolazione dei motivi stregonici tra folklore e cultura scritta,” in “*Non lasciar vivere la malefica*”. *Le streghe nei processi e nei trattati (secoli XIV-XVII)*, ed. Dinora Corsi and Matteo Duni (Florence: Firenze University Press, 2008), 161.

⁵⁷ *Plerosque autem vidimus et audivimus tanta dementia obrutos, tanta stultitia alienatos, ut credant et dicant quamdam esse regionem, quae dicatur Magonia, ex qua naves veniant in nubibus, in quibus fruges, quae grandinibus decidunt, et tempestatibus pereunt, vehantur in eandem regionem, ipsis videlicet nautis aereis dantibus parietia Tempestariis, et accipientibus frumenta vel caeteras fruges.* Agobard of Lyon, *Liber de grandine et tronituis*, in *Patrologia Latina*, Vol. 104, 148.

Prüm, and it was erroneously believed to be based on an older canon issued by the Council of Ancyra in 314.⁵⁸ As I shall explain later, the importance of the *canon episcopi* lies in his advocating a skeptical stance to the famous *feminae* who were said to fly through the air during the night following a feminine multifaceted character which could be identified with different pagan goddesses: from the Roman Diana to the Germanic Holda-Freja-Perchta. Such a “superstition”, as well as all the others, is deemed to be unreal, a mere illusion inspired by the devil in the minds of simple people, especially women.⁵⁹

Within the literature I have mentioned, a special reference has to be paid to chapter nine - *De Magis* - of book eight of the *Etymologiarum libri* composed by Isidore of Seville (d. 636). That text, which can be considered a receptacle of pagan and Christian doctrines,⁶⁰ was one of the main sources for clerics writing on “superstition” and magic; it became an instrument of common use for later authorities, included Franciscan Observant preachers, and enjoyed an immense success during the whole medieval era due to its compact, categorical and convenient character. Moreover, the relevance of divination within the discourse concerning magic spread from that text throughout the High Middle Ages.⁶¹

However, only eight centuries later, Thomas Aquinas re-assembled the elements elaborated by Augustine and repeated all through the medieval era, systematizing them in a definitive way, thus introducing a different consideration of “superstition” as part of a comprehensive discourse on faith. It has been noted how, within the context of the Latin Aristotelianism of the thirteenth century, it is possible to witness the development of an increasingly sophisticated theology concerning the demonic and magic.⁶² Also, this overall process has been frequently connected to a power-related discourse. The canonistic production and the penitential reflection touching upon canon 21 *Omnis utriusque sexus* of the Fourth Lateran council contributed to a more intimate search for the seeds of dissent within what has been called a “persecuting society”.⁶³ Merlo has pointed out how with Pope Innocent III heresy was recognized as a *crimen lesae maiestatis*, which led to growing attention to those who erred rather than to the errors themselves.⁶⁴ This is just to highlight

⁵⁸ Jeffrey Burton Russell, *Witchcraft in the Middle Ages* (New York: Cornell University Press, 1972), 75 - 76.

⁵⁹ See: Schmitt, “Les superstitions,” 460.

⁶⁰ Cf.: Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 185.

⁶¹ Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 186; Cf.: Flint, *The Rise of Magic*, 50 -51; Graf, *Magic in the Ancient World*, 55.

⁶² Cf.: Smith, “Introduction,” in *The Religion of Fools?* 20.

⁶³ See: Robert I. Moore, *The Formation of a Persecuting Society* (Oxford: Blackwell, 1987).

⁶⁴ Grado Giovanni Merlo, “Predicatori e inquisitori. Per l'avvio di una riflessione”, in *Praedicatores, inquisitores. The Dominicans and the Medieval Inquisition. Acts of the 1st International Seminar on the Dominicans and the Inquisition*, 23 - 25 February 2002, ed. Wolfram Hoyer (Rome: Istituto Storico Domenicano, 2004), 29.

how from that period onwards the attention towards deviation increased progressively. Thus, for instance, what Schmitt calls “les superstitions paysannes”⁶⁵ began to be considered as elements apt to identify religious deviance in a period that saw the institutionalization of the exercise of power at different levels.⁶⁶

Thomas Aquinas’ connotation of “superstition” has been seen either as general and all-embracing,⁶⁷ or as characterized by a strict and tough consideration of those who were involved in it.⁶⁸ Aquinas deals extensively with the problem of “superstition” in the second book, *quaestio* 92, of his *Summa Theologiae*. First of all, he clearly states the characteristic of “superstition” as a “vice” opposed to religion, thus confirming the dichotomy between these two terms already developed in ancient reflections. However, he also specifies the way in which *superstitio* is opposed to *religio*: *sic igitur superstitio est vitium religioni oppositum secundum excessum, non quia plus exhibeat in cultum divinum quam vera religio: sed quia exhibet cultum divinum vel cui non debet, vel eo modo quo non debet*.⁶⁹

Superstitio is connoted either with regard to the object, *cui*, since it offers divine worship to something or someone to which or to whom it is not due; or is represented as worship opposed to religion as to the “way” of worshipping itself, *eo modo*, since it is performed in a way that is unfitting. According to the diverse aspects it may concern, Aquinas divided “superstition” into four types: first, it can be an unfitting way of worshipping the true God, in this case related directly to the general connotation just seen; second, it can be seen as idolatry, divination, and a set of practices pertaining to the realm of natural phenomenon. While in the first case “superstition” would represent an opposition to religion “by defect”, since it is about an imperfect or erroneous type of worship, although still intended for the true God, the other three genres would oppose religion “by excess”, since they would add something new or something else which actually should not be part of a correct worship.

A few decades later, the Dominican inquisitor Bernard Gui (d. 1331) dealt with the issue of “superstition” for the first time in the context of an anti-heretical manual, the *Practica officii Inquisitionis heretice pravitatis*, compiled between 1323 and 1324.⁷⁰ In chapter VI of his text he speaks of *Sortilegiorum et divinationum et invocationum demonum pestis et error varius et multiplex* due to the fabrications and the inventions *hominum*

⁶⁵ Schmitt, “Les superstitions,” 504.

⁶⁶ Cf.: Moore, *The Formation of a Persecuting Society*, 140.

⁶⁷ See: Montesano, “*Supra aqua et supra ad vento*,” 8.

⁶⁸ Cf.: Schmitt, “Les superstitions,” 505.

⁶⁹ Thomas Aquinas, *Summa theologiae* (Cinisello Balsamo: Edizioni Paoline, 1988), II, II, Q. 92, art. 1, 1475.

⁷⁰ Bernard Gui, *Manuel de l’Inquisiteur*, ed. G. Mollat (Paris: Société d’édition “Les belles lettres,” 1964).

superstitiosorum.⁷¹ Such a subdivision of “superstition” points inevitably to the issue of the divine cult and the problem of idolatry.⁷² However, a great deal of what are, strictly speaking, “superstitions” in Gui’s *Practica* coincide with what the Franciscan Observants will call *vanae observationes*, as for instance when he speaks of *de curatione infirmitatum* or *de collectione herbarum*. Both the diabolic element and less worrisome “traditions” pertaining to the needs of everyday life are thus present. Something comparable appears in the registers of Jacques Fournier, bishop of Pamiers, who conducted a campaign against Chatar heretics in the village of Montailou from 1318 until 1325. As Le Roy Ladurie has pointed out, magic and “superstition” in that region were both connected to everyday life, primarily in the form of traditional medicine practiced by healers.⁷³ Some fifty decades later, in 1376, Nicolas Eymeric, former general inquisitor of Aragon, published his *Directorium inquisitorum*,⁷⁴ in which he reconsidered the theological categories of *latria* and *dulia* elaborated by Thomas Aquinas, strengthening the connection between magic and sorcery, and thus of “superstition” as heresy when implying idolatry.⁷⁵

These were exactly the same theological and pastoral bases reused by religious elites in the next century, as well as by Franciscan Observant preachers, when dealing with the problem of “superstitious” behaviour in the cities. Marina Montesano has pointed out that there was an increase of “worried interest” for the presence of magic within society, by the second half of the fourteenth century.⁷⁶ This has been linked to the situation of climatic and social crisis (the famine of the years 1315 - 1317 and the black death of 1347 - 1350), when a sentiment of fear developed, which eventually led to an out-and-out search for those supposedly responsible for the numerous dire events. In the same period, Christian society was in a painful situation determined by the move of the papal *curia* from Rome to Avignon in 1303, and successively by the Western schism that lacerated the papacy itself, from 1378 until the Council of Constance in 1414. It was due to that council that specific motions were issued to reform the Church on the whole as an institution and also the numerous religious orders, which were in crisis themselves.

⁷¹ Gui, *Manuel de l’Inquisiteur*, 20.

⁷² See: Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 214 - 215.

⁷³ Emmanuel Le Roy Ladurie, *Montailou: The Promised Land of Error* (New York: George Braziller, 1978), 342 and following.

⁷⁴ Nicolas Eymeric, *Directorium Inquisitorum* (Rome, 1587), cited in: *Witchcraft in Europe, 400 - 1700. A Documentary History*, ed. Alan Charles Kors and Edward Peters, (Philadelphia: University of Pennsylvania Press, 2001), 121.

⁷⁵ Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 211 and 215; Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 120 - 127.

⁷⁶ Marina Montesano, *La cristianizzazione dell’Italia nel medioevo* (Rome: Laterza, 1997), 111.

The process of reform in the Franciscan Order began in the second half of the fourteenth century and reached its peak with the appearance of Bernardino da Siena, who was active in the first four decades of the fifteenth century. In that period it began what Montesano has described as a “total project of reform and redefinition of the Christian *societas*” which touched on virtually every single aspect of the social and moral life of the individual as a citizen as well as the whole society.⁷⁷ It is precisely within such a context, which I have already described in the chapter on Franciscan Observance, that the polemics against magic and “superstition” need to be placed. The action of preachers and inquisitors led progressively to the discovery of the presence of what Ginzburg has defined as “a heretical humus more or less decomposed”,⁷⁸ often mixed with features pertaining more specifically to the domain of magic rather than to that of heresis.⁷⁹ As Montesano has highlighted, such a humus concerned a number of gestures, signs, objects, and tales that are still generally indicated in the scholarship by the term “Volkskultur”⁸⁰ and which, according to her, would allude to a “world” where all those elements coexist along with forms of “hegemonic culture”, therefore generating a situation of deep instability and possible conflicts.⁸¹ Still according to Montesano, the preaching against such issues has to be seen and evaluated within the context of deep reform of civic customs inaugurated by Franciscan Observants as well as by other orders, primarily the Dominicans, who perceived the multifaceted problem related to the diffusion of “superstitious” habits and behaviours as a powerful means of destabilizing Christian society.⁸²

However, as I have mentioned earlier, the way of perceiving “superstition” as an issue changed in the thirteenth century, mainly after the Fourth Lateran Council, the elaboration of Aquinas’ doctrines and, especially, as a consequence of a more decisive effort by the ecclesiastical authorities towards a stricter interpretation of the phenomenon in a diabolical sense. The rumblings of such a turnaround were already constituted in the issue of the bull *Vox in Rama* by Pope Gregory IX in 1233. In this bull the rebels of the archbishop

⁷⁷ Montesano, *La cristianizzazione dell’Italia*, 112 - 116.

⁷⁸ Carlo Ginzburg, “Folklore, magia, religione,” in *Storia d’Italia. I caratteri originali*, ed. Ruggiero Romano and Corrado Vivanti (Turin: Einaudi, 1972), 628.

⁷⁹ Montesano, *La cristianizzazione dell’Italia*, 112 ff.

⁸⁰ Marina Montesano, “*Fantasima, fantasima che di notte vai.*” *La cultura magica nelle novelle toscane del Trecento* (Rome: Città nuova editrice, 2000), 25 - 26.

⁸¹ Rather than following the tradition arguing the existence of a “two-tier model” - popular culture vs culture of the elites in authors such as Antonio Gramsci or Carlo Ginzburg, among the others - Montesano prefers to speak, following Jean-Claude Schmitt and, especially, Peter Brown, of a “complex society” in which a great number of stratifications of diverse origin are connected with one another, hardly referable to a net “bipolarity”.

I find this vision broadly sharable. See: Montesano, “*Supra aqua et supra ad vento*, X - XVIII.

⁸² Montesano, *La cristianizzazione dell’Italia*, 117.

of Bremen were accused of worshipping demons and committing numerous sacrileges.⁸³ However, the canonical and theological base from which such a different consideration and a major worry about the problem of magic and “superstition” actually originated was the bull *Super illius specula*, issued in 1326 by Pope John XXII.⁸⁴ Through it, the link between sorcery and heresy was established in a definitive way by reusing the notion of a “pact” with demons (in the bull it is spoken of a “pact with hell”)⁸⁵ developed by Augustine and Aquinas;⁸⁶ what is more, the process triggered by this bull and carried on by a tough theological-canonical debate⁸⁷ resulted in Innocent VIII’s bull *Summis desiderantes affectibus* issued in 1484,⁸⁸ considered by scholars as the starting point of the great witch-hunt process and in any case a dramatically different way of considering the problem of magic and “superstition”.⁸⁹ I shall return more specifically to this topic in the next chapter. For the moment it seems worth highlighting how Observant Franciscan preachers operated in a situation in which the main political-ecclesiastical coordinates were those just mentioned. Furthermore, precisely during Busti’s lifetime, some Carmelites from Bologna tried to detach the asking responses from demons from the charge of heresy. This case triggered the reaction of Pope Sixtus IV, a former Conventual Franciscan friar. The pope issued an investigation and in 1473 released an instruction concerning the case, the *Nuntiatum est nobis*, which was reprinted after the Council of Trent in Francisco Peña’s edition of Nicolas Eymeric’s *Directorium inquisitorum*.⁹⁰

Bernardino da Siena and the three other main representatives of the Franciscan Observance of his time, Giacomo della Marca, Roberto da Lecce, and Giovanni da

⁸³ Gregory IX *Vox in Rama*, in *Les registres de Grégoire IX*, I, ed. L. Auvray (Paris: 1896), 780 - 782. See: Montesano, *Supra acqua et supra ad vento*, 110.

⁸⁴ John XXII, *Super illius specula*, in *Bullarum diplomatum et privilegiorum sanctorum romanorum pontificum taurinensis editio* (Turin, 1859), 4, 41, 315 - 316.

⁸⁵ See: John XXII, *Super illius specula*, 4, 41, 316.

⁸⁶ Cf.: Russell, *Witchcraft in the Middle Ages*, 173. The extension of the notion of heresy to include magic, was already established in a “consultation” launched by Pope John XXII in 1320 involving the opinions (although not unanimous) of ten experts, among whom was Jacques Fournier. See: Alain Boureau, *Le pape et les sorciers. Une consultation de Jean XXII sur la magie en 1320* (Rome: École Française de Roma, 2004).

⁸⁷ There were those inclined to believe in the equivalence of magic and heresis, such as Zanchino Ugolini about 1330, and those - such as Oldrado da Ponte and Federico Petrucci - who thought that magic was “simple superstition”, not to be framed within heresis and thus not a matter for inquisitors. See: Montesano, *La cristianizzazione dell’Italia*, 111 - 112.

⁸⁸ Innocent VIII, *Summis desiderantes affectibus*, in *Bullarum diplomatum et privilegiorum sanctorum romanorum pontificum taurinensis editio* (Turin, 1860), V, I, 296 - 298.

⁸⁹ See: Walter Senner, “How Henricus Institoris Became Inquisitor for Germany: The Origin of *Summis Desiderantis Affectibus*,” in *Praedicatores Inquisitores*, 395; Montesano, *Supra acqua et supra ad vento*, 114 - 115.

⁹⁰ Cf.: Henry Charles Lea, *A History of the Inquisition of the Middle Ages* (New York: Harper and Brothers, 1888), Vol. 3, 436; Joseph Hansen, *Quellen und Untersuchungen zur Geschichte des Hexenwahns und der Hexenverfolgung im Mittelalter* (1901, reprint Hildesheim, Zürich, New York: Georg Olms Verlag, 2003), 21.

Capestrano, are at the core of Marina Montesano's study. She has identified some of what, in her perspective, are fundamental common features of Franciscan Observants' attitude toward "superstition". The increasing concern about aspects and behaviours related to everyday life and experience, Montesano has noted, was just one of these features. First of all, she has singled out the lexicon used by the preachers, pointing out how they did not adopt a generic and common term indicating magic-superstitious practices as a whole. Besides pointing out that the terms describing a great part of the "superstitious" phenomenon Franciscan Observants referred to are *superstitiones*, *maleficia*, and *incantamenta*, Montesano has indicated "idolatry" as the only term that could actually cover every practice fought by the preachers.⁹¹ I shall try to show in this chapter how actually, at least for the Observants of the end of the fifteenth century, idolatry does not appear at all to be a comprehensive term, but rather and more technically just the first type of "superstition": undoubtedly, the most relevant and dangerous in preachers' eyes, but still one of many possible.

To Montesano's mind, the Franciscan Observants generally relied on two of the several possible connotations of *superstitio* elaborated by Thomas Aquinas. First, "superstition" as *vana observatio* ("vain observation"), consisted in the observation of everyday practices not much related to the aspects of the Christian cult, but rather to phenomena pertaining to the world of nature and its cycles, therefore generally with no demonic connotation. Second, "superstition" as "bad religion", led directly to the possibility of idolatry, and consisted in the deformation or incorrect fruition of specific elements of the Christian ritual and rules, thus potentially implying recourse to the demonic, more clearly implied in the use of *incantamenta*.⁹² In this case the preachers proved to be well aware of the possible ritualistic and demonic implications embedded in these interpretations of magic.⁹³ Thus, the point of contact or the coexistence between an idolatrous connotation and a more general dimension of "superstition" seems to have been the main feature of Franciscan Observant thought in the period of the "four columns" of the Observance.

In his *sermo* 10 *De idolatriae cultu* of the *Quadragesimale de Cristiana religione*, Bernardino da Siena inserts a chapter titled *De triplici ficta daemonum potestate per quam homines in idolatriam prolabantur*. In this sermon he shows how demons can lead people to idolatry by means of "superstition".

⁹¹ Montesano, *Supra aqua et supra ad vento*, 3.

⁹² Montesano, *Supra aqua et supra ad vento*, 8 - 9.

⁹³ See: Marina Montesano, "L'Osservanza francescana e la lotta contro le credenze magico-superstiziose. Vecchie e nuove prospettive di ricerca," *Quaderni medievali* 41 (1996): 147.

Demons spread idolatry throughout the whole world by means of false abilities. Demons showed a threefold power to deceive people, led them and many more to idolatrous ruin. The first [is the power] to calm oppositions and disorders; the second, to appease storms and gales; the third to cure diseases and wounds.⁹⁴

The genre of “superstition” described here gives an idea of what Bernardino meant when speaking of something different from idolatry, which still constituted the most worrying danger for the faithful. The preacher explains how demons can deceive humans in three different ways. First of all, they can do so by giving the conviction of being able to calm opposition and civil disorder, as in the times of the Romans, when *idolis immolabant*, while in Christian times people try to do the same by observing the stars; second, by the idea of placating the weather, like when *alter frustum combusti ligni de die Natalis relictis, contra tempestatem extra domum emittit*; last, through the power of healing illnesses or injuries, for instance, when *contra dolorem dentium, tangit dentem cum dente hominis suspense vel osse alterius defuncti* (the cases histories lasts for three pages). This is what Bernardino da Siena means by “superstition”.⁹⁵ It is something basically different from idolatry, which can nevertheless also lead to idolatry since the implication of demons is behind all those actions in which “superstitious” people “grant the glory of God to the devil”.⁹⁶ These are the types of “superstitions” known as *vanae observationes*: remnant of ancient folkloric or rural beliefs mainly innocuous from the point of view of the preacher, when a ritualistic dimension is excluded.⁹⁷ Thus, Giacomo della Marca does not seem to be particularly worried about those who, in his lenten sermon *De ydolatria et sortilegiis* of the *Sermones Quadragesimales*, he indicates as *supersticiosi*: they are accustomed to *incantare lupos ne comedant bestias perditas* or act *contra infirmitates hominum mensurando cum corrigia, cum carbonibus, cum cynere, cum radicibus herbarum, cum sanbucis, cum aqua fontium,*

⁹⁴ *Disseminaverunt daemones idolatriam per orbem terrarum, scilicet ficta potentia. Triplicem potentiam ostendebant daemones deceptis hominibus, propter quam inducti sunt in idolatricam labem et adhuc plurimi inducuntur: prima, placandi contrarietates et turbationes; secundam, sedandi tempestates et fluctuationes; tertiam, sanandi infirmitates et laesiones.* Bernardino da Siena, *Sermo X - De idolatriae cultu*, in Idem, *Opera Omnia*, Vol. 1, *Quadragesimale de Christiana Religione* (Florence: Quaracchi, 1950), 113 - 117.

⁹⁵ Cf.: Montesano, *Supra aqua et supra ad vento*, 9 - 12; Pier Giuseppe Pesce, “La religiosità popolare nella predicazione bernardiniana,” in *L’evangelizzazione in San Bernardino da Siena. Saggi e ricerche*, ed. L. Glinka, (Rome: Pontificum Athenaeum Antonianum, 1980), 87, note No. 97.

⁹⁶ San Bernardino da Siena, *Le prediche volgari: Quaresimale fiorentino del 1424*, ed. Ciro Cannarozzi (Pistoia: Pacinotti, 1934), Vol. 1, sermon 27, 446.

⁹⁷ See: Montesano, “L’Osservanza francescana e la lotta contro le credenze magico-superstiziose,” 147; Marina Montesano, “I temi magici nella predicazione di Giacomo della Marca,” in *San Giacomo della Marca e l’altra Europa. Crociata, martirio e predicazione nel Mediterraneo Orientale (secc. XIII-XV)*, *Atti del Convegno Internazionale di Studi, Monteprandone, 24-25 novembre 2006*, ed. Fulvia Serpico (Impruneta: Edizioni del Galluzzo, 2007), 195 - 196; See also: Schmitt, “Les superstitions,” 475 - 489.

cum lapidibus, just to give two examples.⁹⁸ Similarly in the section *Quot modis adoratur dyabolus* in sermon 27, *De sortilegiis* of the *Sermones Dominicales*, he inserts a long list of different kinds of magicians, at the end of which he speaks of: *Superstitiosi ... apponendo aliquid super altare, vel cum multiplicatione crucis, vel apportare herbas, radices, ferrum, lapides, mirram, incensum, argentum, vinum, ossa mortuorum vel animalium*.⁹⁹ Thus, “superstition” is still seen as a “vain observation”, something connected to the conviction that humans can use the powers inherent in the elements of nature.

However, the preachers became more serious when “superstition” began to acquire a certain ritualistic shape, especially when it almost took the form of an anti-Christian ritual. In this case, both Bernardino and Giacomo appear to be more interested in the individuals performing these supposed rituals than in the rituals themselves. In the above-mentioned sermon, Bernardino says that those who want to obtain various benefits *ad incantatores et incantatrices recurrere debent*;¹⁰⁰ and Giacomo mentions numerous cases of *vetulae* which he himself came upon during his pastoral or inquisitorial work. These “little old ladies” used every sort of material - the consecrated host as well as disgusting ingredients such as parts of cadavers or dung - to produce potions in order to achieve different kinds of results: from securing one’s love, to obtaining health or wealth.¹⁰¹ Especially in his sermon *De sortilegiis*, Giacomo speaks extensively of the *vetulae*, whose behaviour and magic skills definitely worry him, especially when they seem to be intertwined with elements of the ecclesiastical apparatus, as in the following examples:

At Norcia a woman was carrying with her the consecrated host along with some bones of a skull and coals so that she could be loved by a man; this [viz., the host] I had her bring to church with all the due honour; in the same way, I found in Visso and in Cassia [some women] who were putting feces of hens and dogs and a toad over the altars during nine masses;¹⁰²

⁹⁸ It is in the *Sermones Quadragesimales*, Cod. Vat. Lat. 7642, 62v. - 65v. For the description see: D. Lasić, “Sermones S. Iacobi de Marchia in cod. vat. Lat. 7780 et 7642 asservati,” *Archivum franciscanum historicum* 63 (1970): 476 - 565; Montesano, “I temi magici nella predicazione di Giacomo della Marca,” 195 - 196.

⁹⁹ Giacomo della Marca, Sermon 27 *De sortilegiis*, in *Sermones Dominicales*, ed. Renato Lioi (Falconara Marittima: Biblioteca Franciscana, 1978), 429. The use of herbs and the term *herbarius* is reminiscent of an old tradition according to which, already in the Carolingian period, it was a synonym of “magician.” See: Riché, *Instruction et vie religieuse*, 134.

¹⁰⁰ See: Montesano, *Supra aqua et supra ad vento*, 11.

¹⁰¹ See: Montesano, “I temi magici nella predicazione di Giacomo della Marca,” 198 - 200.

¹⁰² *In Nursia mulier ferens secum Corpus Christi cum ossibus capitis et carbone, ut diligeretur a viro, quod feci honorifice portari ad ecclesiam; Item, repperi in Visso et in Cassia ponentes ad novem missas super altare stercus galline et canis et rospum*. Giacomo della Marca, *Sermones Dominicales*, Sermon 27 *De sortilegiis*, 434.

A certain old woman wearing a mitre, confessed that was taken by the wind and killed a certain man and a child, and [she confessed] numerous other evil actions as well;¹⁰³

A certain old woman wearing a priestly robe rode horseback on a piece of wood carried by two old women during the night through certain villages to some people's houses so that they could neither conceive nor have intercourse with their wives.¹⁰⁴

Some elements are of note. Placing various kinds of magical elements on the altar is meaningful if seen in relation to the consideration of mass as a rite provided with special magical power itself, therefore able to empower the ingredients used for the aims of magic. This had something to do with what has been defined as a “clerical underworld” of magic in which, actually, it was not so rare that clerics, priests or monks could have a role in the making of magic and necromantic rites.¹⁰⁵ Thus, the hunt for figures of professional operators of magic,¹⁰⁶ able to perform rites whose aim was to carry out *maleficia* and *incantamenta*, became a new dimension of the work of preachers and confessors since it could eventually overlap with heresy and, as is clear from the examples given above, with a distorted use of Christian rituals. Therefore, the interest in the individuals who were able to perform magic almost surpassed the one concerning “superstition” as a block of more or less “vain observations”, although it has to be said that in the minds of preachers those *observationes* could become the matter of demonic suggestions precisely because of their being *vacua*, *superflua*, *superinstituta*, and thus not strictly conformed in any other way.¹⁰⁷ The Franciscan Observants saw the most worrying threat in such a demonic and anti-ecclesiastical potential, just in the same period when the ecclesiastical hierarchies were elaborating the juridical instruments mentioned earlier in order to better identify the “professional figures” behind it. Marina Montesano has traced the novelty of the concerns represented by Franciscan Observants in comparison with the past.¹⁰⁸ As I shall show soon, however, this supposed “novelty” was not univocal and not at all to be taken for granted.

Returning to the theological bases of “superstition”, when discussing the Franciscan Observants whom I have defined as the “third generation”, I shall point out how the same

¹⁰³ *Quedam vetula mitrata confessa est quod portabatur a vento et interfecit quemdam dominum et puerum et multa alia mala.* Giacomo della Marca, *Sermones Dominicales*, Sermon 27 *De sortilegiis*, 423.

¹⁰⁴ *Quedam vetula induta vestibis sacerdotalibus equester super lignum portatum a duabus vetulis in nocte hinc inde per aliquos vicos ad domos aliquorum ut non possent concipere neque cognoscere uxores.* Giacomo della Marca, *Sermones Dominicales*, Sermon 27 *De sortilegiis*, 424.

¹⁰⁵ See: Kieckhefer, *Magic in the Middle Ages*, 153 - 156.

¹⁰⁶ Cf.: Montesano, “L’Osservanza francescana e la lotta contro le credenze magico-superstiziose,” 148.

¹⁰⁷ See: Franco Cardini, “Giacomo della Marca e le streghe,” in *Santi, monaci e contadini. La Marca tra agiografia e folklore. Atti del Convegno di studio, Ascoli Piceno, 21-23 June 1991*, ed. Enrico Menestò, (Spoleto: CISAM, 1992), 112.

¹⁰⁸ Cf.: Montesano, “L’Osservanza francescana e la lotta contro le credenze magico-superstiziose,” 148.

partition of “superstition” into four types elaborated by Thomas Aquinas was likewise used by the preachers connected to the friary of St. Angelo in Milan. Yet, as I shall demonstrate soon, probably the way in which they considered idolatry, the second type of “superstition” identified by Thomas Aquinas, exceeded the concern shown for it by the Franciscan Observants of the previous generations. Montesano has pointed out that the Franciscan Observants privileged two of the meanings of “superstition” established by Aquinas, as already mentioned: *superstitio* as an unfitting cult and as a set of *vanae observationes*.

Michele Carcano of Milan describes “superstition” using exactly the same words employed by Thomas Aquinas. Carcano wrote: *Superstitio importat superfluum et indebitum modum cultum divinum: cum non exhibetur eo modo quo debet vel cui non debet*.¹⁰⁹ “Superstition” is described again as a redundant and undue way of worshipping, either by not doing it in the right way or by offering it to whom it is not due. On the basis of Aquinas, Carcano groups, on the one hand, all the “superstitions” under the three labels of idolatry, divination, and observations; on the other hand, he acknowledges the distinction between *pactum expressum* and *pactum tacitum*.¹¹⁰ He shows how the core meaning of idolatry would lie in the former, since it represents the worship of a creature rather than the creator, and it ended up identified with the possibility of instituting a pact with the devil.

Carcano could easily have learned these ideas from his confrere Angelo Carletti da Chivasso (d. 1495),¹¹¹ a pillar of the Franciscan Observant reflection on confession, whose *Summa Angelica*, published for the first time in 1486,¹¹² became a reference point for preachers and confessors until the modern age. Angelo specifies that “superstition” is opposed to religion and presents itself as a religion observed by excess, not because it puts more than true religion into divine worship, but rather because it grants divine worship either to something to which is not due or in a way that is unfitting:

Superstition is an error opposed to religion not because it shows in the divine cult anything in excess of the true religion, but because it grants divine worship to whom it is not due or in a way that is unfitting.. superstition is equivalent to a religion practiced in excess and, if it is called “religion” it is only metaphorically, as when one says “a good thief”.¹¹³

¹⁰⁹ Michele Carcano, *sermo 21*, in *Sermones Quadragesimales de Decem Preceptis* (Venice, 1492), 51v. *ISTC* No. ic00193000; *Gesamtkatalog der Wiegendrucke* 6133; *Indice generale degli incunaboli delle biblioteche d'Italia* 2522

¹¹⁰ See: Smith, “Introduction,” in *The Religion of Fools?*, 20.

¹¹¹ On Angelo see: Pierre Michaud-Quantin, *Sommes de casuistique et manuels de confession*, 99 - 101; Ovidio Capitani *et al.* ed., “Frate Angelo Carletti osservante nel V centenario della morte (1495 - 1995),” in *Bollettino della Società per gli studi storici, archeologici ed artistici della provincia di Cuneo*, 118 (1998).

¹¹² *Gesamtkatalog der Wiegendrucke*: 1923-1946; *Indice generale degli incunaboli delle biblioteche d'Italia*: 559-571.

¹¹³ *Superstitio est vitium contrarium religioni non quia plus exhibeat in cultum divinum quam vera religio, sed quia exhibet cultum divinum, vel cui non debet, vel eo modo quo non debet. ...Superstitio est religio supra modum servata, ubi accipitur methaphorice religio, sicut quando dicimus bonus latro*. Angelo da Chivasso,

Thus, following strictly the teaching of Thomas Aquinas, both Angelo da Chivasso and Michele Carcano, who were coeval and worked at St. Angelo's, concentrated on the nature of worship. Either the incorrectness of the way in which the act of worship is performed, or its' being granted to a "recipient" other than God, determines its being "superstitious" and consequently a "perverted form of religion". This clearly implies an idea of impropriety and excessiveness in relation to a cult that was rooted in the Roman legal-religious tradition.¹¹⁴

Thus, the use of Aquinas as an *auctoritas* was a tenet for these Franciscan Observants, as it was generally after the thirteenth century for theological reflection. What appears to be new is the extent to which preachers and confessors aimed at building comprehensive pastoral action in a society still using those theological premises. These intellectual instruments were literally part of the theoretical equipment of the preachers, which is apparent when one considers how they are used as *auctoritates*. As was customary in medieval use, an *auctoritas* did not have to be innovative, and thus a concept or a definition could be drawn by using exactly the same words already used by the theoretician who made them become authoritative.¹¹⁵ Both the *Summa* of Angelo da Chivasso and Carcano's *Quadragesimale* pay special attention to the pastoral problem from a doctrinal point of view. This is clear for a *Summa*, which was by definition intended to sum up theological and canonical doctrines, and even clearer in the case of the *Angelica*, which itself became an *auctoritas* for reflecting modern casuistry.¹¹⁶ It was, however, less obvious for a *sermonarium*, which was intended for pastoral use and not really for theological reflection, although in the case of Carcano the "scholastic apparatus of reasoning" assumes such a connotation, which gives his sermons rather the appearance of treatises.¹¹⁷

Summa Angelica de casibus conscientiae (Venice: Giorgio Arrivabene, 1492), 471v., *ISTC* No. ia00723000; *Gesamtkatalog der Wiegendrucke* 1934; *Indice generale degli incunaboli delle biblioteche d'Italia* 566.

¹¹⁴ Cf.: Michale Bailey, "Concern over Superstition in Late Medieval Europe," in *The Religion of Fools?*, 118.

¹¹⁵ "Vis-à-vis these texts we have to undress of our mental habits and enter into a different logic. We must not privilege anymore the novelty at the expense of repetition in a society that celebrates tradition. ...The long chains of scriptural or patristical quotes ...constitute often fundamental itineraries of reasoning": Hervé Martin, "La predicazione e le masse nel XV secolo. Fattori e limiti di un successo," in *Storia vissuta del popolo cristiano*, ed. Jean Delumeau (It. Ed. Turin: SEI, 1985), 472 - 473.

¹¹⁶ Miriam Turrini, *La coscienza e le leggi. Morale e diritto nei testi per la confessione della prima Età moderna* (Bologna: Il Mulino, 1991), 77 - 78.

¹¹⁷ Cf.: Roberto Rusconi, "Michele Carcano da Milano e le caratteristiche della sua predicazione," *Picenum Seraphicum* 10 (1973): 199.

From this point of view, Bernardino Busti's *sermo* 16 represents exactly the opposite tendency, aiming to be a less doctrinal and much more practical means for the immediate use of preachers. Although it does not skimp on theological and canonical references, the *Rosarium* is much more synthetic since it does not aim at investigating the theological and doctrinal aspects of the issues it deals with. That is probably the reason that explains why Busti dealt with the issue of "superstition" only in his sermon 16, while Carcano dedicated three sermons - from 21 to 23 - of his *Sermones quadragesimales de decem preceptis* to the same problem. The scopes of the two *sermonarii* were clearly different. It should be noted that Busti did not even need to define "superstition", the meaning of which for him was simply implied behind the long list of different typologies of *offensiones* or offences against the First Commandment of the Decalogue. It is precisely on this aspect, on the framework within which the discussion on "superstition" is placed, that I shall direct my attention in the next chapter.

2. “Superstition” and the Decalogue

I have already discussed how Carla Casagrande has highlighted that, after a period of coexistence along with the seven deadly sins and other schemes, the Ten Commandments were preferred as a sin-identifying scheme between the thirteenth and the fifteenth centuries, a period that saw what she has called a “multiplication of sins”.¹ To John Bossy it does not seem that the process of revitalization of the Ten Commandments, after that they were warmly recommended by Augustine, was fully reached before the sixteenth century, in the age of the Reformation and counter-Reformation. Besides, he points to the role Thomas Aquinas played in developing a consciousness concerning the Decalogue, later taken again and definitively developed “as the rock of Christian ethics” by Jean Gerson.² What I propose here is that the consideration of the issue of “superstition”, as part of a broader discourse on “orthodoxy”, was profoundly intertwined among the Franciscan Observants with the use of the intellectual-theological categories systematized by Aquinas, the centrality of the Ten Commandments above all. Besides, I argue that, contrary to what Bossy assumed, the use and the spread of the Ten Commandments as a doctrinal format for pastoral activity occurred well before the sixteenth century, exactly in the course of the previous century, becoming a framework for the instruction of the faithful with a special focus on the penitential preparation for Easter. The preference for the Ten Commandments was an established fact in pastoral practice by the end of the fifteenth century, although it did not exclude other schemes of classification.³ Thus, as already highlighted, Busti dedicates his sermon 6 of the *Rosarium Sermonum* to the seven deadly sins, and sermon 13 to the consideration of the twelve articles of faith, while the doctrinal core of the work is deployed through fifteen sermons - from 16 to 30 - which are based on the Ten Commandments. The proportion of the space dedicated to the different schemes gives a clear idea of the relevance attributed to each one of them.

¹ Carla Casagrande, “La moltiplicazione dei peccati. I cataloghi dei peccati nella letteratura pastorale dei secoli XIII-XV,” in *La peste nera: dati di una realtà ed elementi di una interpretazione. Atti del XXX Convegno storico internazionale, Todi 10 - 13 ottobre 1993* (Spoleto: CISAM, 1994).

² John Bossy, “Moral Arithmetic: Seven Sins into Ten Commandments,” in *Conscience and Casuistry in Early Modern Europe*, ed. Edmund Leites (Cambridge: Cambridge University Press, 1988), 222.

³ See: Roberto Rusconi, *L'ordine dei peccati. La confessione tra medioevo ed età moderna* (Bologna: Il Mulino, 2002), 184 - 198; and Turrini, *La coscienza e le leggi, passim*.

Two centuries earlier, in the thirteenth century, Stephen of Bourbon had placed the “superstitions” he encountered during his pastoral visits under the rubric of the vice of *superbia* or pride, speaking of which he described the incredible case of the “holy” greyhound Guinefort.⁴ Bernadette Paton has shown how throughout the medieval age sin was connected to the art of the “magician”, and thus how the core of “superstition” was represented by the sin of pride, which was typical of the devil and deemed to be inspired by *curiositas*: “the desire to know the secret things of God”.⁵ Within the framework of the seven deadly sins, pride was therefore the heading under which pastors had dealt with the problem of “superstition”, before the First Commandment of the Decalogue came to be identified as a more appropriate *locus*. Still, Bernardino da Siena used the sin of *superbia* to speak of the problem of magic, superstition, and evil. In his sermon 35 “On the three capital sins” of the Sienese cycle of 1427, the one in which he recalls the famous witch-hunt following his preaching in Rome in 1426, he says: “The second sin which stems from pride is the sin of spells and divination and because of this God often sends his scourges to the cities”.⁶

Bernardino explains how pride was the reason Lucifer and his companions were expelled from Paradise, since they did not want to submit themselves to God, due to their will to overcome their angelic nature and to become similar to him. Thus, pride as the sin characterizing the devil and metaphorically anybody willing to exceed the limits imposed by nature or knowledge⁷ - which echoes what Paton said about *curiositas* - was generally perceived as existing in direct opposition to *humilitas*, which characterized the behavior of the true Christian towards God.⁸ That is the reason why Bernardino inserted the series of

⁴ Jean-Claude Schmitt, *The Holy Greyhound. Guinefort, Healer of Children since the Thirteenth Century* (Cambridge: Cambridge University Press, 1983), 28.

⁵ Bernadette Paton, “To the Fire, To the Fire! Let Us Burn a Little Incense to God:” Bernardino, Preaching Friars and Maleficio in Late Medieval Siena,” in *No Gods Except Me: Orthodoxy and Religious Practice in Europe, 1200-1600*, ed. Charles Zika (Parkville: University of Melbourne, 1991), 19 - 20.

⁶ Bernardino da Siena, *Prediche volgari sul Campo di Siena 1427*, ed. Carlo Delcorno (Milan: Rusconi, 1989), vol. I, 1004 - 1007. Bernardino, as he himself states during this preaching, had already spoken of enchanters and spell casters in his sermon 30 of the Sienese Cycle of 1425. See: San Bernardino da Siena, *Le prediche volgari*, ed. Claudio Cannarozzi, (Pistoia: Pacinotti, 1934), vol. II, 115.

⁷ Although the problem of pride and of its implications is also connected to the development of the self and ultimately of one’s own individuality. Cf.: Aviad Kleinberg, *Seven Deadly Sins. A Very Partial List* (Cambridge: Harvard University Press, 2008), 138. That would easily open the way to a number of broad and complex research questions connected to my topic.

⁸ See: Schmitt, *The Holy Greyhound*, 16. An iconographic representation of such an opposition of values and the worst consequence of the vice of pride is depicted in the third bay of the upper church of the basilica of St. Francis in Assisi. In the ninth scene the vision of the heavenly seats is represented, which reveals to a friar many vacant thrones in heaven, one of which appears to be particularly luminous and prestigious. A voice explains to the friar: “This is the seat left vacant by one of the rebel angels, and now it is reserved for the humble Francis”. Plainly speaking, *superbia* - the sin by which Lucifer stained himself - pushes away from God, while *modestia* - the main facet of St. Francis - is what that is mostly appreciated as the core value of the true Christian. See: Chiara Frugoni, *Le storie di San Francesco. Guida agli affreschi della basilica superiore di Assisi* (Turin: Einaudi, 2010), 122.

“sins” connected to magic and “superstition” under the rubric of *superbia*. What is more, as Mormando has noted, Bernardino did not even care about explaining the differences among the various practices he indicates from a linguistic point of view. Although they were of different nature, ranging from spells to witchcraft and divination, the preacher was clearly more interested in their common feature of moral offences based on the vice of pride and on their direct operative link with the devil,⁹ as he himself seems to show by saying: “Do you know what you did? You let the people renounce God, and you let them worship the devil”.¹⁰

It is interesting to note that, while speaking of *superbia* in his sermon 6 *de peccatis mortalibus*, Busti does not explicitly connect this sin to the world of magic and “superstition”. Although he recognizes pride as *caput et regina omnium peccatorum* and within the traditional twelve filiations stemming out of it, there is still the presence of *curiositas*, in his sermon *superbia* appears in rather a moral fashion.¹¹ This would show how, by the end of the fifteenth century, the First Commandment gained the preference as a place to deal with “superstition”, at the time when the consideration of this issue was becoming that of “the failure of any individual to confine his belief in or use of sacred to those doctrines and activities sanctioned by the church”.¹² The almost exclusive preference of preachers for the Ten Commandments was established in the Franciscan Observance among the third generation of friars, as it is clear in Michele Carcano’s *Sermones Quadragesimales de Decem Preceptis*.¹³ The overall tendency to shift from the seven deadly sins to the Ten Commandments had a far older tradition among theologians and pastors, connected to the necessity of finding a more suitable placement for sins such as *infidelitas* and *haeresis*,¹⁴ as it was shown rather early by the *Summa confessorum* of Thomas of Chobham in 1216.¹⁵ Among the Franciscans, Berthold of Regensburg (d. 1272) preached

⁹ Franco Mormando, *The Preacher’s Demons. Bernardino of Siena and the Social Underworld of Early Renaissance Italy* (Chicago: The University of Chicago Press, 1999), 56.

¹⁰ (My translation) Bernardino da Siena, *Prediche volgari sul campo di Siena 1427*, ed. Carlo Delcorno (Milan: Rusconi, 1989), sermon 35, 1005.

¹¹ Bernardino de Busti, *Rosarium Sermonum* (Venice: Giorgio Arrivabene, 1498), sermon 6, 26v. - 27v. ISTC no.: ib01336000; GW 5807; Hein 4163

¹² Paton, “To the Fire, To the Fire!” 15.

¹³ ISTC No. ic00193000; *Gesamtkatalog der Wiegendrucke* 6133; *Indice generale degli incunaboli delle biblioteche d’Italia* 2522.

¹⁴ See: Bossy, “Moral Arithmetic,” 214 - 234; Carla Casagrande, Silvana Vecchio, “La Classificazione dei peccati tra settenario e decalogo (secoli XIII - XV),” in *Documenti e studi sulla tradizione filosofica medievale* (Spoleto: CISAM, 1994), 331 - 395; Casagrande, “La moltiplicazione dei peccati,” 254 - 284.

¹⁵ *Preterea neque Apostolus neque Gregorius neque Augustinus inter peccata mortalia posuit mendacium, vel idolatriam, vel apostasiam, vel veneficium, vel sortilegium, neque peccatum in Spiritum Sanctum, sed omnia talia comprehenduntur subenumeratis*, Thomas of Chobham *Summa Confessorum*, ed. Frederick Broomfield *Analecta Mediaevalia Namurcensia* 25 (Louvain, 1968), 27.

rather extensively on the Ten Commandments, favouring an audience of modest origins and dealing - with irony - with the issue of popular “superstition”.¹⁶ However, it was only during the first decades of the fifteenth century that the preference for the Decalogue became predominant, with issues such as magic and sorcery linked together under the heading of the First Commandment and therefore directly involving the problem of idolatry.¹⁷ Among the first texts to testify in a full-fledged way such a tendency towards the use of the Decalogue in the fifteenth century there are Johannes Nieder’s *Preceptorium divinae legis* or *Tractatus de decem praeceptis* (1438)¹⁸ and the sermons preached by his colleague Nicholas of Dinkelsbühl (d. 1433).¹⁹

Thus, the process of identification of what that constituted “superstition” ended up coinciding with a search for an assessment of how the faithful were adhering to the dictates of the Church, constituting a chapter in the story of the interactions between religious practice and authority, an interaction that, according to Charles Zika, “created pressure for the shaping of new orthodoxies”.²⁰ It was therefore within a mobile context of religious change that the elaboration of new paradigms to distinguish the “true” from the “false” Christians took place. More precisely, such a process of creating orthodoxies was in fact a reutilization of old paradigms - as in the case of the Ten Commandments - seen in a different light. The order of God “You shall have no other gods except me” (Exodus, 20: 3; Deuteronomy, 5: 7), required an explanation or interpretation by clarifying the categories of “gods” and “me”. “Gods” ended up to include everything that did not suit the Christian from the point of view of cult, and the “me” coincided with the church and its new inner boundary dividing what was acceptable from what was not from the point of view of faith. I shall explore this issue more in depth by analyzing sermon 16 of Busti’s *Rosarium*.

¹⁶ See: John Dahmus, “Medieval German Preaching on the Ten Commandments: a Comparison of Berchtold of Regensburg and Johannes Nider,” *Medieval Sermon Studies* 44 (2000): 37 - 53.

¹⁷ See: Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 229.

¹⁸ See: Gábor Klaniczay, “The Process of Trance: Heavenly and Diabolic Apparitions in Johannes Nider’s *Formicarius*,” in *Procession, Performance, Liturgy, and Ritual*, ed. by Nancy Van Deusen (Ottawa: Claremont Cultural Studies, 2007), 204; Henry Charles Lea, *Materials towards a History of Witchcraft*, ed. Arthur C. Howland (New York: Thomas Yoseloff, 1957), I, 265 - 272.

¹⁹ See: Michael D. Bailey, “Concern over Superstition in Late Medieval Europe,” in *The Religion of Fools?* 116; Bailey, “From Sorcery to Witchcraft,” 978.

²⁰ Zika, “Introduction”, in *No Gods Except Me*, 1.

3. Sermon 16 of Busti's *Rosarium Sermonum*

Sermon 16 of the *Rosarium Sermonum* is the starting point of a doctrinal cycle of sermons aiming to show the principles of faith one had to learn in order to behave as a good Christian. Busti's aim was to provide full religious and moral instruction for the faithful, whose social and individual behaviour he, as a preacher and confessor, aimed at checking and, to some extent, shaping. Sermon 16 is a *sermo de preceptis* or "on the commandments" and the title immediately explains that it is about "the First (Commandment) in general and afterward the First (Commandment) in particular". It was intended for the second Sunday of Lent, thus well before Easter, since this is one of the sermons bearing fundamental knowledge to the Christian in order to be ready for Easter itself and for the duty of annual confession.

The sermon is divided in three sections, called respectively: "declaration", "adoration" and "offences". The first section is a brief introduction to the Decalogue in which Busti first explains the reason for the numbering of the commandments, referring to the previous theological reflection on the Mosaic law, specifically Alexander of Hales and Bonaventura da Bagnoregio.¹ A brief summary of every single commandment follows, from the first to the tenth, giving a constant comparison of the dictate of the Bible with the *leges humanae* and the *leges imperiales*, which, according to Busti, are generally considered to be exceeded by the former because of the superiority of the divine law.² He reasserts this point at the end of this first section, explaining the reason for the superiority of the divine law over the human: *Lex igitur divina incomparabiliter excellentior est quam humana ... quod finis quem intendit lex humana est pax humani generis ... finis autem legis divinae est pacificatio humani generis cum Deo.*³

¹ The reference is to Alexander of Hales, *Universae theologiae summa in quatuor partes ab ipsomet autore distribute*, III, and Bonaventura da Bagnoregio, *Collationes de decem preceptis*, III, Dist. 37, arg. 2, Q. 1.

² As in the case of the Second Commandment, with respect to which Busti writes: *Secundum praeceptum inquit non assumens nomen Dei in vanum Exodi 20. Quo precepto prohibetur omnis periuratio et iuramentum sine causa ut inquit Nicolaus de Lira super predicto capitulo. Et ideo hoc mandatum excedit leges humanas quibus licitum est corrumpere accusatorem in causa sanguinis*: Busti, *Rosarium*, sermon 16, 125v.; or in the case of the fourth, about which he writes: *Quartum preceptum dicit in eodem capitulo honora patrem tuum et matrem tuam. Ubi etiam inclusive precipitur parentibus filios diligere et nutrire. Et in hoc excedit leges imperiales, quae filios, spurios et ex damnato coitu generatos, ab omni beneficio paterno excludunt*, Busti, *Rosarium*, sermon 16, 125v.

³ Busti, *Rosarium*, sermon 16, 126r.

Divine law aims at re-establishing peace and a symmetrical relationship between Christians and their God, for *obedire oportet Deo magis quam hominibus*;⁴ it is more convenient to obey God than men. This clearly affirms the importance of what Busti is speaking of: the law of God, since the Ten Commandments were given to humans by God himself. This establishes the unquestionable superiority of this law over every human rule. I find this passage extremely strong, it bears the unquestionable self-confidence of *status*: the one of a preacher whose task was to disclose to men and women the way to eternal salvation.

In the summary of the Ten Commandments, quoting Exodus 20, Busti explains how the First Commandment reads: *Non habebis Deos alienos*.⁵ *Prohibet omnem idolatriam, divinationem, et recursum ad ariolos, ad magos indistincte et quacumque ex causa; et hoc Levitici 19 expresse prohibetur*.⁶ “you shall not have other gods”. It forbids every kind of idolatry, divination and recourse to soothsayers and magicians, without distinction and for whatever reason; and this is expressly forbidden in Leviticus 19”. A terminological problem arises, as Busti mentions here two kinds of magicians (*ariolos* and *magos*), to whom I will return later. This commandment is therefore the exclusive domain of “superstition”, which is the “anti-religious” behaviour par excellence, since it acts against faith itself, although one has to note that the term *superstitio* appears neither in the title of the sermon, nor in the titles of the sections, since Busti seems to prefer the use of a more specific or maybe a more technical terminology.

The second section of the sermon deals specifically with the First Commandment itself, linking it to the issue of adoration; the title reads: *de primo precepto adorationis dei*.⁷ The discourse here connects the problem of the correct adoration of God with the proper understanding of the meaning of “religion” itself and establishes the “absolute authority” of God over everyone and everything, as Busti indicates by quoting the Psalms: *Dominum Deum tuum adorabis de quo etiam Psalm. 71 dicitur: adorabunt eum omnes reges terre, omnes gentes servienti ei*. The aim of this section appears to be to set up the premises needed for the following section on the ways (behaviour, use of objects, and so on) through which one may contradict what is stated here. A swarm of *auctoritates* are quoted by Busti in order to prove the truthfulness of what he states. Starting from the authority of Deuteronomy 5, the preacher reminds one of the basic laws stemming from the Old

⁴ Busti, *Rosarium*, sermon 16, 126r. Cf. *At* 5: 29.

⁵ *Es* 20, 3.

⁶ Cf. *Lv* 19, 4: *Nolite converti ad idola nec deos conflatis faciatis vobis. Ego Dominus Deus vester*.

⁷ This section of *sermo* 16 goes from 126v. to 127r. and thus the relevant quotations which follow.

Testament: *Ego sum Dominus Deus tuus, non adorabis deos alienos in conspectus meo*, and relying for the others on Thomas Aquinas he reminds one that *solus Deus adorandus est adoratione latrariae*.⁸ The explanation of the concept of *latraria* derives expressly from St. Augustine. Busti, in fact, explains that *Latraria secundum Augustinum X De Civitate Dei capitulo primo, est servitus que pertinet ad colendum Deum, latraria enim grece, idem est quod religio latine sive cultus soli Deo debitus: latraria* is service that pertains only to worshipping God, being the Greek equivalent of the Latin *religio*, i.e., worship due exclusively to God. Actually Augustine recognizes two types of *servitus*,⁹ which literally means service, or dependence, obedience, submission, that in theological terminology connotes the reverence due to God: *latraria*, which is exactly due to God, and *dulia*, which is due to humans, possibly to a saint, and that is “essentially” different from the former. Busti explains significantly that the term *latraria* is a Greek word describing the type of *servitus* corresponding to the Latin *religio*, which indicates a cult due only to God; therefore the preacher does not follow Augustine’s traditional indication according to which the Latin *religio* corresponds to the Greek word “*threskeia*”, and not to “*latreia*”.¹⁰ Busti reasserts his point while dealing with the adoration of God. The terms in which he speaks of the adoration of God highlight a strong connotation of the issue based on the equivalence of *servitus* - *religio*, which provides a view of divine power as a sort of absolute authority:

Supreme rulership is proper of God only for the reason of his unique excellence, since he is the creator, the saviour and ruler of the whole world. Thus, special obedience and reverence are due only to him and not to any other. This obedience and reverence is what is named religion, from which Cicero in chapter 2 of *Rhetoric* says: religion is the one in which obedience to the reverence of divine cult by means of ceremonies are granted.¹¹

However, other grades of veneration are possibly due to creatures of special nature, such as the Virgin Mary, the saints, and the angels. This is a topic that opens the way to two other connected issues, such as the possibility of representing Christ or the saints through

⁸ Cf.: Thomas Aquinas, *Summa theologiae*, II, II, Q. 84, a. 2. Bernardino da Siena wrote: *cum enim latraria summae venerationis cultus sit et obsequium honorificentiae consummata, merito solu Deo altissimo debita est*: S. Bernardini Senensis, *Sermo X - De idolatriae cultu*, in *Opera Omnia*, Art. II, 110.

⁹ *Latreian quippe nostri, ubicumque sanctarum scripturarum positum est, interpretati sunt seruitutem. Sed ea seruitus, quae debetur hominibus... alio nomine Graece nuncupari solet; latreia... ea dicitur seruitus, quae pertinet ad colendum Deum*. Augustine, *De civitate Dei* (Turnhout: Brepols, 1955), X, I, 272.

¹⁰ ... *Threskeia Graece, Latine autem religio dicitur...*, Augustine, *De civitate Dei*, X, I, 273.

¹¹ *Cum ergo dominium conueniat soli deo secundum quandam excellentiam singularem, quia est creator, saluator et gubernator totius orbis. Igitur ei specialis seruitus et reuerentia debetur et non alteri hec autem reuerentia et seruitus appellatur religio, unde Tullius 2 Rethorice inquit: Religio est qua reverenti famulatu cerimonie divini cultus exhibentur*. Busti, *Rosarium*, sermon 16, 126v. The supposed quotation from Cicero can be found also in Jean Pontas, *Dictionarium Casuum Conscientiae* (Venice: Antonio Bortoli, 1744), III, 168, where the author deals with *religio*. The quotation is referred to as taken from Cicero, *De natura deorum, liber I*, but it does not appear in that text.

sculptures and painted images, and finally the importance of recognizing when demons hide themselves under the appearance of Christ or the saints.

On the first topic, Busti points out how there is a type of veneration due to *rationali creature*, such as the saints and the angels, but first of all to the Virgin Mary. What distinguishes the worship of God from the veneration of these creatures that have a sort of “special” status goes beyond their linguistic differentiation. While God is the only one to whom the proper worship or *latria* is due, one can still grant *dulia* to these other creatures. Something between the two but superior to *dulia*, *hyperdulia*, of which is said *vero est aliquid supra dulum*,¹² can be granted to the Virgin Mary. In the same way, Busti points out how relics should not be worshipped but rather venerated, and this should be valid for the cross of Christ itself: *Illa crux in qua Christus pependit absolute considerata non debet adorari adoratione latræ, sed venerari sicut præciose reliquiae*.¹³

A more important issue, was that of the cult of the images, which evidently deserved major consideration and a more careful explanation because one could more easily run the risk of becoming idolatrous. Busti explains how the habit of making images of Christ, Mary, and the saints, was introduced for three basic reasons: *Propter simplicium eruditionem, ut qui non possunt scripturas legere, in picturis possint sacramenta nostræ fidei cernere*. Thus, they serve for the instruction of unlearned people, so that by seeing images they can learn the principles of faith which they could not learn otherwise. This is the principle of the usefulness of pictorial or artistic representation of sacred themes, which has had a long tradition in the history of Christian thought since at least the time of Gregory the Great,¹⁴ an outcome of which was the genre of the *biblia pauperum* that developed by the second half of the thirteenth century.¹⁵ Busti’s second reason is almost a psychological one: *Propter devotionis excitationem, ut qui non excitantur cum aliqua audiunt de sanctorum memoria, saltem moveantur cum ea cernunt in picturis, quasi presentia, plus enim excitatur affectus*

¹² The main *auctoritas* on this issue was Thomas Aquinas, who, in the *Summa theologiae* II, II, Q. 103, a. 3, set the difference between the supremacy of God and that humans can determine among themselves. Camille has pointed out how Aquinas distinguished relative degrees of reverence due to particular objects, and how in using the concepts of *latria* and *dulia* he was deeply dependent on some twelfth-century translations from John of Damascus’ Book 4 of *De Fide Orthodoxa* as well as on the statutes of the Second Council of Nicea, held in 767. Also Bonaventure’s discussion on the same issues is heavily dependent on Greek thought; see: Camille, *The Gothic Idol*, 207 and 380 note no. 25.

¹³ Busti seems to exceed Aquinas here since he is not disposed to grant the cross more than simple veneration as a relic, while Aquinas wrote that “the cross demanded *latria*.” *Summa theologiae*, II, II, Q. 25, a. 3.

¹⁴ See: Camille, *The Gothic Idol*, 206; Hans R. Hahnloser, “Du culte de l’image au Moyen Age,” in *L’Umanesimo e il demonico nell’arte. Atti del II Congresso Internazionale di Studi Umanistici*, ed. Enrico Castelli (Rome: 1953), 225 - 234.

¹⁵ See: *The Cambridge History of the Bible*, II, *The West from the Fathers to the Reformation*, ed. G. W. H. Lampe (Cambridge: Cambridge University Press, 1969).

per ea que videt quam per ea quae audit. He reinforces his position by quoting Horace: *Segnius irritant animos demissa per aures quam que sunt oculis infixa fidelibus*.¹⁶ Pictorial representations have a more immediate effect on the faithful than words, since they render the representation almost real: the sense of eyesight was deemed to be more impressionable than that of hearing. To underline this concept, Busti quotes the first book of Macrobius' Commentaries on Cicero's *Somnium Scipionis*: *facilior ad intelligendum per oculos via est, quam per sermonem* and the second book of the same text: *anime facilius illabatur concepta ratio descriptione quam sermone*.¹⁷ Busti also uses chapter 11 of Terentius' *Adelphoe* to highlight the same concept: *inspicere tanquam in speculo vitas hominum iubeo, atque ex aliis sumere exemplum sibi*. Thus, the preacher reinforces the idea of visual means as a way to access the truths of faith by relying on Classical poetic authorities, and by referring to Macrobius, Busti clearly draws on the Neo-Platonist approach, especially through the idea of the "mediative processes" which make communication between God and humans possible.¹⁸

Visual aids often played an important role in the preaching context.¹⁹ One could think of the devotion to the name of Jesus introduced by Bernardino da Siena,²⁰ but the examples could be multiplied even to include iconographies not strictly related to Jesus, Mary or the saints. One example is Marco da Montegallo's *La tabula della salute*,²¹ in which the representation of an image called "La figura della vita eterna" (the image of the eternal life), seemingly originally circulated detached from the *tabula*, was a paradigm of a charitable life, having at its centre the *mons pietatis*, the only means to reach spiritual and physical "salute", health, and thus the eternal life.²² Without doubt, preachers were among

¹⁶ Horace, *De arte poetica liber*, verses 180-181.

¹⁷ Macrobius, *Commentary on the Dream of Scipio*, ed. William Harris Stahl (Ithaca: Columbia University Press, 1990). Bernardino da Siena wrote: "The doctors say that the things seen through bodily eyes stick themselves in the mind more than those heard. Therefore it was ordained by the holy Church that there should be made representations of our lord Jesus Christ and of the Virgin Mary and of the other saints, so that by being seen through the bodily eyes the Lord and the glorious mother and the other saints as they are in paradise would be kept in memory and borne in mind" (my translation from the vernacular): Bernardino da Siena, *Quaresimale fiorentino del 1425*, ed. Claudio Cannarozzi (Florence, 1940), Vol. 3, sermon 19, 172.

¹⁸ See: Steven Kruger, *Dreaming in the Middle Ages* (Cambridge: Cambridge University Press, 1992), 32 - 33; Kieckhefer, *Magic in the Middle Ages*, 130. See also: *Néoplatonisme et philosophie médiévale: actes du colloque international de Corfou*, 6-8 octobre 1995, ed. Linos G. Benakis (Turnhout: Brepols, 1997).

¹⁹ Edina Ádám in her unpublished MA thesis has emphasized the presence of "unambiguous" references to the use of visual representations in Franciscan Observant sermons. Cf.: Edina Ádám, "Pelbart of Temesvar and the Use of Images in Preaching" (Budapest: Central European University, 2008).

²⁰ Bernardino wrote: "This name of Jesus is the most holy among the amulets. Wear it, either in writing or in image, and nothing bad will happen to you." My translation from: Bernardino da Siena, *Le prediche volgari: Quaresimale fiorentino del 1425*, Vol 2, sermon 40, 209.

²¹ Printed in Venice 1486: *Indice Generale degli Incunaboli* 6166; *ISTC No*: im00258000; *Gesamtkatalog der Wiegendrucke*: M20868; and in Florence in 1494: *Indice Generale degli Incunaboli* 6167; *ISTC No*: im00259000; *Gesamtkatalog der Wiegendrucke*: M20855.

²² Cf.: Maria Giuseppina Muzzarelli, *Pescatori di uomini. Predicatori e piazze alla fine del Medioevo* (Bologna: Il Mulino, 2005), 72.

those more aware of the usefulness of visual means; there must have been a strong connection between the theory that they tried to develop and their own practical needs on the ground.

The third reason for which it is worthwhile making use of images, Busti says, is due to the weakness of memory, so that all things considered images can be a good medium in the service of faith, on the condition that what an image refers to is honoured rather than the image itself: *Non tamen effigiem, sed quod designat honora*. The risk of worshipping demons in the form of Christ, the Virgin or a saint constitutes the last point Busti deals with in the second part of sermon 16: *Verum quia hodiernis temporibus demones faciunt homines idolatrare apparentes eis in forma Christi, vel beatae Virginis, aut alicuius sancti, et ab eis adorantur maxime a mulierculis, et viris imperitis*. This passage introduces the pivotal concept of idolatry within the general significance of the First Commandment. Demons nowadays, Busti says, deceive simple people - mostly women and ingenuous men - by appearing as Christ, the Virgin or saints. This passage refers to the following section, in which Busti lists a number of ways through which one can offend God by not respecting the First Commandment.

Thus, the issue of the correct worship of God and the extent to which other creatures can be venerated is central in the discourse concerning the First Commandment. The problem of “superstition” falls exactly here as a counter-argument for the problem of the proper worship due to God. The way in which Busti deals with the whole theme gives the issue almost a political taste;²³ previously, when it was treated under the rubric of the sin of pride within the seven deadly sins, it had only a much more generic placement. I have shown how Bernardino da Siena still spoke of “superstition” and witchcraft within the scheme of the seven deadly sins, but one finds no trace of “superstitions” in that scheme in the confessional literature a few decades later: the definitive place for *superstitiones* was to be found only in the discourse concerning the Ten Commandments. According to one interpretation, if compared with the seven deadly sins, the Decalogue would have been more oriented to the issue of the right worship of God and therefore to his “defence” from the risk of idolatry.²⁴ This can certainly be seen in Busti when he deals with the “adoration of God”.

²³ Ancient Roman law considered the use of magic and “superstition” within the same group of crimes punishable as *crimen laesae maiestatis*. See: Franco Cardini, “La stregoneria fra Medioevo ed età moderna,” *Studi Bitontini* 53 - 54 (1992): 11.

²⁴ Cf.: Bossy, “Moral Arithmetic,” 216 and 229.

In the third section of sermon 16 of the *Rosarium* Busti deals with the ways in which one can offend God, with reference to all that has been explained earlier. In this part the preacher intends to speak *de offensionibus circa hoc praeceptum* (the first one) and he enumerates fifteen different groups of sins, most of which are actually “superstitions”. These fifteen rubrics of *offensiones* of the First Commandment refer to individuals exercising particular abilities, to the means used to achieve a practical result as well as to the related theoretical-theological concepts themselves. They are, in order: *Idolatria, divinatores, invocatio daemonum, fides somniis, tentantes deum, observatio constellationes, observantes cursum lunae ac stellarum, observatio dierum et mensurum, sortes, maleficia, incantationes, brevia, quis credit aliquam creaturam posse transmutari in aliam speciem, blasphemia, quis diligit plus corpus suum filium aut filiam vel uxorem aut uxor maritum vel aliam creaturam seu nummos quam Deum.*

As already mentioned, Carcano had dealt with the problem of “superstition” almost in the same order, but far more extensively in three sermons of his *Sermones Quadragesimales*. Sermon 21 is completely dedicated to idolatry; sermon 22 deals with divination, incantation, and invoking demons; sermon 23 focuses on other kinds of “superstitions”, such as observing the cycles of the planets, incantations to heal disabilities, and the use of talismans; then the belief that someone can turn into a different species, and finally the observation of special days or periods of the year.²⁵ Overall, the relevance of idolatry, divination, and invoking demons appears immediately as striking in both Busti’s and Carcano’s texts.

Its synthetic essence constitutes a relevant feature of the *Rosarium*. In order to synthesize his material, Busti had to make a choice among several elements provided by his tradition of reference. His choice of what to consider in his manual clearly draws on the tendencies diffused in his age and within his Order, although he is also bearer of some originally-conceived concepts. I shall return to this aspect later when speaking of the *vanae observationes* and of specific elements related to what we call witchcraft.

Busti’s list of offences against the First Commandment begins with the condemnation of idolatry (*idolatria*), which, following the traditional dictates of Exodus 20,

²⁵ Sermon 21 is meant for Ash Saturday, sermon 22 for the first Sunday of Lent, and sermon 23 for the first Sunday of Lent after lunch. Also sermon 24 deals with “superstition:” it is intended for the first Monday after the first Sunday of Lent, and speaks of “the permission, remedy and punishment of superstitions.”

is the principal mortal sin against this commandment.²⁶ Busti writes: *Multis modis circa hoc praeceptum offenditur Deus, primo idolatria*. Here the preacher follows Thomas Aquinas, who had stated how numerous the ways to sin against the First Commandment were.²⁷ However, idolatry proves to be the most serious of all the sins due to its direct impact on the prerogative of God to be the only one worshipped: *Si quis ergo adoret diabolum pro Deo, aliquod idolum, sive creaturam, ei tribuens honorem divinum peccat mortaliter*, Busti writes. I have noted earlier how, according to Montesano, idolatry can be an all-encompassing term in the Franciscan Observants' use. However, Busti seems to adhere more to its specific meaning: bestowing on other entities (or objects) what is due only to God, or, in other words, granting the act of worship to objects or beings to whom it is not due. Even more precise at this regard is Michele Carcano, who specifies that:

Just as religion consists of the reverence towards God and the sacred things, so superstition that is opposed implies an undue and unnecessary way of divine worship: because it performs in an undue way or to whom it is not due. The divine cult is established first of all in order to show reverence to God: the first species of superstition, which is called idolatry, is against this since it worships the creation.²⁸

Just to highlight how preaching and confession were related instruments that shared the same source material, one can note how both Carcano's and Busti's concept of idolatry and "superstition" mirror that of Angelo da Chivasso, who writes in his *Summa Angelica*:

Whence the first species of superstition is performing the cult towards whom it is due, but in an undue way as when worshipping God according to ritual of the old law. The second type is performing the divine cult towards whom it is not due, namely to whatsoever part of the creation, and this has several subspecies.

²⁶ Idolatry has been a mobile concept through time and within the relationship between Christian and Jewish cultures, in which it was rooted before Christian culture adopted it. A recent article has underscored how Jews continued to consider the Christian religion as idolatrous or at least ambivalent, from late antiquity and the early Middle Ages until the first three decades of the thirteenth century. The Trinitarian dogma and the developing cult of images (in rabbinic texts one finds the plural *tselemim* for "images," while subsequently the singular *tselem* was used most often to indicate the Christian cross, the Christian image par excellence) did not render it easy for Jews to decide whether to consider Christians as Noahide, and thus not idolatrous worshipers according to the indications of the *avodah zarah* or *Tractate of Idolatry* of the Babylonian Talmud. This is just to underscore how, speaking of idolatry, late medieval Christian writers re-used a concept that had already been used earlier to identify Christianity itself as a block. See: Katrin Kogman-Appel, "Christianity, Idolatry, and the Question of Jewish Figural Painting in the Middle Ages," *Speculum* 84 (2009): 86 ff. However, Camille has pointed out "the confrontation" of "two seemingly discrete systems of image ideology:" the prohibition to build images in the Decalogue and the building of the Tabernacle in Exodus 31. See: Michael Camille, *The Gothic Idol*, 28 ff.

²⁷ *Utrum sint diversae superstitionis species*, Sancti Thomae de Aquino, *Summa theologiae*, II, II, Q. 94, a. 2: *Utrum uti observantiis artis notoriae sit illicitum*.

²⁸ *Sicut enim religio consistit in reuerentia dei et rerum sacrarum, ita superstitionis que est contraria importat superfluum et indebitum modum cultus divinus: cum exhibetur eo modo quo non debet vel cui non debet. Cultus divinus ordinatur primo ad reuerentiam deo exhibendam: contra quem est prima species superstitionis, que dicitur ydolatria, que exhibit reuerentiam creature*. Michele Carcano, *Sermones Quadragesimales de decem preceptis, sermo 21: Sabbato cinerum de superstitione contraria cultui divino et primo precepto. et primo de ydolatria et prima eius specie*, 51r. col. a.

Because if someone should show the creation the reverence due to God, this is idolatry.²⁹

Thus, following Thomas Aquinas almost literally, Angelo states the traditional twofold essence of “superstition”, and that idolatry is the second type of “superstition”, consisting of granting to creatures what is due only to the creator.

Similarly, in his manual for confession *Confessionale generale de la gran tuba*,³⁰ among the ten different schemes used to classify sins,³¹ Carcano relies on the First Commandment to deal with superstitions. The doctrinal scheme does not vary from preaching to confession and vice versa. In Carcano’s text, the confessor who interrogates the penitent begins with the question of “whether the sinner has worshipped the creature rather than the Creator” in order to check for the presence of idolatry, employing in the vernacular the same concept expressed in Latin in sermons. Then the discourse turns steadily towards gender-related matters in this specific sense: the confessor has to ask the penitent if he has made use (by himself or through somebody else) of *incantamenta* to assure a woman’s love or to deceive her. Then, Carcano suggests that the confessor ask the penitent about the use of *brevi* or talismans and on the observation of specific days or periods of the year in order to undertake any particular business: this is part of what was defined as *vanae observationes*. As for the talismans or *brevi*, the discourse is more complex as the issue became progressively more worrying for the preacher, since making them could imply active diabolic participation. In fourteenth century Italy a *breve* could be made of a simple strip of paper or leather on which some letters deemed to have magic power were written.³²

Carcano, in his sermo 21 of the *Sermones Quadragresimales*, identifies the first genre of *superstitio* in idolatry and the second in *divinatio*; Busti deals with *divinatores* as the second point of his list of *offensiones* against the First Commandment. Relying on the

²⁹ *Unde prima species superstitionis est, cum exhibentur cultus de cui exhibendus est, sed modo indebito, ut si quamvis coleret Deum nunc secundum legis veteris observantiam. Secunda est cum cultus divinus exhibetur cui non debetur scilicet creaturae cuicunque, et ista habet multas sub se species. Nam si reverentiam Deo debitam exhibet creaturae est idolatria.* Angelo da Chivasso, *Summa Angelica*, 471v. - 472r.

³⁰ Printed in Venice in 1484 by Bernardino Benalio: *ISTC* No. ic00190300; *Gesamtkatalog der Wiegendrucke*: 6121; *Indice generale degli incunaboli delle biblioteche d'Italia* 2513.

³¹ As I mentioned in the previous chapter, following an outline which became traditional in the confessional literature: the twelve articles of the Christian faith; the ten commandments; the seven deadly sins; the five senses; the seven main virtues; the seven beatitudes; the seven gifts of the Holy Spirit (wisdom, knowledge, advise, awe of God, intellect, mercy, fortitude); the seven sacraments; the seven deeds of mercy; the five commandments of the Holy Church (attending Mass on feast days; fasting; paying the *decima*; annual confession and communion). Through these schemes clerics were able to impose what Rusconi has called “a systematic *ordo confitendi*.” Rusconi, *L'ordine dei peccati*, 89.

³² See: Franco Cardini, “Il “breve” (secoli XIV - XV): tipologia e funzione,” in Idem, *Le mura di Firenze inargentate: letture fiorentine* (Palermo: Sellerio, 1993), 177 - 199.

theological and canonical traditions, Busti describes *divinatio* as the will to understand the future in an unlawful and inappropriate fashion, believing that it depends on one's own free will or it happens by chance, while it is only God who knows the future: *Quando indebito modo vult praedicere de futuris contingentibus, ut puta de his, que dependent ex libero arbitrio vel que per accidens contingunt in rebus humanis, que solius Dei et prescire*.³³

What is more, Busti does not give an expressly diabolic connotation of divination - although that could be implied when he says *peccant mortaliter divinatores* - while Carcano writes explicitly *diuination, per quam non queritur instructio a deo sed a diabolo*.³⁴ Since, as indicated by Kieckhefer, divination was basically “a means for knowing a destiny that was foreordained”,³⁵ it is clear that different kinds of more or less “professional” intermediaries could perform the task of disclosing such knowledge. Busti's injunction not to seek the help of magicians of any nature derives from this. In order to describe the various types of intermediaries or “magicians” Busti adopts a terminology that derives from a specific Old Testament tradition, which Carcano had already cited literally in the same way: *Non declinetis ad magos, nec ab ariolis aliquid sciscitemini ne polluamini per eos*,³⁶ and *non inuenietur in te, qui phitones, ac diuinos consulat, aut querat a mortuis veritatem, omnia enim abhominabitur Dominus*.³⁷

Following his sources, here Busti speaks first of *magi*, while the previous Franciscan Observants favoured terms such as *incantator* and *maleficus* even when speaking generically of magic.³⁸ The latter two terms have a more negative and diabolic connotation, while *magus* may refer also to learned ceremonial magic without implying evil intent.³⁹

³³ Busti, *Rosarium*, sermon 16, 127r. Cf.: *Utrum uti observantiis artis notoriae sit illicitum*, Thomas Aquinas, *Summa theologiae*, II, II, Q. 96, a1; *Si quis ariolos, aruspices, vel incantatores obseruauerit, aut phylacteries usus fuerit, anathema sit: Decretum Gratiani*, in *Corpus iuris canonici*, I, ed. Emilius Friedberg (Leipzig: Bernhard Tauchnitz, 1879), C. 26, q. 5, c. 1. In his already mentioned list of different kinds of magicians, Giacomo della Marca describes the practice of divination: *divini, quasi deo pleni sunt; usurpantes divinum honorem volunt scire future, quod solum pertinent ad Deum*. He goes on, wondering: *Si ergo Apostoli, sanctissimi viri, habentes Spiritum Sanctum et amici Christi non potuerunt scire future, quomodo isti qui sunt amici diabolic et vasa peccatorum possunt sicre future?* Giacomo della Marca, *Sermones Dominicales*, sermon 27, 427.

³⁴ Carcano, *Sermones Quadragesimales*, sermo 21, 51 r.

³⁵ Kieckhefer, *Magic in the Middle Ages*, 85.

³⁶ Both Busti, *Rosarium*, sermon 16, 127r., and Carcano, *Sermones Quadragesimales*, sermo 22, 54v. Quote Lv. 19, 31.

³⁷ Both Busti, *Rosarium*, sermon 16, 127 r., and Carcano, *Sermones Quadragesimales*, sermo 22, 54v. quote Dt 18, 10-12: *Nec inueniatur in te, qui filium suum aut filiam traducat per ignem, aut qui sortes sciscitetur et observet nubes atque auguria, nec sit maleficus nec incantator, nec qui pythones consulat nec divinos, aut quaerat a mortuis veritatem; omnia enim haec abominatur Dominus*.

³⁸ See: Montesano, *Supra acqua et supra ad vento*, 49.

³⁹ However, with Bailey one should remember that a too strict dichotomy between elite and popular ideas has proven inadequate, and requires a more thorough understanding of how magic-related conceptions were distributed across society. Cf.: Bailey, “The Meanings of Magic,” 12. In this regard see the notion of a “common tradition” concerning medieval magic in: Kieckhefer, *Magic in the Middle Ages*, 56.

Ariolus, also, does not seem to have an absolutely evil connotation. The term appears in Isidore of Seville's *Etymologiorum Libri*,⁴⁰ and Bernardino da Siena generally used it simply as an equivalent of "magician",⁴¹ while Giacomo della Marca explains the meaning of the term relying more strictly on Isidore and thus on the derivation of the term from the pagan *arae*.⁴² The third term employed by Busti, *phiton*, was not particularly prominent in the Observant tradition.⁴³ In this form it would seem to be a corrupted version of an original *python*, which could be related to the *Pitia* or priestess of the Delphi temple, as indicated in Isidore of Seville's etymologies.⁴⁴ The variant *phiton* can be explained by a passage from Giacomo della Marca, who links it to the famous episode of King Saul and the Witch of Endor rather than to the *Pitia*.⁴⁵

Busti pointed out that another way to break the First Commandment is the *invocatio daemonum* or invocation of demons. I shall deal more specifically with this point in the next chapter. For the moment I should highlight how it can be considered, in a sense, a blend of magic and *maleficium*, since in Busti's mind demons could be invoked for different reasons: to protect oneself or to provoke someone else's ruin.⁴⁶ Also, invocation brings one dangerously near to the possibility of giving a ritualistic shape to "superstition", which is one of the features traditionally assigned to the phenomenon of "witchcraft".⁴⁷ Busti notes

⁴⁰ *Arioli vocati, propter quod circa aras idolorum nefarias preces emittunt, et funesta sacrificia offerunt, iisque celebritatibus daemonum responsa accipiunt.* Isidore of Seville, *Etymologiorum Libri* (Paris, 1850), 8, 9, 16.

⁴¹ Cf.: Montesano, *Supra acqua et supra ad vento*, 59.

⁴² Montesano, *Supra acqua et supra ad vento*, 59; in his list Giacomo in fact describes *arioli* as *qui circa aras nepharias preces emittunt et funesta sacrificia offerunt et response a demonii recipient*. He goes on by giving an interesting example: *Sicut quidam parentes filium infirmum habentes ex remediis non sanum medicorum; ex consilio vetule in fossato obtulerunt denarius dyabolo et sanus factus est et in capite anni portatus a diabolo.* Giacomo della Marca, *Sermones Dominicales*, sermon 27, 427.

⁴³ Montesano, *Supra acqua et supra ad vento*, 59.

⁴⁴ *Pythones a Pythio Apolline dicti, quod is auctor fuerit divinandi.* Isidore, *Etymologiorum libri*, 8, 9, 21.

⁴⁵ *Phitonici, a Phitone qui fuit primus inventor divinando et maxime mortuos resurgere, sicut habetur 1 Reg. 28 quod Saul ex consilio fitonisse adoravit diabolum in specie Samuelis, prophete mortui.* Giacomo della Marca, *Sermones Dominicales*, sermon 27, 428. On the Bible tale concerning the witch of Endor and its use as an "authority" against witches from the fifteenth century onwards, see: Charles Zika, "The Witch of Endor: Transformations of a Biblical Necromancer in Early Modern Europe," in *Rituals, Images, and Words. Varieties of Cultural Expression in Late Medieval and Early Modern Europe*, ed. F. W. Kent and Charles Zika (Brepols: Turnhout, 2005), 235 - 259.

⁴⁶ As Michael Bailey notes: "Typical acts of *maleficium* included committing crimes such as theft or murder by magical means, causing pestilence or disease, withering crops or afflicting livestock, and conjuring lightning and hail," Michael Bailey, *Battling Demons: Witchcraft, Heresy, and Reform in the Late Middle Ages* (University Park: The Pennsylvania State University Press, 2003), 29; see also: Flint, *The Rise of Magic*, 147 - 156.

⁴⁷ Bailey speaks of a passage from "sorcery" (the use of harmful magic) to "witchcraft" (the belief in organized sects devoted to demonic cults and to threaten the others' wealth) completed during the early fifteenth century. The issue of the invocation of demons and the assumption that invocation equaled worship played a major role in this process and in the later concept of the witch, especially through the works of inquisitors such as the Dominican Nicolas Eymeric (d. 1399), who wrote a *Tractatus contra daemonum invocatores*. See: Michael Bailey, "From Sorcery to Witchcraft: Clerical Conceptions of Magic in the Later Middle Ages," *Speculum* 76 (2001): 976.

that the invocation of demons can be practised in two different ways: firstly by divine virtue ordering something permitted and honest, as when *Paulus imperavit diabolo exire de puella et exivit eadem hora*,⁴⁸ and second by praying the devil directly: *alio modo potest quis invocare diabolum ei supplicando. Et hoc est mortale peccatum*. Rather interestingly, Busti connects this latter to those who *a diabolo captivi tenentur, qui relicto creatore, diaboli auxilium querunt* that he finds in the *Decretum Gratiani* as those who go *cum Diana dea paganorum*, which refers to the long-lasting tradition of the *Canon episcopi*.⁴⁹ Two relevant points are here noteworthy: first, referring to the specific chapter of the *Decretum*, Busti links the second type of invocators, the evil ones, directly to the “embryonic cell” of the witch belief, the *ludus Diane*; second, and connected to the former, according to Busti those invoking demons commit a mortal sin not only against the First Commandment but also against all the others, because of the inappropriate use of the name of God in their spells along with demonic invocation.⁵⁰ This opens the way to a much broader issue that refers to the stereotypes of the witch and of Sabbath. But this is something that I shall deal with in the next chapter.

Busti dedicates the fourth item on his list of offences against the First Commandment to the belief that it is possible to know the future by means of dreams, briefly labeling such behavior false and sinful: *Quarto contra hoc primum preceptum offenditur Deus dando fidem somniis, volendo interpretari per somnia illa que sunt futura, quod est peccatum*. The condemnation of dreams is due to the fact that they were used to foresee future events, one of the numerous possible means of divination, as specific theological, canonical and Classical authorities confirm.⁵¹

The *superstitiones* classified as *vanae observationes* cover basically the headings from 6 to 9, and indicate a varied set of beliefs that apparently refer to an ancient background, where popular elements pertaining to the interpretation of natural signs mix with “pseudoscientific” approaches concerning the movement of celestial bodies. These seem to be the sections that worry Busti less, although he deals with those topics quite

⁴⁸ Cf.: Act 16, 16-18: *Factum est autem, euntibus nobis ad orationem, puellam quandam habentem spiritum pythonem obviare nobis, quae quaestum magnum praestabat dominis suis divinando. Haec subsecuta Paulum et nos clamabat dicens: "Isti homines servi Dei Altissimi sunt, qui annuntiant vobis viam salutis". Hoc autem faciebat multis diebus. Dolens autem Paulus et conversus spiritui dixit: "Praecipio tibi in nomine Iesu Christi exire ab ea"; et exiit eadem hora.*

⁴⁹ See: *Decretum Gratiani*, C. 26, Q. 5, c.12.

⁵⁰ Busti, *Rosarium*, sermon 16, 127v.

⁵¹ In particular: Thomas Aquinas, *Summa theologiae*, II, II, Q. 95, a. 6; the *Decretum Gratiani*, C. 26 Q. 5 C. 16 *Non observetis*, hints at the use of dreams within the broad context of divination; and from the *Disticha Catonis*, II, 31, Busti quotes: *Somnia ne cures, nam mens humana quod optat, dum vigilat, sperat, per somnum cernit id ipsum*. Cf.: Kieckhefer, *Magic in the Middle Ages*, 85.

extensively, which might probably show the resistance and presence of these elements among the faithful. The *observationes* include those who believe in astrology and believe that one can be induced to do good or evil under the influence of the constellations and planets in the sign under which he/she was born. As stated by theological and canonical authorities - Busti points out - this is not only forbidden, but also heretical: *quis credit certitudinaliter et determinate quod omnes cogantur ad bonum vel malum ex constellationibus et planetis sub quibus nati sunt hoc enim hereticum est et prohibitum*.⁵² The polemic concerning the possibility that the stars could be a guiding principle in people's lives was old in the Christian tradition; a striking case to affirm the falseness of such a principle was that of the Magi, who according to the Church Fathers had to renounce their astrological skills to discover Christ.⁵³

Then there are those who celebrate special days and months, such as the first of the year (*kalendiis Ianuarii*) by exchanging gifts, or those who fasten green branches of trees on their houses on 1 May.⁵⁴ Other *superstitiones* include: hanging up pieces of coal from Christmas night to stop hail,⁵⁵ predicting the future from the size of the flame of an oil lamp, from the chirp of birds or from the strength of the wind, believing that with the passing of a comet the prince of that place will die, or the observation of particular days or periods of the year called *dies aegyptiaci*, which according to an ancient Egyptian tradition were deemed to be particularly unsuitable to any human activity.⁵⁶

Exceptions to the normal prohibition against practicing them did exist, as Busti indicates, in accordance with a late medieval tendency generally more flexible about using predictions unrelated to human behaviour.⁵⁷ Thus, the observation of natural signs was allowed, such as the lunar phases or the winds, to predict rain or drought or to determine the

⁵² Cf.: Thomas Aquinas, *Summa theologiae*, II, II, Q. 95, a. 5: *Utrum divinatio quae fit per astra sit illicita; Decretum Gratiani*, C. 26 q. 2 c. 8: *Christiana & vera pietas planetarios expellit, & damnat; Decretum Gratiani*, C. 26 Q. 5 C. 3: *Elementa colere, lunae, aut stellarum cursus in suis operibus, Christianis servare non licet*.

⁵³ See: Flint, *The Rise of Magic*, 368 - 369.

⁵⁴ *Quando in kalendis ianuarii vel alio, quasi pro bono augurio, aliquid donatur*: Busti, *Rosarium*, sermon 16, 128r.; *Item si in kalendis maii vacavit lauro, aut viriditate arborum domos cinxit, hec enim observantia paganorum est*: Busti, *Rosarium*, sermon 16, 128r.

⁵⁵ *Item si quis superstitiones alias observavit, puta suspendendo carbones nativitatis Domini contra grandinem vel accipiendo in malum signum*; Busti, *Rosarium*, sermon 16, 128 r. Carcano wrote: *Nonnulli carbones nativis domini suspendunt in vincis vel alibi ad expulsionem grandinis, Sermones Quadragesimales, sermo 23, 61 v.*

⁵⁶ *Item si ex effusione olei de lucerna vel garritu aliquarum avium aut magnitudine et continuatio ne ventorum vult iudicare de venturis contingentibus.... et similiter credere quod apparente cometa debeat mori princeps illius patrie, ... et similiter, si quis observat tempora et menses Egiptiorum vel horam ad aliquid inchoandum vel non*. Busti, *Rosarium*, sermon 16, 128r. The Egyptian days were thought to be two in each month: Flint, *The Rise of Magic*, 322; see also: Montesano, *Fantasima, fantasima che di notte vai*, 123.

⁵⁷ See: Kieckhefer, *Magic in the Middle Ages*, 127 - 128.

best period to sow,⁵⁸ as well as casting lots⁵⁹ unless it implied persons whose task is to perform it: unofficial “intermediaries” of the sacred still constitute the major concern for the preacher.⁶⁰

Although Carcano was far more interested in giving a complete doctrinal and theological account of the material he uses, it is clear that Busti borrowed the description of these kinds of *superstitiones* from him,⁶¹ while it is apparent that they both derived it from Bartolomeo Caimi’s *Interrogatorium sive confessionale*,⁶² published in 1474. Busti, in particular, shows an almost literal adherence to the confessional material of Caimi.⁶³ Nevertheless, the tradition and teaching of the previous Observants, especially Bernardino da Siena and Giacomo della Marca, clearly constitutes a common background for these preachers.⁶⁴ The legal-canonical literature was also the common basis from which they all had to draw in order to be accurate,⁶⁵ so that one finds the perpetuation of the same sort of theological-canonical tradition from one author to the other. Besides, the conformity of Caimi’s text in turn with the schemes of the already mentioned confession manual

⁵⁸ *Si autem quis observet cursum Lune ad incidenda ligna vel, si utatur, consideratione astrorum ad prenoscendum futura, que ex celestibus corporibus causantur, puta siccitates et pluvias, non est illicitum... licet etiam rusticis per ventos et dispositiones lune considerare tempus seminandi.* Busti, *Rosarium*, sermon 16, 128r. - 128v.

⁵⁹ *Sors non est aliquid mali, sed in re humana dubia, divinam indicans voluntatem, tamen quia plerunque male eis utuntur homines sortes prohibetur.* Busti, *Rosarium*, sermon 16, 128r. - 128v.

⁶⁰ A certain accommodating tradition concerning the *sortes* can be found throughout the Middle Ages. Gregory of Tours, for instance, indicates how it was a common and accepted practice for clerics - especially under the species of *Sortes Biblicae* or *Sortes Sanctorum* - while for the Observants it generally meant just another kind of magic. See: Schmitt, “Les Superstitions,” 486 - 488; Flint, *The Rise of Magic*, 222; Montesano, *Supra aqua et supra ad vento*, 55 - 57.

⁶¹ Carcano writes: *Sciendum quod si observetur tempus vel dies ad aliquid faciendum vel dimittendum... non observetis dies qui dicuntur egyptiaci aut kalendas Ianuarij in quibus... adinuicem dona donant, quasi in principio anni boni fati augurio. Non licet iniquas observationes agere kalendarum et ociis vacare neque lauro aut viriditate arborum cingere domos. Omnis enim hec observatio paganorum est.* Carcano, *Sermones Quadragesimales*, sermo 23, 61r.

⁶² *Gesamtkatalog der Wiegendrucke* 6540-6550; *Indice generale degli incunaboli delle biblioteche d'Italia* 2718-2723.

⁶³ Caimi writes: *Si observavit cursus lune aut stellarum pro domo facienda vel propter segetes vel arbores plantandas vel coniugia socianda prohibitum est. Si tamen utatur consideratione astrorum ad prenoscendum futura quae ex celestibus corporibus creantur puta siccitates et pluvias non est illicitum. Si quis clericus licet etiam rusticis pro ventos et dispositiones lune considerare tempus seminandi... Si in kalendis Ianuarii quasi pro bono augurio aliquid donavit quam prohibitum est.* Caimi, *Confessionale*, 32v.

⁶⁴ Bernardino da Siena deals with those *observationes* in his sermon 43 of the Sienese cycle of 1427; Giacomo della Marca mentions the *piromantici* who, *in kalendis nolunt dare ignem, vel in festo sancti Ioanni Baptiste transeundo hinc inde per flammam*: Giacomo della Marca, *Sermones Dominicales*, sermon 27, 427. Cf.: Montesano, *Supra aqua et supra ad vento*, 14 - 29;

⁶⁵ *Non liceat Christianis tenere traditiones gentilium & obseruare, vel colere elementa, aut lunae aut stellarum cursus, aut inanem signorum fallaciam pro domo facienda, aut propter segetes, vel arbores plantandas, vel coniugia socianda: Decretum gratiani*, C. 26, Q. 5, c. 3.

*Defecerunt*⁶⁶ of Antonino da Firenze and Angelo da Chivasso's *Summa Angelica*, shows the circulation of learned material and the schemes of composition between the two main Mendicant Orders.

Still, as to "vain observations", Busti specifies that "they are pagan observations" and clearly all these *superstitiones* recall those reported by the penitential handbooks of the High Middle Ages. That may indicate the survival of an ancient substratum of everyday habits linked to the rhythms and times of a society still deeply rooted in an agricultural past, "an ultimate unity and a reciprocal penetration of nature and humankind",⁶⁷ or at least it would demonstrate the survival of a learned tradition operating in that sense. Neither Busti nor the other Franciscan Observants were really worried about these "observations", which were in fact generally classified as *stultitiae* ("foolish things") and those who believed in them as *frivoli* ("light headed"). However, the attitude of the preachers was rather different when elements related to some kind of cult or worship seemed to appear.

Relying on astrology seems to Busti a much more serious matter. In an interesting passage he explains that various kinds of activities related to moments of everyday life are diabolic if performed on the basis of the conjunction of celestial bodies:

Because of this those who while forging armours wait for the conjunction of constellations and in that moment beat the hammer and give a series of hits commit a sin. Then, they wait for another astral conjunction, and believe that after that an armour would be enchanted, almost as if it were Hector's or Achilles'. Others again wishing to travel, keep their horse ready and saddled and have their spurs on their feet, with one foot in the stirrup and at the moment of a certain astral conjunction they mount even if rain and storm upset the air. Oh astrologer, wait for the right astral conjunction even when you die, so that your journey should be prosperous! And let your wife wait for the right astral conjunction to give birth to your child when she is in labour, so that she should give birth to a fortunate child. Oh what enormous folly through which so many people are being kept captive by the devil.⁶⁸

Here Busti refers to the ingrained habit of relying on some kind of astrological expertise to render the outcome of an ordinary activity - such as to forge armor or to ride a horse - more fortunate. Besides, Busti ironically urges the astrologer to try to rely on

⁶⁶ The entire title is: *Defecerunt. Confessorum refugium atque naufragium portus tutissimus*. See: *Gesamtkatalog der Wiegendrucke*: 2080-2151; *Indice generale degli incunaboli delle biblioteche d'Italia*: 616-657; Cf.: Rusconi, *L'ordine dei peccati*, 219 - 222.

⁶⁷ Gurevich, *Medieval Popular Culture*, 81.

⁶⁸ *Unde peccant illi, qui ad faciendas armaturas expectant punctum astrologie et tunc percutiunt maleo, et dan aliquos ictus. Deinde alium punctum expectant, et credunt quod postea talis armatura sit fatata, quasi esset Hectoris, vel Achillis. Alii vero, volentes itinerare, tenent equum paratum cum sella, habentes calcaria in pedibus et unum pedem in stafa et in puncto astrologie ascendunt equum etiam si pluviis et turbinibus aer esset exagitatus. O astrologe, exspecta etiam punctum astrologie quando morieris, ut facias iter prosperum. Et fac ut tua uxor expectet punctum astrologie ad pariendum tibi filium, quando est in illis doloribus ut faciat filium felicem. O stultitia maxima per quam quamplures a diabolo tenentur captivi*. Busti, *Rosarium*, sermon 16, 128r.

astrology in the most important and delicate moments of his own life and that of his wife, such as death and birth, to conclude that those kinds of beliefs are the means by which the devil keeps many as his captives.

In the tenth heading of his list, Busti mentions briefly the one *qui facit vel fieri consentit aliquod maleficium propter quamcumque causam... et qui potest tollere maleficium, meretur destruendo opera diaboli*. On the basis of the book of Deuteronomy⁶⁹ the preacher condemns three actions concerning spells: doing, consenting, and even believing that one can remove it, offend the First Commandment. It is a concise but otherwise clear statement of a topic that will be explained further in the section dealing with the invokers of demons, to which I shall return soon.

In the subsequent section Busti speaks of the *incantatores*. They are those performing magic for different purposes, such as looking for stolen objects, to get to know something or maybe to recover from an illness. These actions are not evil in themselves, nevertheless, they are sinful especially when they involve the use of sacramental elements, such as the holy water or oil, which were deemed particularly suitable in such cases:

Whether one makes enchantment or provides that it is done in order to retrieve something stolen or lost, to know something or to regain health, is always a mortal sin, much more when all that is performed with sacred or sacramental elements, such as holy water, oil or other things of the same kind.⁷⁰

The most diffused cases in which these kinds of techniques were used was in the domain of medicine, without obviously being accepted as official practice:

In case somebody asks for health or something else through incantation or in any other similar way, that is always a mortal sin, if the person is aware that it is forbidden or when the spell is done through words, prayers, signa or ligatures that are condemned by the rule of the doctors.⁷¹

Speaking of enchanter, Busti explains how they perform two different kinds of “practical magic” according to their character or attitude. The enchanter are all *inimici*

⁶⁹ *Nec inveniatur in te, qui filium suum aut filiam traducat per ignem, aut qui sortes sciscitetur et observet nubes atque auguria, nec sit maleficus nec incantator, nec qui pythones consulat nec divinos, aut quaerat a mortuis veritatem; omnia enim haec abominatur Dominus et propter istiusmodi scelera expellet eos in introitu tuo. Deut: 18, 10 - 12.*

⁷⁰ *Cum quis facit incantationem vel fieri procurat vel ad inveniendum furta aut amissa vel ad aliquid sciendum vel ad recuperandam sanitatem et semper est mortale peccatum et gravius, si fiat cum rebus sacris vel sacramentalibus, ut cum aqua benedicta vel oleo sancto et huiusmodi. Busti, Rosarium, sermon 16, 128v.*

⁷¹ *Quotiens cumque ergo aliquis querit sanitatem vel aliud per incantationem quomodocumque fiat semper peccat mortaliter, si est sciens hoc esse prohibitum sive incantatio fiat verbis et impetrationibus sive fiat signaturis ac ligaturis seu aliis remediis que medicorum disciplina condemnat. Busti, Rosarium, sermon 16, 128v.*

Christi, Busti says, but while some of them simply believe in the efficacy of their words or prayers just because of their ignorance and thus commit a venial sin, others are consciously prone to ignorance in a way which is comparable to malice: *si vero ex simplicitate ignoranter faciat, credens bonas esse orationes vel verba, veniale videtur, nisi sit ignorantia crassa et supina, que equiperatur dolo*. Hinting at more specific characters Busti says that: *malefici et divini predicunt futura et eveniunt* and they *non debent absolvi nisi comburant libros nigromantie et artis notorie*, “unless they burn their books of necromancy and revelations”. This is clearly about a specific kind of learned magic, since the use of books is implied. The involvement of clerics is not expressly mentioned, yet it is possible to refer here to what Kieckhefer has called a “clerical underworld” to define the strict relationship among different forms of magic. After all, Busti himself refers here expressly to necromancy, which needed difficult written sources to put into practice. What is more, it is known how Antonino Pierozzi, archbishop of Florence (d. 1459), got to know how a barber-surgeon was instructed in the art of medicine and, as he discovered subsequently, incantations and magical arts, by means of a book given to him by a monk.⁷² This was a domain of magic in which the boundaries between learned and non-learned were more porous than one would imagine, but in the preacher’s mindset they surely had something in common: *omnes enim his artibus operam dantes sunt filii diaboli*.

The twelfth heading of Busti’s list concerns *quis portat brevia aut facit ea vel fieri procurat quando sunt superstitiosa, sicut communiter accidit*. The reference here is to the kind of talisman known as *breve*.⁷³ It was generally a slip of paper with written formulas that was worn for protection from any physical or spiritual injury.⁷⁴ It is forbidden to wear, manufacture or have one made,⁷⁵ Busti specifies, “when they [the talismans] are “superstitious”, immediately explaining what that means: *Si in eis est aliquid pertinens ad inuocationem daemonum, vel si aliquis falsitatis contineat, vel aliquid illicitum sub ignotis*

⁷² See: Kieckhefer, *Magic in the Middle Ages*, 62; 153 ff.

⁷³ See: Cardini, “Il breve,” 177 - 199; Dinora Corsi, “La medicina popolare,” in *La cultura folklorica*, ed. Franco Cardini, (Busto Arsizio: Bramante, 1988), 285; on talismans see: Kieckhefer, *Magic in the Middle Ages*, 77 - 78.

⁷⁴ This immediately refers to the intrinsic polyvalence of the uses of writing, a means to communicate with the divine but also to reach evil. See: Gábor Klaniczay and Ildikó Kristóf, “Écritures saintes et pactes diaboliques. Les usages religieux de l’écrit (Moyen Âge et temps Modernes),” *Annales HSC* 56 (2001): 947-980.

⁷⁵ Busti’s adherence to the previous Observants teaching on this issue is particularly apparent. Bernardino da Siena was even more detailed: *Peccant qui scribunt, qui portent, qui donant, qui vendunt, qui emunt, qui portanda docent, qui bona esse credunt*: Bernardino da Siena, *sermo* 12, *Selecta ex autographo budapestinensi*, in *Opera omnia*, I, ed. De La Haye, (Paris, 1645), 9, 386; almost the same in Carcano: *Talia non sunt portanda sed reprobanda sunt, et peccant facientes, portantes, utentes, consulentes, credentes, ac vendentes...*, Carcano, *Sermones Quadragesimales*, *sermo* 23, 60r. The main theological authority at their basis is Thomas Aquinas. See: *Summa Theologiae*, II, II, Q. 96, a. 4: *Utrum suspendere divina verba ad collum sit illicitum*.

*nominibus lateat in ipsis, vel etiam si sint verba diuina, et bona, sed cum eis misceantur aliqua vana.*⁷⁶ The presence of the diabolical element could hide itself behind different kinds of words; they could be expressly devoted to the invocation of demons or deceitfully placed under some “unknown words” or they could even be mixed with acceptable expressions, words probably taken from the Bible. There is an exception, however. Busti explains, on the basis of Thomas Aquinas,⁷⁷ how it is licit to use certain kinds of talismans for pure devotion, without any “vain observations”: *licitum est portare super se reliquias sanctorum ex devotione aut nomen Iesu seu alias devotas orationes, dummodo fiat sine aliqua vana observantia.*⁷⁸

The reasons for wearing such talismans were related to having full spectrum of protection against the main elements of natural danger and destruction. In this regard, the preacher reports the belief according to which *quicumque portaverit super se istud breve, non peribit in aqua, vel igne,*⁷⁹ “anybody who will wear on him such a talisman will die neither by fire nor in water”. One aspect which deserves consideration is the material of which such talismans could be made: Busti, just like Bartolomeo Caimi, speaks of *charta non nata* or “unborn skin”,⁸⁰ that is, the skin of a foetus, although it is not clear whether of a human or an animal.⁸¹ The main feature of the *breve* lies in its secrecy: it can neither be opened nor read, otherwise its magical power immediately disappears. In an *exemplum* apparently derived from his own preaching activity through the northern Italian cities of Ivrea and Lodi, Busti tells how:

⁷⁶ Busti seems to have used almost literally the model of Caimi, who in his *Confessionale* writes: *Si usus est brevibus sibi faciendo vel portando vel qui fierent procurando quia communiter superstitiosa et illicita. Nam si ibi est aliquid pertinens ad invocationem demonum vel si aliquid falsitatis contineant vel aliquid illicitum sub ignotis nominibus seu hebraicis lateat, manifeste est superstitio prohibita. Si vero sunt verba divina et bona cavendum est ne ibi immisceantur cum verbis sacris aliqua vana ...* : Caimi, *Confessionale*, 36r. The reference to the Hebrew as a means to hide something prohibited is of note; Busti does not collect this element though.

⁷⁷ Cf.: Thomas Aquinas, *Summa Theologiae*, II, II, Q. 96, a. 4.

⁷⁸ Busti explains further what a “vain observation” can be. He reports the example of an “evil man” who gave a talisman to somebody called Sambuco, with the specific aim to protect him from different kinds of fever. The use of the vernacular in the magical text explains the popular setting of this kind of practice: *Nam quidam maleficus dedit unus breve cuidam domino Sambuco contra omnes febres huius tenoris: “Dio ve salvi miser Sambuco, pane e sale io ve lo adduco, febre terzana e febre quartana e febre d’ogni dì, tollitela voi che non la volio mi”*. In another case the words contained in the talisman, although in the vernacular, are not understood by the illiterate woman who wears it, named Gioanna, to the extent that she thought they had a protective meaning while on the contrary they were a sort of spell: *Item quedam domina Ioanna, laborans febre quartana, portabat super se quoddam breve in quo putabat esse bona verba cum legere nesciret. Quidam autem frater noster confessor eius aperiens hoc breve invenit scriptum sic: “Madona Gioanna de la febre quartana Dio ve mandi lo malo anno e la mala septimana”*. Busti, *Rosarium*, sermon 16, 129r.

⁷⁹ Carcano wrote: *illa brevia que continent huiusmodi si quis portaverit in igne vel qua vel non morietur morte subitanea vel consequentur talem bonum*. Carcano, *Sermones Quadragesimales*, sermo 23, 60r.

⁸⁰ Cf.: Caimi, *Confessionale*, 36r.

⁸¹ One could even wonder whether Busti was vague on purpose, since we know that it was actually possible to give a more detailed description from this point of view. Giacomo della Marca tells in fact of *duas vetulas portantes a iuventute sua duo brevia de carta vitillina non nata, clausa*: Giacomo della Marca, *Sermones Dominicales*, sermon 27, 420.

For instance, while I was preaching in the city of Ivrea, somebody wore a tiny talisman bound by strings of different colors, which was given to him by some goatherd. As the confessor opened that talisman, immediately some huge beast come out from it protesting loudly and flying away. I believe it was the devil to lived in that talisman. There were only some letters written on that object. Something completely similar happened to me while I was preaching in the city of Lodi.⁸²

As soon as the confessor opened the *breve*, its magical power immediately disappeared - “flying away” - in the form of the devil. It is exactly because of the supposedly diabolical derivation that dealing with these kinds of items constitutes a “mortal sin” against the First Commandment. The main concern behind the whole issue is still idolatry, which is clearly implied when the preacher speaks of *aliquid pertinens ad inuocationem daemonum* possibly contained in the talisman. In the exception that Busti’s text provides in one case when a talisman could really be worn without any “superstition” or “vain observation”,⁸³ one finds a connotation of *superstitio* as synonym of *vana observatio*, which would mirror the general meaning of the term as given by Bernardino da Siena. However, in Busti’s text it seems clear that the distance separating that kind of *superstitio* from idolatry is absolutely faint. On the one hand, in fact, Busti expresses the concern that someone could wear those items by “superstition” or “vain observation”, on the other hand, he reminds confessors that *talia brevia superstitiosa habentes non debent absolui, nisi ea destruant. Sunt enim diabolica opera*. Also the “vain observation” can be the result of the devil’s deeds. The period of time that separates Busti from Bernardino da Siena actually shows the development of more accurate attention and major concern towards the diabolic element. Such an element is worthwhile highlighting since in Busti’s synthetic but dense reflection, it finds its “natural” place at a crossroads that includes the devil, the First Commandment and - as I shall show immediately - the invocation of demons. It is exactly under the latter label that our discussion of “superstition” should evolve towards considering a more complex phenomenon concerning specific figures, supposed “professionals” of evil.

⁸² *Nam praedicante me in civitate Hipporigiensi, quidam portabat unum breve parvissimum ligatum quibusdam filis diversis coloris, quod ei dederat unus caprarius. Cum autem eius confessor ipsum breve aperuisset, statim de eo exivit quoddam animal grossius ipso brevi fortiter vociferans, et evolans et credo, quod esset diabolus in eo habitans. In illo autem brevi erant scripti tantum modo aliqui characteres et idem per omnia accidit predicante me in civitate Laudensi.* Busti, *Rosarium*, Sermon 16, 129r.

⁸³ Busti, *Rosarium*, Sermon 16, 129r.

PART III

From “Superstition” to Witchcraft Defining the Image of the *Malefici*

Three of the “superstitions” listed by Bernardino Busti in his sermon 16 of the *Rosarium Sermonum* are directly related to an issue the major outbreak of which was triggered precisely in the period when the *Rosarium* was published. The invocation of demons, *maleficium*, and the belief that a creature can turn into another species constituted, in fact, elements the embellishment and use of which turned out to be pivotal in the formation of witch-belief. Moreover, the extent to which one considered each of these elements as real or not, implied to give a more or less realistic connotation of the belief itself on the whole. In this regard, my aim will be to show how Busti gave varied interpretations of each element pointing either to reality or unreality, depending on which one he was examining.

The present chapter is divided into three parts. In the first, I briefly outline the main developments of the ecclesiastical strategy concerning the formation and the repression of witch-beliefs, between Lateran IV (1215) and the end of the fourteenth century, which later would play a basic role in the subsequent century. In the second part I describe the elements pertaining to witch-beliefs in Busti’s sermon 16 and illustrate how he describes the figure of the witch within the context of his discourse on demons invocators. Through such discourse he shows how not complying with the First Commandment can entail the disregard of some of the others. It is precisely under the intersection between the First Commandment and all the others that the figure of the witch actually emerges in Busti’s text. Finally, in the third part I deal with the issue of the reality of witchcraft, taking into consideration the interesting and not much studied *Questiones lamearum* written by the Observant Franciscan Samuele Cassini in 1505. By affirming the unreality of witchcraft Cassini provoked the reaction of the Dominican Vincenzo Dodi, who replied one year later with his *Apologia Dodi contra li difensori de le strie*, in which he reasserted the reality of the phenomenon. I argue that there is a direct connection between Busti’s and Cassini’s consideration of the issue of the reality of witch-belief through the lens of the skeptic. Their peculiar stance rest on the positive revaluation of the ancient *Canon episcopi*, which described the myth of the *ludus Dianae* - and actually constructed it - as an illusory phenomenon.

The choice to uphold the *Canon* is finally paradigmatic of a classificatory scheme that allows one to deal with witchcraft-related stereotypes as part of a discourse technically concerning elements of “superstition”.¹ In this way, Busti deals with witch-beliefs without

¹ Cf.: Stuart Clark, *Thinking with Demons* (Oxford: Oxford University Press, 1997), 486 - 487.

virtually changing subject, since they are all elements that share the nature of offences against the First Commandment.

1. Witchcraft. A Multifaceted Issue

Without following the apparently pessimistic approach of Franco Cardini, who once wrote: “it will be never possible really to study witchcraft: neither in general... nor its special western characteristic, the euro-Mediterranean (and American) variant”,¹ one should nonetheless attempt to offer a definition of this admittedly elusive concept. After all, Cardini himself immediately addresses the importance of grasping the meaning of this phenomenon by inquiring into its etymological and linguistic aspects. The lowest common denominator in the recent research on witchcraft seems to lie in its variation in space and time as well as in what has been defined as its “multiple-causality”.² *The Encyclopedia of Witchcraft and Demonology* insists on this point highlighting that: “Witchcraft means different things to different people. Linguistic variation as well as a long-continued looseness in usage have obscured its real significance”.³ However the author explains that the pre-modern European variant of the witchcraft belief is nothing more than something equivalent to sorcery, which is generically labelled as “a survival of common superstitions”.⁴

Actually a similar filiation of witchcraft from the much wider context of “superstition” is clearly present in the learned scheme of Bernardino Busti. To reconstruct such a connection one needs to go back to what has already been said with regard to the issue of “persecution”. The antecedents of the accusations against witches were in fact elements of *long durée* being part of traditional stereotypes already used against other “social targets”. That was part of the process of creation of progressively more precise

¹ My translation from: Franco Cardini, “La stregoneria fra Medioevo ed età moderna,” *Studi Bitontini* 53 - 54 (1992): 7.

² Already Eliade, pointed out how “as work progressed, the phenomenon of witchcraft appeared more complex and consequently more difficult to explain by a single factor:” Mircea Eliade, “Some Observations on European Witchcraft,” in *Occultism, Witchcraft and Cultural Fashions. Essays in Comparative Religions* (Chicago: The University of Chicago Press, 1976), 71.

³ Rossell Hope Robbins, *The Encyclopedia of Witchcraft and Demonology* (New York: Crown Publishers, 1981), 546.

⁴ Robbins, *The Encyclopedia of Witchcraft*, 547.

boundaries delimitating Christianity from its “evil within”, as Briggs calls it,⁵ or from its “inner demons”, to use Norman Cohn’s famous expression.⁶ The accent has been put rightly on the watershed represented by Lateran IV and the age of Pope Innocent III, with which the official endorsement of what has been called a “persecuting society”⁷ originated. In that period, a new way of interpreting the life of Christians emerged, and the process of identifying the possible enemies of Christianity - be they Jews, heretics or Muslims - needs to be contextualized within the intellectual and political evolution leading to a new definition of the spheres of influence of the dominant groups.⁸ That is what has been called “a huge effort of supremacy over the world” led by the Roman Church, one of the functions of which was anti-heretical repression, to the extent that the inquisitors have been described as the ideal sons of the hegemonic plans of the thirteenth century papacy.⁹

Both the pope and the emperor began to prosecute dissent and heresy more intensely. The bull *ad abolendam*, issued in 1184 jointly by pope Lucius III and the emperor Frederick Barbarossa, represented the first coordinated effort in that sense as well as an important precedent for the canons of the Lateran IV, while Innocent III’s decretal *vergentis in senium*, issued in 1199, modelled the papal consideration of heresy on the Roman law’s principle of *crimen lesae maiestatis*, applying to heretics procedures and penalties earlier reserved to betrayers. All in all, between 1220 and 1231 the actions undertaken by Frederick II as well as the popes Honorius III and Gregory IX, modelled on the rediscovery of the Roman law, created a new understanding of the problem of heresy, even transforming the normal “accusatorial” procedure into an “inquisitorial” one, and creating an action in which temporal and religious efforts merged. Only twenty years later, in 1252, Innocent IV issued the decretal *ad extirpanda*, marking a further important step towards the creation of a papal inquisition: the decretal allowed the use of torture as well as the penalty of death by fire.¹⁰

In his *Storia notturna*, Ginzburg has reconstructed the development of the accusatorial patterns concerning determined social groups¹¹ that flared up in a delimited

⁵ Robin Briggs, “Many Reasons Why: Witchcraft and the Problem of Multiple Explanation,” in *Witchcraft in Early Modern Europe. Studies in Culture and Belief*, ed. Jonathan Barry, Marianne Hester, and Gareth Roberts (Cambridge: Cambridge University Press, 1996), 54.

⁶ Norman Cohn, *Europe’s Inner Demons. The Demonization of Christians in Medieval Christendom* (London: Pimlico, 1993).

⁷ See: Robert I. Moore, *The Formation of a Persecuting Society* (Oxford: Blackwell Publishers, 1987), 6 - 11.

⁸ Briggs, “Many Reasons Why,” 54 - 55.

⁹ Grado Giovanni Merlo, “Predicatori e inquisitori. Per l’avvio di una riflessione,” in *Praedicatores, Inquisitores, I, The Dominicans and the Medieval Inquisition. Acts of the 1st International Seminar on the Dominicans and the Inquisition, 23-25 February 2002* (Rome: Istituto Storico Domenicano, 2004), 28.

¹⁰ See: Edward Peters, *The Magician, the Witch, and the Law* (Philadelphia: University of Pennsylvania Press, 1978), 151 and 160; Moore, *The Formation of a Persecuting Society*, 8 - 9.

¹¹ Carlo Ginzburg, *Storia notturna. Una decifrazione del sabba* (Turin: Einaudi, 1989), 5 - 55. In Klaniczay’s words, “the slow maturation of complex notions of scapegoats:” in Gustav Henningsen, “Round-Table

region of France, then eventually expanding to the area neighboring the Western Alps in the first half of the fourteenth century. The target of such accusations were respectively the lepers and the Jews in 1321; the poor and the Jews in 1348 in relation to the spread of the plague; and eventually the Jews and some Christians supposedly already around 1375, but reportedly only in the bull issued by pope Alexander V for the Franciscan inquisitor Ponce Feugeyron in 1409. According to that bull, *quod nonnulli christiani et perfidy Iudei infra eosdem terminus constituti novas sectas et prohibitos ritus eidem fidei repugnantes inveniunt*, moreover practicing other kinds of magical activities including witchcraft, divination and conjuration.¹² If the general pattern of these accusations lies in the plots perpetrated by the enemies of Christianity and generally in the “ossessione del complotto”¹³ or the “phantasmagoria of conspiracy”¹⁴ the supposed aim of which was the destruction of the Christian world, the criminal charges used by judges and inquisitors to discredit their accused had a precise background. It was claimed that they burned children and then ate their flesh and drank their blood, for instance as part of the fifteenth-century Italian game called “barilotto”, regular participants in which were deemed to be been the heretical Franciscans or *Fraticelli*¹⁵. From a general point of view, accusations of orgies, ritual murder, and the participation in other prohibited rites involving the presence of the devil under the species of a black cat, a goat or a toad, were all *topoi* already used in the anti-heretical polemics against the Montanists, the Marcionites, the Manicheans, the Bogomils, the Armenian Paulicians, and the Waldensians.¹⁶

In the meantime, the papacy had begun to give its *placet* to the formation of a set of mythologies of the evil, directly linking it to the legislation concerning heresy and dissent. The first step was taken by Pope Gregory IX with the issue of the famous bull *Vox in Rama*

Discussion with Carlo Ginzburg, Gustav Henningsen, Éva Pócs, Giovanni Pizza and Gábor Klaniczay,” in *Witchcraft Mythologies and Persecutions: Demons, Spirits, Witches* / 3 ed. by Gábor Klaniczay and Éva Pócs (Budapest: CEU Press, 2008), 45.

¹² See: Joseph Hansen, *Quellen und Untersuchungen zur Geschichte des Hexenwahns und der Hexenverfolgung im Mittelalter* (1901, reprint Hildesheim, Zürich, New York: Georg Olms Verlag, 2003), 16 - 17; Ginzburg, *Storia notturna*, 42; Wolfgang Behringer, “How Waldensians Became Witches: Heretics and Their Journeys to the Other World,” in *Communicating with the Spirits: Demons, Spirits, Witches* / 1, ed. by Gábor Klaniczay and Éva Pócs (Budapest-New York: CEU Press, 2005), 156; Martine Ostorero, “The Concept of the Witches’s Sabbath in the Alpine Region (1430-1440): Text and Context,” in Klaniczay and Pócs, *Witchcraft Mythologies and Persecutions*, 20.

¹³ Ginzburg, *Storia notturna*, 42.

¹⁴ Ostorero, “The Concept of the Witches’s Sabbath,” 24.

¹⁵ Cf.: Peter Burke, “Witchcraft and Magic in Renaissance Italy: Gianfrancesco Pico and his *Strix*,” in *The Damned Art. Essays in the Literature of Witchcraft*, ed. Sidney Anglo (London: Routledge, 1977), 40.

¹⁶ See: Cohn, *Europe’s Inner Demons*, 17, 19, and 29 - 30; Grado Giovanni Merlo, *Contro gli eretici* (Bologna: Il Mulino, 1996), 56; Idem, *Eretici e inquisitori nella società piemontese del Trecento* (Turin: Einaudi, 1977), 75 - 93; Ginzburg, *Storia notturna*, 49 and note no. 50; Cohn, *Europe’s Inner Demons*, 35 - 39; *Heresies of the High Middle Ages*, ed. Walter L. Wakefield and Austin P. Evans (New York: Columbia University Press, 1991), 73 - 76.

in 1233.¹⁷ Gregory addressed the bull to Conrad of Marburg,¹⁸ the archbishop of Mainz, and the bishop of Hildesheim in order to connect their efforts and to contribute actively to the fight of Conrad against the *inauditos ritus a quibusdam haereticis observatos*,¹⁹ With this bull, the aforementioned traditional anti-heretic stereotypes become actual and reliable charges.²⁰

Other passages refined the papal strategy concerning magic and sorcery. Pope Alexander IV's decretal *Quod super nonnullis*, issued in 1258, left magic to the competence of inquisitors only when it "clearly savors of manifest heresy",²¹ while nonheretical magic was left to local courts.²² The decretal letter was reissued in 1298 by Pope Boniface VIII in his official collection of canon law, the *Liber sextus*, which made of it a matter for the law schools. The glossator Johannes Andreae explained in fact that "clearly savors" referred to specific actions, such as praying to idols, offering sacrifices, consulting demons, or public association of the sorcerers with the heretics in order to predict the future.²³ Invocation of demons appeared in this document as the element denoting the heretical essence of a behavior, thus rendering it recognizable in the eyes of the inquisitor.²⁴ I shall show soon that it was precisely within the context of the invocation of demons that Busti outlined his description of witchcraft-related elements. This kind of diabolic sorcery can be found already in Bernard Gui's *Practica officii Inquisitionis heretice pravitatis* (1323 - 1324).²⁵ In the sixth chapter of his manual, which is on *Sortilegiorum et divinationum et invocationum demonum pestis et error*,²⁶ Gui seems to be particularly concerned about *irreverentiam aut iniuriam circa sacramenta Ecclesie, et maxime circa sacramentum corporis Christi, necnon circa cultum divinum et loca sacra*, in which the element of "divine cult" points inevitably to the possibility that magic could become a means of idolatry.²⁷ Furthermore, Gui wonders

¹⁷ Gregory IX, *Vox in Rama*, in *Les registres de Grégoire IX*, I, ed. L. Auvray, (Paris: 1896), 780 - 782.

¹⁸ His appointment in 1227 by Pope Gregory IX as inquisitor in Germany - followed by the appointment of Robert le Bougre as another papal inquisitor in France in 1235 - was the first step towards the creation of a centrally direct Inquisition between 1227 and 1235, following the provisions of the IV Lateran Council. See: Jeffrey Burton Russell, *Witchcraft in the Middle Ages* (Ithaca and London: Cornell University Press, 1972), 154 - 155.

¹⁹ Gregory IX, *Vox in Rama*, 780.

²⁰ Peters, *The Magician, the Witch, and the Law*, 159.

²¹ *Nisi manifeste haeresim saperent*: Hansen, *Quellen*, 1; Cf.: Michael D. Bailey, "From Sorcery to Witchcraft: Clerical Conceptions of Magic in the Later Middle Ages," *Speculum* 4 (2001): 970, note No. 51.

²² See: Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 113 - 116; Kieckhefer, *Magic in the Middle Ages*, 191.

²³ Hansen, *Quellen*, 5, 2.8; *Corpus Iuris Canonici*, ed. Emil Friedberg (Leipzig, 1877), Vol. 2, Cols. 1070 - 1072; *Sextum Decretalium Liber* (Venice, 1567), 339 - 341; see also: Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 117 - 118.

²⁴ Cf.: Peters, "The Medieval Church and State on Superstition, Magic and Witchcraft," 213.

²⁵ Wakefield and Evans, *Heresies of the High Middle Ages*, 374 - 375.

²⁶ I have used the following edition: Bernard Gui, *Manuel de L'Inquisiteur*, ed. G. Mollat (Paris: Société d'Édition Les Belles Lettres, 1964), II, 20 and following.

²⁷ See: Peters, "The Medieval Church and State on Superstition, Magic and Witchcraft," 214 - 215.

about the even more serious case *de pueris seu infantibus fatatis seu defatandis* and *de eucharistia retenta vel de crismate vel de oleo sancto furatis de ecclesia*, pointing to two important issues, such as harmful magic addressed to children and the theft of sacramental elements to be used evidently for non-official purposes. Another issue over which the inquisitor lingers is that of *de fatis mulieribus quas vocant bonas res, que, ut dicunt, vadunt de nocte*, which clearly recalls the belief in the “good ladies”²⁸ who were said to ride during the night following a feminine character generally identified with the pagan goddess Diana. The first person to speak of this was Regino abbot of Prüm in the *Canon episcopi*, inserted in his collection of canonical texts around 906.²⁹ Thus, in the first inquisitorial manual there are no hints at what we call “witchcraft”, but rather the presence of some of the elements that would briefly converge in that direction.³⁰

It has been highlighted how with pope John XXII the fear of diabolic magic became more pressing.³¹ In a letter dated 1320, the pope instructed inquisitors at Carcassonne and Toulouse to investigate sorcery using the same means assigned to prosecute the heretics, and he speaks of male *sortilegi* and *malefici*.³² Peters and Kors have translated the first as “sorcerers” and the second as “witches”. However, while during this period *maleficus* could still rather indicate more generically the operator of harmful sorcery, other terms would be employed to denote exactly what we mean by witch: *strix*, *striga* or *lamia*.³³ They all refer to the ancient Classical tradition of bird/women living on children’s blood,³⁴ the use of which

²⁸ It was a widespread tradition, which in Sicily appeared under the species of the belief in the so-called “Donni di fuori” or “Ladies from outside,” a kind of oniric fairies studied by Gustav Henningsen. The only written records giving accounts of the tradition are the files of the Spanish Inquisition for Sicily between 1547 and 1701. However, traces of this belief can be found in a manual for confessors written between 1450 and 1470 by the Sicilian priest Giovanni Vasallo, who recommended to confessors that they ask the penitents “whether they believe in the women from outside.” See: Henningsen, “The Ladies from Outside: An Archaic Pattern of the Witches Sabbath,” in *Early Modern European Witchcraft. Centres and Peripheries*, ed. Bengt Ankarloo and Gustav Henningsen (Oxford: Clarendon Press, repr. 2001), 191 - 215.

²⁹ *Illud etiam non omittendum, quod quaedam sceleratae mulieres retro post Satanam conversae, daemonum illusionibus et phantasmatibus seductae, credunt se et profitentur nocturnis horis cum Diana paganorum dea et innumera multitudine mulierum equitare super quasdam bestias, et multa terrarium spatia intempestae noctis silentio pertransire, ejusque jussionibus velut dominae obedire, et certis noctis ad ejus servitium evocari. ... et non a divino sed a maligno spiritu talia phantasmata mentibus infidelium irrogari*: Regino of Prüm, *De ecclesiasticis disciplinis libri duo*, in *Patrologia Latina*, ed. Jean-Paul Migne (Paris: Garnier, 1853), Vol. 132, 352.

See: Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 203 - 206.

³⁰ Cf.: Cohn, *Europe’s Inner Demons*, 186.

³¹ See: Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 220 - 221; Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 113 and 118 - 119; Alain Boureau, *Satan hérétique: Naissance de la démonologie dans l’Occident médiéval (1280-1330)*, (Paris : Odile Jacob, 2004).

³² Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 118 - 119.

³³ Cf.: Bailey, “From Sorcery to Witchcraft,” 961 - 962; Wolfgang Behringer, *Witches and Witch-Hunts*. (Cambridge: Polity Press, 2004), 30 - 31.

³⁴ See: Marina Montesano, “*Supra acqua et supra ad vento*”. “*Superstizioni*”, *maleficia e incantamenta nei predicatori Francescani Osservanti (Italia, sec. XV)*, (Rome: Istituto Storico Italiano per il Medioevo, 1999), 98 - 99; Richard Kieckhefer, “Avenging the Blood of Children: Anxiety over Child Victims and the Origins of

became popular later around 1430s especially in the terminology of such preachers as Bernardino da Siena. The other term employed by Pope John XXII is *sortilegus*, technically the “soothsayer”, who could perform any sort of magic but especially that connected to the area of foretelling. The two areas of meaning mentioned here are noteworthy, since it was precisely the intentional merger of common magical practices and more complex ritual magic, namely learned necromancy, that opened the door to the assumptions leading to the formation of the concept of witchcraft.³⁵ Such a development is particularly striking in the bull *Super illius specula* issued by John XXII in 1326,³⁶ which played an important role in connecting sorcery with heresy by means of the acknowledgment of the existence of making a “pact” with demons (“with hell”, literally in the bull): *Quamplures esse solo nomine christianos... cum morte foedus ineunt, et pactum faciunt cum inferno: daemonibus namque immolant, hos adorant...*³⁷ The invocation of demons is precisely the moment in which magic becomes harmful, idolatrous and often organized. The basic conditions for the construction of witchcraft were thus set.

The accusations of diabolism emerged around 1330s, though the case of Alice Kyteler in Ireland, who was accused of invoking a personal demon, dates from 1324 - 1325.³⁸ Later, in the case of Sibilla and Pierina, who were tried for heresy in Milan in 1384 and in 1390 and eventually burnt at the stake, for the first time the stereotype of the “society of the good lady” - which refers directly to the *Canon episcopi* - appeared along with the demonic accusations, becoming itself the target of the diabolic interpretation of the judges.³⁹ In 1376 Nicolas Eymerich, former general inquisitor in Aragon, published his *Directorium inquisitorum*,⁴⁰ in which he reconsidered the theological categories of *latría* and *dulia* elaborated by Thomas Aquinas and applied them in order to close the cycle opened by Gregory IX and reinforced by the bull of John XXII (which he cites) on “the identification

the European Witch Trials,” in *The Devil, Heresy and Witchcraft in the Middle Ages. Essays in Honor of Jeffrey B. Russell*, ed. Alberto Ferreiro (Leiden: Brill, 1998), 91 - 109.

³⁵ See: Bailey, “From Sorcery to Witchcraft,” 961 - 967.

³⁶ John XXII, *Super illius specula*, in *Bullarum diplomatum et privilegiorum sanctorum romanorum pontificum taurinensis editio* (Augustae Taurinorum, 1859), IV, XLI, 315 - 316.

³⁷ John XXII, *Super illius specula*, 316.

³⁸ Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 121.

³⁹ The acts of the process were discovered by Ettore Verga at the end of the nineteenth century. See: Ettore Verga, “Intorno a due inediti documenti di stregoneria milanese del secolo XIV,” *Rendiconti del Regio Istituto Storico Lombardo di Scienze e Lettere* 32 (1899): 165 - 188. Maurizio Bertolotti has analyzed one aspect of the complex mythology that emerges during those trials: that referring to the resurrection of the ox’s bones. See: Maurizio Bertolotti, “The Ox’s Bones and the Ox’s Hide: A Popular Myth, Part Hagiography and Part Witchcraft,” in *Microhistory and the Lost Peoples of Europe*, ed. Edward Muir and Guido Ruggiero (Baltimore and London: The Johns Hopkins University Press, 1991), 59 ff.

⁴⁰ See: Nicolas Eymerich, *Directorium inquisitorum* (Rome: in aedibus Populi Romani apud Georgium Ferrarium, 1587). The text is available on line on the website of “The Cornell University Witchcraft Collection” (consulted on July 2011):

<http://ebooks.library.cornell.edu/cgi/t/text/textidx?c=witch;cc=witch;view=toc;subview=short;idno=wit045>

of sorcery and magic with heresy and of both with diabolism”, and eventually witchcraft by means of idolatry.⁴¹ A further important step in the same direction was represented by the condemnation of magical practices by the University of Paris in 1398.⁴² According to the verdict of the University, every kind of magic had to be considered as idolatrous. This has been seen as a sort of watershed between two different possible ways of considering sorcery, as a threat affecting people on the one hand, and as a offence against the First Commandment on the other.⁴³ The aim of the following pages is to show how Busti assessed elements pertaining to witchcraft from this latter perspective, following and developing a tradition relying on exactly the same point.

⁴¹ Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 211 and 215; Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 120 - 127; Jean Delumeau, *La peur en Occident, XIVe-XVIIIe siècle: une cité assiégée* (Paris : Fayard, 1978), 397.

⁴² See: Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 128 - 129.

⁴³ See: John Bossy, “Moral Arithmetic: Seven Sins into Ten Commandments,” in *Conscience and Casuistry in Early Modern Europe*, ed. Edmund Leites (Cambridge University Press: Cambridge, 1988), 223 - 224; Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 228 - 237.

2. Busti and the *Malefici* or How the First Commandment Can Affect the Others

Thus, in his sermon 16, within the list of the “superstitious” behaviors affecting the First Commandment, Busti deals with specific issues that outline an image of witchcraft for its use in pastoral care. *Invocatio daemonum*, *maleficia*, and *quis credit aliquam creaturam posse transmutari in aliam speciem*, are elements referring to traditions of heretical, demonic and folkloric nature. All three of them - the invocation of demons, the use of harmful magic and the belief that it is possible to turn oneself into another species - are intertwined, and the last, which refers to the multifaceted “myth” of the *ludus Diane*, in addition to implying the presence of the other two, gains more significance because its grade of adherence to a “canon” of reality can be measured. I will analyze this issue later. For the moment, I begin with the first element.

The invocation of demons represents more than just one of the actions performed by some particularly evil people to the detriment of the First Commandment. Actually, in Busti’s text the issue of invocation plays the role of framing the entire discourse within which several elements pertaining to witchcraft are described, ending up, moreover, by implying several other commandments in addition to the first. First of all, Busti points out how it is possible to invoke the devil in two different ways: on the one hand one can order him to do something permitted and honest, as when “Paul ordered the devil to leave the young girl, and he left her, exiting from her mouth”;¹ on the other hand, one can invoke the devil by begging - *inuocare diabolum ei supplicando* - which would constitute a mortal sin since the name of God is used improperly in the spells and mixed with demonic formulas.² The action of invocation shows the potentiality to mix together magic and *maleficium* or harmful sorcery, since demons can be invoked for many different reasons, evil or not.³ As to the non-evil invocation of the devil, there was actually a learned tradition suggesting this possibility. The Dominican Raimundus of Tarrega wrote in his *De invocatione daemonum*

¹ Busti refers here to a famous episode recounted in the Acts of the Apostles: *Factum est autem, euntibus nobis ad orationem, puellam quandam habentem spiritum pythonem obviare nobis, quae quaestum magnum praestabat dominis suis divinando. Haec subsecuta Paulum et nos clamabat dicens: "Isti homines servi Dei Altissimi sunt, qui annuntiant vobis viam salutis". Hoc autem faciebat multis diebus. Dolens autem Paulus et conversus spiritui dixit: "Praecipio tibi in nomine Iesu Christi exire ab ea"; et exiit eadem hora. Cf.: Act 16, 16 - 18.*

² Busti, *Rosarium*, sermon 16, 127v.

³ See: Bailey, *Battling Demons*, 29; Valerie Flint, *The Rise of Magic in Early Medieval Europe* (Oxford: Clarendon Press, 1991), 147 - 156.

(1370) that it was a licit action due to the fact that demons are still creatures of God: *quod licet daemones adorare et honorare latria meritorie, si represent suum creatore*.⁴

However, invocation can also bring one dangerously close to the possibility of giving a ritualistic shape to magic and “superstition”, which is one of the features traditionally assigned to the phenomenon of witchcraft. Bailey pointed out how the invocation of demons played a central role in the shift from the use of harmful magic to the belief in organized sects devoted to demonic cult.⁵ This is well shown by Nicolas Eymeric’s *Contra daemonum invocatores* (1369),⁶ while, overall, the process of establishing a connection between sorcery, idolatry and violation of the First Commandment is particularly evident in his *Directorium Inquisitorum*.⁷ The invocation of demons is therefore equated to idolatrous worship. Busti confirms this by inserting it within the offences of the First Commandment. Here a dangerous match between idolatry, sorcery, and diabolism can be found, with the consequent emergence of the image of the witch within the context of the demons’ invocators. In one of the most important cases of witchcraft recorded in central Italy, Matteuccia di Francesco, tried at Todi in 1428, was said to summon Lucifer by saying: “O Lucibello, demon of hell, having been banned you changed the name, and into the name Lucifer the greater. Come to me or send me one of your servants”;⁸ and among the numerous charges against Filippa da Città della Pieve, tried at Perugia in 1455, there was that of being *immundorum spirituum et diaboli invocatricem et incantatricem*.⁹ The impact of the long tradition of papal bulls and the anti-magic consideration outlined earlier are found here.¹⁰ As Busti’s text shows, the threat constituted by the invocation of demons needed to be explained for the use of preachers in pastoral care. Busti identifies the *daemones inuocantes*, those who practice diabolic sorcery, as *malefici* and *maleficae*, therefore as both males and females, and analyses their behaviour according to categories corresponding to the main motives indicated by each one of the Commandments. Thus, while the First Commandment represents the main context within which Busti’s *malefici* find their place, *quia non adorant Deum sed diabolum*,¹¹ the other Commandments provide

⁴ In: Hansen, *Quellen*, 67.

⁵ Bailey, “From Sorcery to Witchcraft,” 972 - 976.

⁶ Hansen, *Quellen*, 66.

⁷ Cf.: Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 215.

⁸ *O Lucibello, / demonio dello inferno, / poiché sbandito fosti, / el nome cagnasti, / et ay nome Lucifero maiure, / vieni ad me o manda un tuo servitore*: Domenico Mammoli, *Processo alla strega Matteuccia di Francesco 20 marzo 1428* (Todi: Res Tudertinae, 1983), 33. For the English translation see: Perer Dinzelbacher, “Invocations,” in *Encyclopedia of Witchcraft. The Western Tradition* (Santa Barbara, CA: ABC-Clio, 2006), 2, 567.

⁹ Ugolino Nicolini, “La stregoneria a Perugia e in Umbria nel Medioevo. Con i testi di sette processi a Perugia e uno a Bologna,” *Bollettino della Deputazione di storia patria per l’Umbria* (Perugia: 1987): 52.

¹⁰ See: Wakefield, Evans, *Heresies of the Middle Ages*, 249 - 251.

¹¹ Busti, *Rosarium*, sermon 16, 127v.

him with the possibility to refer, one by one, to behavioural traits that contrast with other specific thematic areas: *isti autem perdit homines non tantum faciunt contra hoc primum praeceptum ...sed etiam faciunt contra omnia alia precepta*.¹² This might be called a “categorization of human behaviour” modelled on the Ten Commandments and accomplished through the adoption of stereotypes of diverse provenance, in order to frame a picture of the subjects coherent with the indications of each Commandment. Here the second element listed by Busti has to be mentioned. Busti does not speak extensively about it, since in his view its tradition and meaning were far too familiar and obvious. It is about *maleficium*, a rather generic term in itself, however meaningful it may be in indicating harmful sorcery, an evil deed performed through occult malevolent magic with the intention of bringing harm to others.¹³ Later in his sermon, Busti states that it is in any case forbidden to perform or allow the performance of such acts, since they operate against the First Commandment, *qui facit vel fieri consentit aliquod maleficium propter quamcumque causam*.¹⁴ “For whatever reason”, as Busti specifies, puts the accent on one of the basic features of *maleficium*: precisely, as has been pointed out,¹⁵ on its being generally part of a wider strategy and used as a means of obtaining a concrete result, from vengeance to someone’s love. It is clear how, for these reasons and moreover because, as Busti notes, they are always basically *opera diaboli*, the uses of malevolent magic represents something almost “naturally” pertaining to demons invocators, who for this reason are called *malefici*.

The first characteristic of the *malefici* is their utter disrespect for the Third Commandment, *quia festa non sanctificant imo in precipuis festivitibus maleficia sua magis exercent*. Those who invoke demons, in fact, intensify their demonic sorcery and perform *maleficia* during the most sacred periods of the Christian calendar, which they not only do not hallow but even openly disown. The violation of the Fourth Commandment provides Busti with the opportunity to describe other aspects of their behaviour more thoroughly. The *malefici* are said to vituperate God by bestowing honours due to him on the

¹² Busti, *Rosarium*, sermon 16, 127v.

¹³ Cf.: Christa Tuczay, “Sorcery,” in *Encyclopedia of Witchcraft*, 4, 1061; Edward Bever, “Maleficium,” in *Encyclopedia of Witchcraft*, 3, 713; Michael Bailey, “The Disenchantment of Magic: Spells, Charms, and Superstition in Early European Witchcraft Literature,” *The American Historical Review* 2 (2006): 386.

¹⁴ Busti, *Rosarium*, sermon 16, 128v.

¹⁵ See: Matteo Duni, *Under the Devil’s Spell. Witches, Sorcerers, and the Inquisition in Renaissance Italy* (Florence: Syracuse University in Florence, 2007), 62 ff.

devil. This is an explicit accusation of idolatry and diabolism, and a clear proof of rejection of the precepts, the sacraments, and the authority of the Church.¹⁶

Particularly interesting is Busti's description of what he calls *ludus diabolicus*,¹⁷ a kind of gathering clearly considered heretical and diabolic. It is worth noting that the preacher does not suggest the slightest doubt concerning its reality, while he was sceptical of the existence of another kind of "game", the *ludus dianaë*, connoted in a folkloric rather than heretical way, and with much broader implications. Thus, the *ludus diabolicus* would seem to be a sort of ritualistic practice. Busti writes:

Thus these *malefici*, especially those who go to the "diabolic game", never sprinkle themselves with holy water, but upon entering a church they take the aspergillums and give the holy water to others, as they do not touch the water themselves, or they pretend to sprinkle it, but instead they throw the water behind their heads. Those who are irreverent of the eternal father and mother Church, are even more irreverent of their earthly parents.¹⁸

Such behaviour is notably linked to the rejection of the holy water, which being a sacramental element seems to be particularly meaningful as a way of symbolically refusing the Church, or probably more precisely, membership in the Christian community. For this reason, the deeds described by Busti may have a sort of "anti-ritualistic" connotation,¹⁹ to the extent that they were seen and performed as acts opposed to the ritualized habit of the Christian of sprinkling himself upon entering a church. This point would need further investigation, but the implication it offers is significant and even more meaningful in light of the importance of rites in constructing community identity, especially in closed and hierarchical societies such as the Church.²⁰ As a consequence, the distortion of an act gives it an evident negative connotation. This could be drawn closer to similar patterns characterizing the "mythology of witchcraft" of the Pays de Vaud, in which the mocking of

¹⁶ *Quartum etiam preceptum transgrediuntur, quia non honorant sed vituperant patrem celestem, eius honorem diabolo tribuentes, nec etiam honorant sanctam matrem ecclesiam, cuius precepta et sacramenta contemnunt et accipere nolunt.* Busti, *Rosarium*, sermon 16, 127v.

¹⁷ The term *ludus* can indicate a nocturnal gathering of people (traditionally with reference to witches) but also more generically a feast characterized by licentious or illegal behavior, such as the case of the *ludus stellae* discovered in 1395 in today's Vallouise. See: Giuseppe Bonomo, *Caccia alle streghe* (Palermo: Palumbo, 1986), 49.

¹⁸ *Unde isti malefici, maxime qui vadunt ad ludum diabolicum, nunquam aqua benedicta se aspergunt, sed quando intrant ecclesias accipiunt asperges, et dant alijs aquam benedictam, se autem illa non tangent, vel aspergere se ostendunt, et aquam de super caput proijciunt, hi autem irreuerentes patri aeterno, et matri ecclesiae, multo magis sunt irreuerentes patribus carnalibus.* Busti, *Rosarium*, sermon 16, 127v.

¹⁹ I am aware, however, that in order to ascertain this connotation and avoid the risks connected to a particularly slippery terrain, it would be necessary to arrive at a preventive agreement concerning what a ritual is. Cf.: Philippe Buc, *The Dangers of Rituals: Between Early Medieval Texts and Social Scientific Theory* (Princeton: Princeton University Press, 2001).

²⁰ See: Catherine Bell, *Ritual Theory, Ritual Practice* (New York - Oxford: Oxford University Press, 1992), 178.

Christian beliefs and rituals is actually a core element.²¹ Moreover, Busti explains how since the *malefici* show irreverence of God and the Church, they are even more irreverent of their earthly parents. Our initial assumption finds confirmation in these statements. The supposed irreverence described by Busti is a clear sign of those people's disrespect not only for God and the Church but even to *patribus carnalibus*, which marks their disrespect for all the main aspects pertaining to urban life.

Still speaking of how those who contravene the First Commandment also act against the others, Busti deals with the Fifth Commandment. The preacher reminds his readers that those who *multa homicidia perpetrare* break the Fifth Commandment, and then he uses this occasion to speak of figures who were well-known witches. The first one to be recalled by Busti is the Finicella, a famous witch of the time of Bernardino da Siena,²² who Busti calls "Facinella". She was burnt at the stake in Rome after she confessed to having killed 65 children: *Combusta enim fuit Rome, quedam malefica tempore sancti Bernardini nomine facinella, que confessa est quod occiderat 65 pueros*.²³ In all likelihood here Busti relies on the tradition reported by Giacomo della Marca, since while Bernardino da Siena put the number of children killed by the witch at 30, Giacomo della Marca put it at 65.²⁴ The case of the witch of Rome must have been quite popular, since we find a trace of it even in Stefano Infessura's chronicle, which reports that in 1424 "Finicella the witch was burnt at the stake on the 8th of July, since she had killed several children in an evil way and she had bewitched many others, thus all of Rome went to see her".²⁵ Although both the number of the children killed and the name of the supposed witch vary according to the traditions, the strong similarities lead one to believe that they were all about the same episode.²⁶

Another witch by name of Sanctucia was also burnt at the stake in Perugia in 1445, after she had confessed to having killed 50 children: *Et alia combusta est Perusij 1445*

²¹ Richard Kieckhefer, "Mythologies of Witchcraft in the Fifteenth Century," *Magic, Ritual, and Witchcraft* 1 (2006): 90.

²² In his sermon 35 of the Sienese cycle of 1427 Bernardino said to his audience: "I don't know how better to tell you: To the fire! To the fire! To the fire! Oimmè! Do you want to know what happened in Rome when I preached there? If I could only make the same thing happen here in Siena! Oh, let's send up to the Lord God some of the same incense right here in Siena!". Translation in: Franco Mormando, *The Preacher's Demons. Bernardino of Siena and the Social Underworld of Early Renaissance Italy* (Chicago: The University of Chicago Press, 1999), 52.

²³ Bernardino da Siena wrote that "among all these women, there was one woman arrested who said and confessed without any torture that she had killed at least thirty young babies by sucking their blood," Bernardino da Siena, *Prediche volgari sul campo di Siena 1427*, ed. Carlo Delcorno (Milan, 1989), II, sermon 35, 1007 - 1008, (for the translation see: Mormando, *The Preacher's demons*, 59).

²⁴ Giacomo della Marca specifies that *Funicella interfecit 65 pueros*: Giacomo della Marca, *Sermones Dominicales*, ed. Renato Lioi, (Falconara Marittima: Biblioteca francescana, 1978), I, sermon 27, 424.

²⁵ My translation from: Stefano Infessura, *Diario della città di Roma, a.a. 1424*, ed. O. Tomassini, (Rome: Fonti per la storia d'Italia, 1890), 25.

²⁶ Cf.: Mormando, *The Preacher's Demons*, 54 ff.

nomine sanctucia... haec autem maledicta femina confessa est se 50 pueros occidisse. When addressing this second case Busti again seems to rely primarily on Giacomo della Marca.²⁷ Here Busti clearly returns to the tradition of the two famous *strigae*, who he however referred to simply as *maleficae ac maledictae feminae*, whose supposed confessions of an high number of homicides made them particularly suitable as a paradigm of those who “commit multiple homicides”. In addition, the striking “psychological” and behavioural description Busti gives of Sanctucia is of note. This is how the preacher characterizes her:

She looked like a saint, as generally such evil women seem to be, attending churches and simulating being engrossed in prayer and devotions, while secretly they worship the devil, and with their foot trample upon Christ’s cross, renouncing the baptism and the sacraments of the Church and disowning the Catholic faith.²⁸

The description of the deeds of the witch, namely the renunciation of her faith and baptism, the worship of the devil, and trampling on Christ’s cross, are reminiscent of a cliché that at the time had already become stereotypical in some of the first texts dealing with witchcraft in the early fifteenth century, as shown in the description of the “sect of witches” by the French secular judge Claude Tholosan around 1436 and in Nider’s *Formicarius*.²⁹ The description of a witch in similar terms by the famous *consilium* attributed to the juridical authority of Bartolo of Sassoferrato, suggested that the diffusion of such stereotypes could be dated back to the fourteenth century,³⁰ but in 1975 Norman Cohn revealed the text to be a forgery.³¹ The forgery could be the work of the late sixteenth-century Italian jurist Giovanni Battista Piotto, who may have relied on the *Tractatus de strigibus* (c. 1510) by Bernardo Rategno of Como, who maintained that the “new” diabolic sect of witches had come into existence in the mid-fourteenth century.³²

²⁷ Giacomo had written: *Item, quedam diabolica vetula de Gualdo de Nuceria, combusta in Perusia, nomine Santecia, que fecit innumerabilia mala, inter que confessa est quod occidit pueros 50*: Giacomo della Marca, *Sermones Dominicales*, sermon 27, 424. Cf.: Nicolini, “La stregoneria a Perugia e in Umbria,” 50 - 51.

²⁸ *Videbatur enim una sancta, sicut communiter sunt tales malefice, que frequentant ecclesias, et simulant se stare in orationibus et devotionibus, occulte tamen diabolum adorantes, ac crucem Christi pedibus conculcantes, baptismoque ac sacramentis ecclesie renunciantes, ac fidem catholicam negantes.* Busti, *Rosarium*, sermon 16, 127v.

²⁹ In his *Ut magorum et maleficorum errores* Tholosan wrote: *... talis secte intrantes renegant Deum... totaliter recedunt a fide Christi... Dei legem renegando et penitus ejus fidem, non credendo eciam in articulis fidei et ecclesie sacramentis... faciendo crucem in humo, expuendo de super ter et calcando eam pede.* See: *L’imaginaire du sabbat*, 364; Cf.: Nider’s *Formicarius* V,3, in: *L’imaginaire du sabbat. Edition critique les plus anciens (1430 c. - 1440 c.)*, ed. by Martine Ostorero, Agostino Paravicini Bagliani, and Kathrin Utz Tremp (Lausanne: Cahiers Lausannois d’Histoire Médiévale, 1999), 154.

³⁰ *Mulier striga, de qua agitur... debet tradi ultimo supplicio et igne cremari. Fatetur enim Christo et baptismo renuntiasse... item confitetur dicta striga sive lamia, se crucem fecisse ex paltis et talem crucem pedibus conculcasse, et crucem ipsam dedita opera fecisse, ut illam pedibus conculcaret... se adorasse diabolum...*: Hansen, *Quellen*, 64.

³¹ See: Cohn, *Europe’s Inner Demons*, 194 - 195.

³² See: Tamar Herzig, “Bernardo Rategno of Como (d. 1510),” in *Encyclopedia of Witchcraft*, 4, 951.

Moreover, what in Busti indeed appears to be a description of “simulated sainthood” - the preacher explicitly says *tales maleficae simulant* - became a characterizing trait of these *maleficae ac maledictae feminae*, which is at the basis of the process of formation of a more complex typology of witch. Busti speaks of *maleficae feminae*, who seem to be completely ordinary characters, or rather seem to be even more than ordinary by pretending to be saint, while in truth they conspire against the Church and the faith and adore the devil. I wonder whether in Busti’s description of the traits of the “false saint” and in his fear of being deceived, one should see the echo both of the debates concerning the “false appearances” diffused since the thirteenth century and the process of consolidation of a “learned, doctrinal and clerical” model of sanctity, in opposition to the diffusion of “popular” and less verifiable models.³³

At this point, one could suggest a parallel between the figure of the saint and that of the witch. Gábor Klaniczay’s study of specific elements that are characteristic of sanctity and witchcraft, such as *miraculum* and *maleficium* (which share similarities but also are different in essential ways), offers an example of the insights that can be gained from a comparison of two phenomena that seem diametrically opposed.³⁴ It seems appropriate to speak of an age in which, between the fifteenth and sixteenth century, the “sante vive” or “living saints” were hosted and venerated during their lifetime in the princely courts of mid-Northern Italy, and sometimes consulted for their supernatural powers.³⁵ The case of the “Savonarolan” Dominican tertiary Caterina da Racconigi, to whom Giovanfrancesco Pico della Mirandola (d. 1533) dedicated his *Compendio delle cose mirabili della venerabile serva di Dio Catterina da Raconisio* (1532),³⁶ describes some interesting features that can well represent the assimilation of characteristics of both witches’ and saints’. Caterina is said to fly as a witch and to tend to people in need of help; however, she neither rides an animal nor a broomstick, but rather is carried by angels, therefore being known as the “witch

³³ See: André Vauchez, “La nascita del sospetto,” in *Finzione e santità tra medioevo ed età moderna*, ed. Gabriella Zarri (Turin: Rosenberg & Sellier, 1991), 39 - 49, in particular page 49. As Zarri notes, the issue of false sainthood becomes more pressing in the moment at which an imitable model of sanctity spreads. See: Gabriella Zarri, “Vera santità, simulata santità: ipotesi e riscontri,” in *Finzione e santità*, 12.

³⁴ Gábor Klaniczay, “Miraculum and Maleficium: Reflections Concerning Late Medieval Female Sainthood,” in *Problems in the Historical Anthropology of Early Modern Europe*, ed. by R. Po-Chia Hsia and R. W. Scribner (Wiesbaden: Harrassowitz Verlag, 1997), 49 - 73; Tamar Herzog, “Witches, Saints, and Heretics: Heinrich Kramer’s Ties with Italian Women Mystics,” *Magic, Ritual, and Witchcraft* 1 (2006): 24 - 55.

³⁵ See: Gabriella Zarri, *Le sante vive. Profezie di corte e devozione femminile tra ‘400 e ‘500* (Turin: Rosenberg & Sellier, 1990), 111.

³⁶ See: Tamar Herzog, *Savonarola’s Women. Visions and Reform in Renaissance Italy* (Chicago: The University of Chicago Press, 2008), 173 ff.

of God”.³⁷ Dinzelbacher has suggested that the increasing attention given to the “charismatic gifts” of female saints could have implied an interest regarding similar phenomena in women who were believed to exercise magic and witchcraft.³⁸ Moreover, Tamar Herzig has pointed out how Kramer, whose attacks on witches in his *Malleus Maleficarum* have often been interpreted as a manifestation of a deep fear of women, appears elsewhere to be a great admirer of female mystic saints, contributing to the spread of veneration for and documentation on female saints.³⁹ This underlines how, towards the end of the Middle Ages, there was a general rise in interest concerning female supernatural powers, be they considered in a positive or a negative light, during what has been defined as an “effeminate age”. Nancy Caciola has demonstrated how such a peculiar age, lasting from the twelfth century to the fifteenth or from the time of Hildegard of Bingen to that of Kramer, actually showed “a cultural imbalance toward femininity that contrasted sharply with the virility of the apostolic age”, in which the “feminization of sanctity” can be viewed as an anticipating factor of the “feminization of the demonic” that occurred at the end of the Middle Ages.⁴⁰

However, notwithstanding their capacity to resemble saints, Busti’s *maleficae feminae* are representatives of a manner of behavior deliberately oriented against the Church and its rituals, and tremendously favourable to the cult of the devil, for whom they commit murders. As part of that quick sketch, the worship of the devil is assumed, and it is a consistent trait of the witch’s stereotype as it was elaborated from the 1430s on, especially through a series of texts, the first dealing extensively with this topic, such as those by Hans Fründ, Johannes Nider, Claude Tholosan, Martin Le Franc and the anonymous *Errores Gazariorum*, all of which appeared between the 1430s and 1440s.⁴¹

In particular, features such as desecration, violation and profanation of the sacred or in other words the open refusal of the Catholic faith, are already found as part of the

³⁷ Gabriella Zarri, *Le sante vive*, 12 - 13. More recently, Dinora Corsi took up the leitmotif of the relationship between forms of female religiosity and sorcery; see: Dinora Corsi, “*Mulieres religiosae e mulieres maleficae nell’ultimo medioevo*,” in *Non lasciar vivere la malefica*, 19 - 42.

³⁸ Dinzelbacher also offers an explanation of the analogies from his perspective between sainthood and witchcraft by means of couples of opposite elements: enthusiasm/possession, love for Christ/love for the devil, wedding with God/pact with the devil, *stigmata*/diabolic mark, feast with God/feast with the devil and so on. See: Peter Dinzelbacher, *Santa o strega? Donne e devianza religiosa tra Medioevo ed età Moderna* (It. ed. Genova: Ecig, 1995), 136, and 165 - 261.

³⁹ Tamar Herzig, “Heinrich Kramer e la caccia alle streghe in Italia,” in “*Non lasciar vivere la malefica*,” 177.

⁴⁰ See: Nancy Caciola, *Discerning Spirits. Divine and Demonic Possession in the Middle Ages* (Ithaca: Cornell University Press, 2003), 274 ff.

⁴¹ I refer to Fründ’s *Rapport sur la chasse aux sorciers et aux sorcières menée dès 1428 dans le diocèse de Sion*; Nider’s *Formicarius*; Tholosan’s *Ut magorum et maleficorum errores*; and Le Franc’s *Le Champion des Dames*. See: *L’imaginaire du sabbat*. See also: Matteo Duni, *Under the Devil’s Spell*, 15 - 19.

“mythology of witchcraft” in the Pays de Vaud, the region of Lausanne, between 1438 and 1498.⁴² However, Busti does not seem to follow the panicky tradition of Kramer’s *Malleus Maleficarum*, since he does not speak explicitly of any organized sect,⁴³ although his description of those who engage in a “diabolic game” clearly constitutes a hint at such a possibility. What is more, by the time Busti was writing - and his text shows this tendency - the figure of the witch had already become the key target of both the secular and religious authorities: the stress was increasingly put more on the agents of evil, while before the persecutors had been more concerned about the “effects” of their supposed evil actions.⁴⁴

Busti mentions another kind of typical behaviour attributed to the invocators of demons, pertaining particularly to what expressed by the Sixth Commandment. The preacher reasserts some of the oldest accusatorial stereotypes of the anti-heretical tradition, explaining how:

They behave against the Sixth Commandment, since commonly whores, adulterers and adulteresses are such, and violate the rules of marriage and are addicted to shameless actions, as is said in *Sap.* 14. They also commit sodomy and any other unclean actions, especially those who go to the “game” called *bariloti*.⁴⁵

On that occasion many sins involving sex and numerous deeds in violation of marital ties were committed. Thus, what strictly identifies the game of the *barilotto* or keg, in accordance with the principles of this specific commandment, are the charges concerning orgies and sexual promiscuities,⁴⁶ showing no respect for family ties: *pater cum filiabus et filii cum matribus ac sorores cum fratribus et cognati cum consanguineis carnaliter commiscuntur*. These sinners are so eager to indulge in such *scelera* that when they cannot take part themselves because they are too old, they look for others who can participate: *Isti quoque, si ex antiquitate non possunt predicta scelera perpetrare, procurant illa ab aliis committi*.⁴⁷

⁴² Kieckhefer, “Mythologies of Witchcraft,” 84 - 85.

⁴³ The firm conviction that the witches were part of an organized sect appears especially in Nider’s *Formicarius* but more extensively both in Kramer’s *Malleus Maleficarum* and in his last tract *Sancte Romane ecclesie fidei defensionis clippeum adversus waldensium seu pikardorum heresim* (1501), which however was published after the *Rosarium*. See: Herzig, “Heinrich Kramer,” 175 - 187.

⁴⁴ Bailey, *Battling Demons*, 29.

⁴⁵ *Contra sextum etiam preceptum faciunt, quia communiter tale sunt meretrices vel adulteri et adultere, et matrimonii legem violantes ac mechie et impudicitiae dediti ut dicitur Sap. 14. Committunt etiam vitium sodomiticum et omnes alias spurcicias perpetrant, maxime illi et ille, que vadunt ad ludum, qui dicitur bariloti*. Busti, *Rosarium*, sermon 16, 127v. The preacher mentions the text of *Sap* 14, 25-26, which reads: *Et omnia commixta sunt: sanguis et homicidium, furtum et fictio, corruptio et infidelitas, turbatio et periurium tumultus bonorum, gratiarum immemoratio, animarum inquinatio, generis immutatio, nuptiarum inordinatio, moechia et impudicitia*

⁴⁶ See: Gábor Klaniczay, “Orgy Accusations in the Middle Ages,” in *Eros in Folklore*, ed. Mihály Hoppál and Eszter Csonka-Takacs (Budapest: Akadémiai Kiadó, 2002), 38 - 55; Cohn, *Europe’s Inner Demons*, 48 - 53.

⁴⁷ Busti, *Rosarium*, sermon 16, 127v.

Bernardino da Siena was the first to refer to the game of the “barilotto” during his Sienese preaching of 1427, and he probably had in mind a group of Waldensians. The Sienese is more generous with details. According to him, those who participate in the “game” kill babies just before the orgies and prepare a *brudetto* or broth with their flesh:

Deep in the night they all get together, men and women all in the same room, and they stir up quite a broth among themselves.... and do you know what the name of this group is? They’re called the people of the keg [*barilotto*]. They have this name because once a year they take a small child and toss it among themselves back and forth, until it dies. Once it’s dead, they make a powder of its body and put the powder in a wine keg and each one drinks from this keg.⁴⁸

Busti is not interested in giving a complete picture of the stereotypes he mentions; what interests him is to describe his *malefici inuocatores* in a paradigmatic way, classifying their behaviour in accordance with the Decalogue, thus selecting from the tradition the elements that best apply to every narrative segment.

Our preacher introduces another element that was stereotypical and widely prevalent in the tradition, thus getting closer to the construction of the traditional picture of the witch, when he writes *cum si quis credit aliquam creaturam posse realiter transmutari in aliam speciem, puta in gattas, vel huiusmodi*.⁴⁹ The belief in some women’s ability to turn into different species and commit various kinds of evil deeds was already present in the Classical tradition referring to the so-called *striges* or *lamiae* turning into birds and living on children’s blood.⁵⁰ However, the ability to metamorphose into a different species, such as in a cat, is considered by Busti an illusion attributable to the ability of demons, a view shared by Bernardino da Siena.⁵¹ Still, not real in Busti’s opinion is the case of those who report *ad ludum cum Diana ire*:

In the same way, if someone believes that certain women or men go to the game with Diana during the night, being carried on a greased stick or on some beasts,

⁴⁸ Bernardino da Siena, *Prediche volgari sul campo di Siena 1427*, sermon 27, 793 - 794 (Cf.: Mormando, *The Preacher’s Demons*, 85 - 86). Bernardino hints at the same “game” even earlier in his *Seraphim* of 1423, referring to the Dolcinians: *Unde semel in partibus Novariae in aliquibus montibus quidam Dolcinus levavit unam sectam, sicut est secta Barilotti, et crevit ita quod tota una civica erat plena illa secta*: Bernardino da Siena, *Seraphim 1423*, sermon 2, 209 (quotation in: Montesano, *Supra acqua et supra ad vento*, 117 - 118).

⁴⁹ Busti, *Rosarium*, sermon 16, 129r.

⁵⁰ Ovid’s *Fasti* description, for example, is interesting, where such *striges* are said to be bird-women, bleeding babies in their cradles: *Sunt avidae volucres, non quae Phinea mensis guttural fraudabant, sed genus inde trahunt ... Et illis strigibus nomen; sed nominis huius causa, quod horrendum stridere nocte solent. ... Proca natus in illis praeda recens avium quinque diebus erat: pectoraque exorbent avidis infantia linguis; at puer infelix vagit opemque petit*: Ovid, *Fasti*, 6, 131 - 148 (quoted in Montesano, *Supra aqua et supra ad vento*, 104); see also: Cardini, “La stregoneria,” 12 - 13.

⁵¹ Bernardino wrote: “The devil makes it seem to the evil woman that she metamorphoses into a cat and that she goes around bewitching, but in reality she remains in her bed. These are the devil’s illusions to deceive people!”, translation from vernacular is mine, for the original version see: Bernardino da Siena, *Ciclo Senese 1425*, ed. Claudio Cannarozzi (Florence: 1958), sermon 38, 169 - 70.

and passing through the space of many lands. All those things are false and similar illusions are suggested by the devil to the minds of infidel peoples, as it is fully explained in *Canon Episcopi* 26. q. 5.⁵²

Busti deals here with the famous tradition crystallized in the text of the *Canon Episcopi*, whose authority he expressly mentions in order to prove the unreality of the belief itself. The text made its first appearance in the collection of legal documents compiled at the beginning of the tenth century by the archbishop of Trier Regino of Prüm,⁵³ as was erroneously believed on the basis of an older canon from the Council of Ancyra of 314.

As to the feminine figure who is said to lead this “society” of women, the *canon* speaks of “Diana goddess of the pagans”, but one must bear in mind that during the process of transmission of the text other feminine characters became equally popular. Thus, with the incorporation of the text in the *Decretum* by Burchard of Worms, the feminine deity is given the Germanic name “Holda” (*Quam vulgaris stultitia holdam vocat*);⁵⁴ while with the reception of the same text in the *Decretum Gratiani*, Herodias appears at the head of the horde of women along with Diana (*Cum Diana paganorum dea vel Herodiade*).⁵⁵ Busti refers precisely to the reception of the *Canon* transmitted by Gratian, as is clearly indicated in his quotation from the *Decretum*. Thus, the “triad” Diana-Herodias-Holda essentially represents the set of possibilities to name the traditional feminine figure leading certain women to the “game”. However, the whole story is even more complicated. The same idea of a nocturnal goddess would stem from the figure of an original “good lady”, whose presence at the *ludus* was ascertained by Sibilla and Pierina, tried in Milan between 1385 and 1390, under the name of “Madona Horiente”. We know how during their trials, through a particular technique of interrogation essentially leading the accused to say what the inquisitors needed them to say,⁵⁶ the judges managed eventually to convince the two women

⁵² *Item si quis credat quasdam mulieres seu homines ad ludum, cum Diana nocturnis temporibus ire et deferri super bacculum unctum seu super quasdam bestias, ac multa terrarum spacia transire. Hec enim omnia falsa sunt et talia fantasmata a maligno spiritu mentibus infidelium irrogantur ut habetur plene in c. Episcopi 26 q. 5.* Busti, sermon 16, 129r. The reference is to the text of the *Canon episcopi* passed on by the *Decretum Gratiani*. See: *Decretum Gratiani*, in *Corpus iuris canonici*, I, ed. Emilius Friedberg (Leipzig: Bernhard Tauchnitz, 1879), C. 26, q. 5, c. 12.

⁵³ *Illud etiam non omittendum, quod quaedam sceleratae mulieres retro post Satanam conversae, daemonum illusionibus et phantasmatis seductae, credunt se et profitentur nocturnis horis cum Diana paganorum dea et innumera multitudine mulierum equitare super quasdam bestias, et multa terrarum spacia intempestae noctis silentio pertransire, ejusque jussionibus velut dominae obedire, et certis noctis ad ejus servitium evocari. ... et non a divino sed a maligno spiritu talia phantasmata mentibus infidelium irrogari*, Regino of Prüm, *De ecclesiasticis disciplinis libri duo*, in *Patrologia Latina*, 132, 352.

⁵⁴ Burchard of Worms, *Decretum*, in *Patrologia Latina*, Vol. 140, 962.

⁵⁵ *Decretum Gratiani*, II, C. 26, q. 5, c. 12, 1030.

⁵⁶ By suggesting equivocal elements to the accused, answers to which could be interpreted in a negative or diabolic way. It was a method highlighted in the much later case of Chiara Signorini, tried in Modena between 1518 and 1519. See: Carlo Ginzburg, “Stregoneria e pietà popolare. Note a proposito di un processo modenese del 1519,” *Miti, emblemi, spie. Morfologia e storia* (Turin: Einaudi, 2000), 12 - 15.

that their *Domina ludi*, the character they confessed to see during their gatherings, was not Horiente but rather Diana, and thus the devil.⁵⁷ Beyond the testimony from trials like these or from the texts of some thirteenth century authors, the tradition of the myth of a feminine character wandering about at night along with her train of women-fairies appears. The task of these characters was essentially to assure prosperity to the houses they visited to enjoy the food and wine in their pantries.⁵⁸ When the “Lady” is connected to those *dominae nocturnae*, she can assume still different names clearly related to the idea of abundance and prosperity. William of Auvergne speaks of Abundia or Satia as well as the *Roman de la Rose* that mentions a “dame Abonde”.⁵⁹ Stephen of Bourbon and Vincent of Beauvais speak of “good women” or “good things”, *bonae res*, linking them directly to the *Canon episcopi*’s Diana or Herodias and thus for the first time to the *sceleratae mulieres* of that text.⁶⁰ Diana is ultimately the result of a process of *interpretatio romana* involving a much more ancient and complex figure⁶¹ and, as has been proposed by Ginzburg, a connection with an ecstatic heritage and with the world of the dead.⁶²

Thus, in Busti’s text, certain women and men were believed to go and play during the night along with the goddess Diana, riding a greased pole or a beast, travelling over many lands. This description provides the basic ingredients of the tradition of the *ludus*

⁵⁷ See: Verga, “Intorno a due inediti documenti di stregheria milanese,” 181 ff.; Ginzburg, *Storia notturna*, 68; Luisa Muraro, *La Signora del gioco. La caccia alle streghe interpretata dalle sue vittime* (Milan: La Tartaruga), 2006, 198 - 209; Maurizio Bertolotti, “The Ox’s Bones and the Ox’s Hide: A Popular Myth, Part Hagiography and Part Witchcraft,” in *Microhistory and the Lost Peoples of Europe*, ed. Edward Muir and Guido Ruggiero (Baltimore and London: The Johns Hopkins University Press, 1991), 59 - 65.

⁵⁸ Cf. the Sicilian variant that refers to these women as the “donni di fuori.” Henningsen, “The Ladies from Outside,” 191 - 215.

⁵⁹ ... *De illis vero substantiis quae apparent in domibus, quas dominas nocturnas et principem earum vocant dominam Abundantiam pro eo quod domibus quas frequentant abundantiam bonorum temporalium praestare putantur.* William of Auvergne, *De universo creaturarum*, II, 3, 24, in *Opera Omnia* (Paris: 1674). Cf.: Marina Montesano, “La circolazione di motivi stregonici tra folklore e cultura scritta,” in *Non lasciar vivere la malefica*, 162. Cf. also: Ginzburg, *Storia notturna*, 77; Bonomo, *Caccia alle streghe*, 22.

⁶⁰ ... *Error illarum mulierum, quae dicunt se nocturnis horis cum Dyana et Herodiade et alijs personis quas Bonas res vocant ambulare et super bestias equitare et multa terrarum spatia transire...* Vincent of Beauvais, *Speculum morale* (Douai: Alma Academica Duacensi, 1624), 1111 - 1117; Cf.: Montesano, “La circolazione di motivi stregonici,” 162, and Montesano, *Supra acqua et supra ad vento*, 101.

⁶¹ Eliade noted how among the Romanians the name of the goddess Diana became “zîna”, which stems from “dziana” meaning “fairy”, and the “zîne”, the fairies, are the followers of the goddess, characterized by an ambivalent character, both positive - they are beautiful - and negative, they can be cruel. This linguistic development might say something about the complexity of meanings related to these creatures in a peripheral region. See: Eliade, “Some Observations on European Witchcraft,” 80.

⁶² Ginzburg reminds one how the Dominican preacher Johannes Herolt spoke of *Diana... cum exercitu suo de nocte ambulet per multa spacia* in his sermons of 1418. The word *exercitus* would indicate the merging of the myth of the “Lady of the game” with that of the *exercitus furiosus* or “Wilde Jagd”, the crowd of those who had died prematurely. See: Ginzburg, *Storia notturna*, 77 - 79. On the whole topic see: Kors and Peters, *Witchcraft in Europe*, 29; Klaniczay, “The Process of Trance,” 212 - 213; Idem, “Shamanism and Witchcraft,” 214 - 221; Peters, “The Medieval Church and State on Superstition, Magic and Witchcraft,” 203 - 206; Montesano, *Supra acqua et supra ad vento*, 101 - 109; Russell, *Witchcraft in the Middle Ages*, 46 - 49; Gurevic, *Medieval Popular Culture*, 78 - 103; Bonomo, *Caccia alle streghe*, 15 - 37.

Dianae, and Busti's adherence to the *Canon* is here particularly evident, almost literal. Nevertheless, interesting additional elements are present. Busti speaks in fact of a *baculus unctus* or a "greased pole",⁶³ similar to the modern cliché of the broomstick, as another means of transportation in addition to the traditional *quaedam bestiae*. The reference to the greased stick is extraneous to the original phase of development of the *Canon* tradition and unquestionably merits more accurate consideration. One should note, however, that mention is also made of the *baculus* in the description of the *ludus* given by Bartolomeo Caimi in his *Interrogatorium seu Confessionale*, published for the first time in Milan in 1474. Furthermore, sticking more closely to his source, Gratian's *Decretum*, Caimi adds Herodiade to Diana while quoting the text of the *Canon*: *Si credit quasdam mulieres ad ludum cum Diana vel Herodiade et in multitudine mulierum nocturnis horis ire uel deferri super baculum unctum seu super quasdam bestias et multa terrarium spacia pertransire et huiusmodi*.⁶⁴

By eliminating Herodias, Busti apparently creates a synthesis and a simplification of the same text, basically integrating it with the tradition dating back to the original text of Regino. However, the presence of the *baculus* in Caimi's text clearly shows that it was part of a description of the myth diffused at least in some fringes of the Milanese Franciscan Observance, since Michele Carcano does not recall this element, mentioning solely the *quaedam bestiae*, although like Caimi he also mentions Herodias along with Diana.⁶⁵

Furthermore, it is interesting enough that the mention of the *baculus* and its description as *unctus* are both elements that Busti's and Caimi's descriptions share with some of the earliest texts dealing with witchcraft.⁶⁶ With regard to those who have been

⁶³ Bernardino da Siena, though inserting a *Iobiana vel Herodiade* in his version of the *canon*, mentioned no other means of transport for witches apart from the usual *quasdam bestias*: ... *quaedam crudelissimae mulieres et etiam quandoque viri, credentes et profitentes cum Diana seu Iobiana vel Herodiade et innumera multitudine mulierum equitare super quasdam bestias et multa terrarium spacia intempestae noctis silentio pertransire*...: Bernardino da Siena, *De Christiana religione, sermo X - De idolatriae cultu*, in *Opera Omnia*, (Florence, 1950 - 65), I, 117. Not thus Giacomo della Marca, who inserting a sexual-phobic colouring, spoke of women who *ut capiant virum in nocte vadunt scapigliate et nude, vel eque super lignum*: Giacomo della Marca, *sermo 68, Sermones Dominicales*, ed. Renato Lioi, II, 481. Cf. also: Michael Bailey, *Historical Dictionary of Witchcraft* (Lanham: The Scarecrow Press Inc., 2003), 23.

⁶⁴ Bartolomeo Caimi, *Interrogatorium seu Confessionale*, 37v. *Gesamtkatalog der Wiegendrucke* 6540-6550; *Indice generale degli incunaboli delle biblioteche d'Italia* 2718-2723.

⁶⁵ *Quedam scelerate mulieres... credunt... cum Diana horis nocturnis dea paganorum vel cum Herodiade et innumera multitudine mulierum equitare super quasdam bestias et multa terrarum spacia intempeste noctis silentio pertransire*: Michele Carcano, *Sermones Quadragesimales de Decem Preceptis* (Venice, 1492), 60v. *ISTC* No. ic00193000; *Gesamtkatalog der Wiegendrucke* 6133; *Indice generale degli incunaboli delle biblioteche d'Italia* 2522

⁶⁶ Also the famous Swiss lawyer Ulrich Molitor, in his *De Lamiis et Pythonicis Mulieribus* published in 1489, had been speaking of women who were believed *super baculum unctum vel super lupum seu aliud animal equitare*. Such an action - witches flying on a stick - was even represented for the first time in his printed book. See: Hansen, *Quellen*, 244 - 245; Cf.: Duni, *Under the Devil's Spell*, 165.

seduced by the devil, the *Errores Gazariorum* says: *dyabolus [suus] presidens dat sibi unam pixidem unguento plenam et baculum, cum quibus debet seductus ire ad synagogam, docetque eum quomodo et qualiter debet baculum inungere*,⁶⁷ and one of the earliest representations of women flying on a broom is that of a miniature in a manuscript of Martin Le Franc's *Les Champion des Dames*, whose explanation in the margin connects it to the "Vaudoises", in the moment of the merging of heretical and witchcraft-related stereotypes, roughly in the period between the second half of the 1430s and 1440-42.⁶⁸ At the same time, the description of the *baculus* as *unctus* would possibly hint at knowledge of the use of herbs,⁶⁹ but would also suggest the more worrying possibility of the use of fat, which according to the tradition could have been obtained from the boiled flesh of children. Giovanna Motossa, supposed *masca* or witch tried in 1495 at Rifreddo in an area not far from Turin and Milan, was accused of having ridden a small broomstick greased by the *mascae* with the fat of a boiled child.⁷⁰ Neither Busti nor Caimi linger over the nature of the ointment that they mention. Yet, the cultural and even geographical contiguity between what they say and cases like that of Rifreddo is significant.

Moreover, Busti recaps the very old belief according to which the women participating in the *ludus* were able to go into people's homes in order to kill children, even when the doors were locked. Nevertheless, the preacher immediately declare this belief false, labelling it the work of the devil: *Item si quis credat predictas mulieres intrare ostia clausa et interficere parvulos et quandoque a patribus vel matribus eorum vulnerari, hoc enim est falsum et erroneum sed demon hoc facit*.⁷¹ Notably, these descriptions are the same as those in Caimi's confession manual, thus indicating once more the line of derivation of the material and offering further confirmation that it passed through texts regarding

⁶⁷ *Errores gazariorum, seu illorum qui scopam vel baculum equitare probantur* (c. 4) ed. Kathrin Utz and Martine Ostorero, *L'imaginaire du sabbat*, 280.

⁶⁸ See: *L'imaginaire du sabbat*, 321; Kathrin Utz Tremp, "Witches Brooms and Magic Ointments. Twenty Years of Witchcraft Research at the University of Lausanne (1989-2009)", *Magic, Ritual, and Witchcraft* 2 (2010): 176; Tamar Herzig, "Flies, Heretics, and the Gendering of Witchcraft," *Magic, Ritual, and Witchcraft* 1 (2010): 61 - 62.

⁶⁹ As early as the seventh century, the *Pactus Alemannorum* presents a witch who wanders at night as an *herbaria*; and many fourteenth and fifteenth century trials recorded the charge of transmitting practical knowledge on how to produce potions of various types, as in the case of Gabrina degli Albeti, who was tried at Reggio Emilia in 1375 because *multas personas docuit et instruxit facere cum erbis*: the teaching and the instruction in the most dangerous practical know-how. See: Corsi, "*Mulieres religiosae e mulieres maleficae*," 36.

⁷⁰ *De pinguedine... fecerunt unguentum ex quo ungebant quoddam bastonetum super quo ipsa solum semel equitavit*; See.: Grado Giovanni Merlo, "Introduzione: Aliquando luna lucebat," in *Lucea talvolta la luna. I processi alle masche di Rifreddo e Gambasca del 1495*, ed. Rinaldo Comba and Angelo Nicolini (Cuneo: Società per gli studi storici, archeologici ed artistici della provincia di Cuneo, 2004), 64.

⁷¹ Busti, *Rosarium*, sermon 16, 129r.

confession and preaching without interruption.⁷² According to Busti's description, the actions performed by the *mulieres* have nothing to do with the traditional and innocuous "folkloric" elements originally characterizing the good women visiting people's houses at night. This tradition has been mixed by now with negative stereotypes and replaced with mention of different deeds, such as the murder of children, already noted in the cases of Sanctucia and Finicella.

The two elements of the transformation into another species and the murder of children recapped by Busti in his text and connected to the *ludus diane* were part of a precise "mythology of witchcraft" widespread in central Italy.⁷³ The basic elements of this mythology pivot in fact on the figure of the witch as "strega": generally a woman who went out at night, entered people's homes, and killed infants usually by sucking their blood. These elements, along with other features, such as the ability to transform into another species, the use of magic ointments, and flying at night, basically describe the Italian type of witch.⁷⁴ Michele Carcano clearly hints at this, pointing to the participation in the *ludus* and the ability to change shapes, while he synthetically describe those who *vulgariter dicuntur strege*.⁷⁵ As I mentioned earlier, this indicates the influence of the Latin literary tradition of the so-called *striges* or *lamiae*, which can basically be described in three different ways: as "screech-owls", as beings half-woman and half-screech-owls; and as "ordinary" women. In the last case the acts of dismembering dead bodies and devouring children are connected to the performance of necromantic practices.⁷⁶ Several cases seemed to confirm these stereotypes. Matteuccia of Todi, Filippa da Città della Pieve, tried at Perugia in 1455, and Mariana da San Sisto, tried at Perugia in 1456,⁷⁷ were all accused of transforming themselves into flies in order to go to the walnut tree of Benevento⁷⁸ and to enter homes to kill children by sucking their blood.⁷⁹ Busti does not specify the blood-related element when

⁷² *Si credit predictas mulieres sive lamias intrare hostia clausa et surgere seu interficere parvulos et quandque vulnerari a patribus eorum falsum est et erroneum sed demon hoc facit...* : Caimi, *Interrogatorium*, 37v.

⁷³ Kieckhefer, "Mythologies of Witchcraft," 88.

⁷⁴ Cf.: Montesano, "*Supra acqua et supra ad vento*," 105.

⁷⁵ ... *Quedam mulieres decipiuntur et illuduntur que asserunt se cum Diana vel herodiade nocturno tempore equitare et se in alias creaturas transformare: que ideo vulgariter dicuntur strege*. Carcano, *Sermones Quadragesimales de Decem Preceptis*, 60v.

⁷⁶ As in the case of the bloodthirsty and necrophiliac Thessalian magician Erichtho of whom Lucanus speaks in his *Pharsalia* VI, 508 ff; see: Montesano, "*Supra acqua et supra ad vento*," 105.

⁷⁷ For the transcriptions of the acts of the last two trials see: Nicolini, "La stregoneria a Perugia e in Umbria,"

⁷⁸ Thus Matteuccia, after invoking the devil, *in musipulam conuersa... ad dictam nocem... vadit*: Mammoli, *Processo alla strega*, 32. Flies had a long tradition as insects connected to diabolic obsession and heresy, especially by the Waldensians. See: Herzig, "Flies, Heretics, and the Gendering of Witchcraft," 68 - 72.

⁷⁹ *Ipsa Mactheutia, strega effecta ut supra in forma musipule una cum quadam sua sotia strega, accesserunt.. ad domum cuiusdam mulieris.. que habebat unum suum filium nondum sex mesium et ipsum sucauerunt prout*

mentioning the murder of the children. In all likelihood, it represented little more than a passing detail in his view, since he considered the whole story nothing more than a diabolic trick anyway.

Busti's take on such diabolic elements in an *exemplum* in which he recounts what happened to him in the city of Ivrea is rather striking. According to his account, a wicked old woman incited a young girl to go with her *ad ludum diana*, urging the girl to renounce her Christian faith in order to make the most of the pleasurable experience:

And the aforementioned things are confirmed through what happened in the territory of the city of Ivrea, where a certain girl was incited by a demonic wicked little old lady to go with her to the *ludus diane*, after she had confessed of having never had a similar experience. Thus, the old lady told her that in order to participate in that revelry and soothing experience she would have to renounce the Christian faith, baptism and all the sacraments of the church. And in the end she did all that. Thus, while she was in a certain field suddenly it seemed that she had been taken to a wonderful hall covered with silk and filled with a pleasant fragrance. And in that place there were wonderful young men dressed in golden and silver clothing dancing with women participating in the same *ludus*, and seemingly beautiful women rejoicing with the boys, immersed in sweet music. But when the young girl, who herself was indulging in the revels, saw the little old lady all decrepit, bent and twisted, dancing and even doing repugnant things with a young man, for that reason, completely astonished, the girl brought herself to shout, saying: "Oh Jesus", and suddenly the illusion vanished and she found herself in the same field and place where she had been at the beginning, as was told later by her confessor.⁸⁰

She was one of those *vetulae*, or "old-women", in whom the figure of the ancient *bonae res* or "fair ladies" who went innocently to the *ludus*, had become that of a "diabolic old woman",⁸¹ the consistent stereotype of the witch, engaging in a "game" that is basically an occasion for the renunciation of the Christian faith. The sudden disappearance of the

supra solite sunt facere. Mammoli, *Processo alla strega*, 32. On the whole issue see: Kieckhefer, "Mythologies of Witchcraft," 87 and following; Kieckhefer, "Avenging the Blood of Children," 95 - 97.

⁸⁰ *Et predicta confirmantur per illud quod accidit in territorio Hipporigiensi, ubi quedam iuvenis sepius incitata a quadam vetula diabolica, ut ad ludum Diane secum pergeret. Cum ei semel inter alia diceret quod numquam talia solatia viderat nec habuerat tandem consensit. Cumque illi vetula diceret, quod talibus spectaculis et consolationibus interesse non poterat nisi fidei christiane et baptismo atque omnibus sacramentis ecclesie renunciaret. Illa omnia fecit quibus peractis, cum esset in quodam agro, statim apparuit ei, quod esset ducta in quodam pulcherrimo atrio, sericis strato atque miris odoribus pleno. Ibique videbantur esse iuvenes pulcherrimi vestibibus aureis et argenteis induti corripientes cum feminis euntibus ad ipsum ludum et similiter femine pulcherrime tripudiantes cum viris audiri soni et cantus melliflui. Cum autem et ipsa iuvenis tripudicaret, vidit quandam vetulam decrepitam et curvam deformissimamque tripudiantem et post choream velle turpia agere cum uno iuvene, propter quod stupefacta illa iuvenis cepit clamare dicens: O Iesu et statim omnis illa illusio disparuit ipsaque in eodem agro et loco se reperit, ut postea confessori suo retulit.* Busti, *Rosarium*, sermon 16, 129r.-v.

⁸¹ There is an entire literary and pseudo-scientific tradition on the figure of the *vetula* which comes to determine how "la *vetula* est une nature (*complexio*) physiopathologique maligne;" see: Jole Agrimi and Chiara Crisciani, "Savoir médical et anthropologie religieuse: les représentations et les fonctions de la 'vetula' (XIIIe-XVe s.)," *Annales E.S.C.* 5 (1993): 1281-1308.

illusion, the “game” itself with all the dancing and jubilation, just after the girl shouts the name of Jesus⁸² is perhaps reminiscent of the interesting case of the *vetula dementata* in Johannes Nider’s *Formicarius*.⁸³ The theme of the *ludus* as *illusio* is here particularly striking, since all the witnesses confirmed that she remained motionless the entire time while she believed that she had been on a fantastic ride with Diana.⁸⁴

The real nature as *fantasmata* or illusions of the beliefs connected to the *ludus diane* is demonstrated by Busti through another *exemplum*. It is about the *Legenda sancti Germani*, part of James of Varagine’s *Legenda Aurea*,⁸⁵ in which St. Germanus, bishop of Auxerre - reported by Busti as Remigius - uncovers the diabolic nature of those who were believed to visit houses after having been to the *ludus*, eating and drinking what was left on purpose for them by the landlords.⁸⁶ In a house in which Germanus was spending the night, he discovered asleep in their own beds the supposed participants of the *ludus* appearing in that same house under the appearances of some neighbours.⁸⁷ The demonic nature of the trick was thus clear. The same *exemplum* was inserted by Giacomo della Marca in his sermon “On Witches” while writing of *sompniorum illusio*, “the illusion of dreams”,⁸⁸ and also in Nider’s *Formicarius* it appears among the accounts on dreams and visions. What can be described as the “reality of illusion” matches well with the diabolic aspect of the whole.

Bertolotti rather interestingly has linked this famous episode to another famous one of the life of St. Germanus concerning the resurrection of a calf, which had just been eaten,

⁸² Uttering the name of Jesus was banished from the gatherings of Sibilla and Pierina, since it could offend “Madonna Oriente.” Cf.: Henningsen, “The Ladies from Outside,” 203 - 204.

⁸³ Johannes Nider, *Formicarius*, II, 4, ed. Catherine Chène, *L’Imaginaire du sabbat*, 134 - 136.

⁸⁴ Cf.: Klaniczay, “The Process of Trance,” 213; Idem, “Learned Systems and Popular Narratives of Vision and Bewitchment,” in *Witchcraft Mythologies and Persecutions*, 62 ff; Bailey, *Battling Demons*, 113.

⁸⁵ In the *Legenda* there is an account of the propitiatory offerings prepared *bonis illis mulieribus que de nocte incedunt*. Iacopo da Varazze, *Legenda aurea* ed. Giovanni Paolo Maggioni (Florence: SISMELE, 2007), 775. See: Carlo Ginzburg, *I Benandanti. Ricerche sulla stregoneria e sui culti agrari tra Cinquecento e Seicento* (Turin: Einaudi, 1966), 43; Jean Claude Schmitt, *Les revenants. Les vivants et les morts dans la société médiévale* (Paris: Gallimard, 1994), 44 and 208. The same tale is reported in Nider’s *Formicarius*, II, 4, for which see: *L’Imaginaire du sabbat*, 136 - 138.

⁸⁶ “Unum accipe, centum reddere”... *tace et claude oculos; divites erimus, quia bone res sunt, et centuplicabunt bona nostra*, it is said in the amusing *exemplum* in which Stephen of Bourbon explains how a naive man left a group of people to plunder his own house to the dismay of his wife, believing that they were the “good women” who can add to one’s fortune. Stephen of Bourbon, *Anecdotes historiques, légendes et apologues tirés du recueil inédit d’Etienne de Bourbon, dominicain du XIII siècle*, ed. Antoine Lecoy de la Marche (Paris: Renouard, 1877) 324 - 325. Cf.: Montesano, “La circolazione di motivi stregonici,” 162.

⁸⁷ *Ad confirmationem quoque predictorum faciunt ea que leguntur de sacto Remigio, scilicet quod cum semel esset hospitatus in quodam ospitio vidit nocte parari mensas quamplures cum ferculis. Quapropter advocans patronum illius hospitii, interrogavit eum quibus prepararet cibaria in illa hora. Ipse autem respondit, quod preparabat his qui vadunt ad ludum, qui debebant venire talia hora noctis et ibi epulari. Cum autem venissent in magna multitudine, sanctus Remigius interrogavit predictum patronum hospitii, an illos viros et mulieres cognosceret quo respondente quod sic, sanctus Remigius misit statim ad domos eorum et inventi sunt omnes in lecto dormientes. Ipsis tamen tunc videbatur quod in dicto hospitio in simul essent et ibi epularentur.* Busti, *Rosarium*, sermon 16, 129v.

⁸⁸ Giacomo della Marca, *Sermones Dominicales, sermo 68 De Factuchiariis*, 478.

using the bones gathered on the hide. Both tales might indicate the similar “mythical idea”, referring to the need to appease a divinity visiting people in order to enjoy prosperity.⁸⁹ By retelling the story, Busti clearly confirms the liveliness at a popular level of the tradition concerning the good women walking about at night, whose positive actions needed to be rewarded; on the other hand, the tale is used to highlight the overall aspect of the mythology of the *ludus* as nothing else than a demonic delusion.

Overall, a significant issue emerges from the tangle of traditions concerning several different elements merging into the “modern” notion of witchcraft. While Busti does not express much skepticism when he deals with some of the oldest accusatorial stereotypes in connection with the invocators of demons, such as those referring to orgies, homicides, the murder of children, and demonic intervention, he adopts a different stance when dealing with the core elements of what we define as witchcraft, namely metamorphosis and the night flight. Therefore, it is necessary to consider the question of reality and its relationship to the essence of witchcraft itself.

⁸⁹ See: Bertolotti, “The Ox’s Bones,” 58.

3. The *Ludus Dianae* and the Issue of its Reality

Busti and Samuele Cassini's *Questiones Lamearum*

Busti's position in favour of the unreality of some of the elements related to witchcraft is thus particularly striking. In keeping with the traditional Franciscan Observants' opinion on the issue, he clearly anticipates the skeptical stance expressed by his fellow friar Samuele Cassini in the polemical tract *Quaestiones lamearum*, printed in Pavia in 1505.¹ As I have mentioned earlier, Busti's and Cassini's take on the problem of the reality of witchcraft rests on a revaluation of the picture proposed by the *Canon episcopi*, which had pointed to an unreal though demonically inspired *ludus dianae*. The relevant fact is that the revival of such a vision took place at a moment when, after 1450, the advocates of the opposing theory, who considered witches the representatives of a "modern" and real sect not at all related to the *Canon*, were gaining ground, especially among the Dominicans.² This mirrors the contemporary developments in the anti-magical reflection and jurisdiction, and therefore it bears witness to the crystallization of two different and opposed positions: one, insisting on the reality of witchcraft, exemplified by the Dominicans, and the other, according to which it was unreal, endorsed by the Franciscans. Busti's and Cassini's stance became part of this complex picture precisely at the moment when this opposition was gaining ground.

Pope Eugene IV (1431 - 1447) issued some of the "most explicit" papal condemnations of the whole century:³ in the second letter addressed to all inquisitors, the pope speaks of those *qui vulgari nomine stregule, vel stregones seu Waudenses nuncupantur*,⁴ who are committed to demons. In order to function, common sorcery needed an explicit link with the devil through the old idea of the pact, which dates back to the

¹ I have used the *cinquecentina* held in the Biblioteca universitaria of Pavia, for which see the transcription in the Appendix. The only recent contribution on this text and on the polemic between Cassini and Dodi is, to the best of my knowledge the article by Frédéric Max, "Les premières controverses sur la réalité du sabbat dans l'Italie du XVI siècle," *Le sabbat des sorciers en Europe (XV-XVIII siècles), Colloque international E.N.S. Fontenay Saint-Cloud (4-7 novembre 1992)*, ed. Nicole Jacques-Chaquin and Maxime Préaud (Grenoble: Jérôme Millon, 1993), 55 - 62. The author of this article, however, relies on Henry Charles Lea's *Materials toward a History of Witchcraft*, I, 366 - 367, and on the old transcription based on a different copy in Hansen, *Quellen*, 263 ff. On Cassini see: R. Ristori, "Cassini, Samuele," *Dizionario biografico degli italiani*, Vol. 21, 488.

² See: Matteo Duni, "Skepticism," in *Encyclopedia of Witchcraft*, 4, 1045.

³ Cf.: Russell, *Witchcraft in the Middle Ages*, 229.

⁴ Hansen, *Quellen*, 18.

legend of Theophil's pact.⁵ Eventually the image of an "organized conspiratorial cult headed by Satan himself" appeared as the centre in the shift from common sorcery to demonic magic.⁶ Nider's *Formicarius*⁷ represents a wide range of traditions and themes, both good and evil, pertaining to saints as well as heretics and witches, becoming one of the main sources for the *Malleus Maleficarum*.⁸ The fifth and last book of the *Formicarius* deals with "witches and their deceptions".⁹ It has been described as "the most extensive initial clerical accounts of full-fledged witchcraft",¹⁰ and altogether it shows how witchcraft emerged as a distinct and multifaceted concept mixing harmful sorcery (*maleficium*), diabolism, heretical stereotypes, and elements of folklore.¹¹ Nider allows for a certain amount of skepticism when describing elements that would have soon merged with the idea of the Sabbath, such as in the aforementioned episodes of St. Germanus and the fake *bonae res* or in the case of the *vetula dementata*.¹² Still, Nider's first hand information on the evil deeds performed by the *malefici*, obtained by reliable characters such as a judge of the Simme valley in the Bernese Oberland, a monk from Vienna, who had previously been active in learned magic and necromancy, and an inquisitor from Autun,¹³ appear in the fifth book of his *Formicarius* as very real. The image of the Sabbath thus also offers details terrifyingly plausible, such as the murder and cannibalization of children, the preparation of potions and ointments with their boiled flesh, and the idea of a real sect of evil people worshiping the devil, practicing

⁵ See: Martine Ostorero, "The Concept of the Witches's Sabbath in the Alpine Region (1430-1440): Text and Context," in *Witchcraft Mythologies and Persecutions: Demons, Spirits, Witches 3*, ed. by Gábor Klaniczay and Éva Pócs (Budapest: CEU Press, 2008), 18. It is about the 9th century's case told by Paul the Deacon concerning Theophilus of Adana, who made a pact with the devil - by means of a Jew - in order to be restored in an high rank position within a Christian bishopric he had previously held. See: Valerie Flint, *The Rise of Magic in Early Medieval Europe* (Princeton: Princeton University Press, 1991), 344 - 347.

⁶ See: Bailey, "From Sorcery to Witchcraft," 977; Bailey, *Battling Demons*, 37 - 38.

⁷ There is no complete modern edition of this text, however a partial one can be found in Catherine Chène, "Jean Nider. Formicarius," in *L'imaginaire du sabbat*, 122 - 203. Cf.: Gábor Klaniczay, "The Process of Trance: Heavenly and Diabolic Apparitions in Johannes Nider's *Formicarius*," in *Procession, Performance, Liturgy, and Ritual*, ed. Nancy Van Deusen (Ottawa: Claremont Cultural Studies, 2007), 203, note No. 1; Bailey, "From Sorcery to Witchcraft," 978 note no. 89.

⁸ See: Klaniczay, "The Process of Trance," 204.

⁹ Hansen, *Quellen*, 97.

¹⁰ Kors and Peters, *Witchcraft in Europe, 400 - 1700*, 155.

¹¹ Cf.: Bailey, *Battling Demons*, 32.

¹² Cf.: *L'Imaginaire du sabbat*, 136 - 138 and 134 - 136.

¹³ ... domino Petro videlicet civi Bernensis in Lausanensi diocese, qui multos utriusque sexus incineravit maleficos et alios fugavit e territorio domini Bernensium. Contuli in super eciam cum domino Benedicto, monacho sancti Benedicti ordinis, qui licet modo sit religiosus multum in Vienna in reformato monasteri, tamen ante decennium adhuc in seculo degens, fuit negromanticus, ioculator nimius et truphator, apud seculares nobiles insignis et expertus. Audivi similiter quedam de sequentibus ab inquisitor Eudensi, qui nostril ordinis fuit in convent Ludunensi devotus reformato, et in Eudensi dyocesi multos de maleficiis reos inquisierat: Chène, "Jean Nider. Formicarius," V, 3, in *L'imaginaire du sabbat*, 150. To the Benedictine monk Nider makes say: Hic in seculo existens, famosissimus fuit nigromanticus. Nam libros demonum de nigromancia habuit et secundum eosdem satis miserabiliter et dissolute vixit plurimo tempore: Chène, "Jean Nider. Formicarius," V, 4, *L'imaginaire du sabbat*, 166.

apostasy and committed to all sorts of evil deeds.¹⁴ This would pass directly to the *Malleus* several decades later along with other aspects of the Sabbath once deemed imaginary.

Related to this point is what Bailey, mainly in opposition to Ginzburg's well-known thesis, refers to as the problem of "causation" of the witches' Sabbath, with the presence of night flight as one of its intrinsic and constitutive elements.¹⁵ In particular, according to Bailey, the fact that the mention of the night flight was inserted by Nider in the chapter of his *Formicarius* which deals with dreams and visions, rather than in the other dealing with witchcraft would prove the non-centrality of this element in the earlier development of the Sabbath.¹⁶ However, Bailey himself highlights in the same article how, while Nider suggests that the night flight is not of crucial significance as well as Tholosan who similarly suggests that it is mere myth, other contemporary texts adopt a rather different point of view. Both Fründ's *Rapport* and the *Errores Gazariorum* suggest, in fact, that night flight was real, linking it moreover to the witches' gatherings. In addition, if one looks at the first well-documented trials held in approximately the same period in Italy, night flight was not considered an "ancillary" element, but rather a constitutive part of the set of probationary elements of which the supposed witches were charged. Thus, in 1428, Matteuccia of Todi was accused of having flown to the walnut tree of Benevento, after having greased herself and transformed herself into a fly, riding a he-goat at the speed of lightning.¹⁷ Even the iconography suggests a rather early inclusion of night flight as a typical feature of a witch. Thus, witches flying on a broomstick were represented in the margins of a manuscript of Martin Le Franc's *Le Champion des Dames*, ca. 1451; while similar representations of women riding brooms or animals can be found on the walls of certain Danish churches, which can be dated to the first half of the fifteenth century and are perhaps related to a similar tendency in perceiving witches present in a letter addressed by Pope Gregory VII to the Danish king Harald in 1080.¹⁸ Thus, the presence in diverse contemporary accounts of folkloric elements, such as flight but also metamorphosis into animals - be they wolves, as in the trials of the Valais between 1428 and 1429,¹⁹ or flies, as in the case of Matteuccia, or

¹⁴ Nider, *Formicarius*, V, 3. See: Bailey, "From Sorcery to Witchcraft," 979 ff; Bailey, *Battling Demons*, 42 ff.

¹⁵ Michael Bailey, "The Medieval Concept of the Witches' Sabbath," *Exemplaria* 8 (1996): 425.

¹⁶ Bailey, "The Medieval Concept of the Witches' Sabbath," 434 - 439.

¹⁷ ... *Ac etiam pluries accessit una cum alijs streghis ad nocem Beniuenti et ad alias nocēs ungendo se cum quodam unguento... et immediate coram ipsa apparet quidam demon in formam jrci et ipsa in musipulam conuersa, super jrcho equitando ad dictam nocem... vadit ut fulgor: Mammoli, Processo alla strega, 30 - 32.*

¹⁸ See: Behringer, "How Waldensians Became Witches," 162.

¹⁹ Cf.: Ostorero, "The Concept of the Witches's Sabbath," 26.

cats as mentioned by Bernardino da Siena - would point to the same conclusion.²⁰ On the whole, whatever viewed as real or unreal, the presence of folkloric elements in the early stages of the development of the Sabbath cannot be denied. Within a few decades the possible different approaches through which to look at the night flight would come together to form two main tendencies: one revolving around the skeptical point of view already attested to by Nider and Tholosan, and the other pointing to the phenomenon as real. The fact that the debate concerning the possibility of being carried to the *ludus* became so pivotal in the debate shows the centrality of the element itself for the construction of a coherent picture of the *ludus* and of the Sabbath on the whole, basically revolving around two possible readings (although one was rather a non-reading) of the ancient *Canon episcopi*.

Merely ten years after the *Formicarius*, Pope Nicholas V (1447 - 1455) held that sorcery could be prosecuted even in cases of dubious connection with heresy.²¹ The way for it to become something detached from the previous experiences and thus something new was open. The idea was to create a new or “modern” phenomenon that could be used in order to justify the refusal of the old, stereotypical vision proposed by the *Canon*. The Dominican Jean Vineti (d. ca. 1470) in his *Tractatus contra demonum invocatores*, published ca. 1450, pointed out how the *Canon episcopi* had not dealt with the “modern heretics” who summon demons, worship them, and sacrifice their new-born babies to them.²² The novelty of these characters matched his conviction that demons were real and thus able literally to carry bodies, even over long distances, “unless prohibited by divine will”: *Angelus sive bonus sive malus, nisi divinitus prohibeatur, sua naturali virtute potest hominem corporaliter de loco ad locum etiam plurimum distante baiulare*.²³ Affirming the possibility of being carried by demonic means was of basic importance in order to establish the reality of the Sabbath. A decade later, around 1460, another Dominican, Girolamo Visconti (d. ca. 1478)²⁴ asked himself, in his *Lamiarum sive striarum opusculum*, whether the *ludus* was truly possible or not. His answer was affirmative. Like his confrere Vineti, Visconti maintained that demons were really able to carry people to the *ludus*: *Talis ludus*

²⁰ Cf.: Carlo Ginzburg and Elsa Bonan, “Présomptions sur le sabbat,” *Annales. Histoire, Sciences Sociales* 2 (1984): 349.

²¹ See: Russell, *Witchcraft in the Middle Ages*, 229.

²² *Quod dictum capituli Episcopi non loquitur de moderni hereticis, qui in vigilia demones invocant, ipsos adorant, ab eis responsa prestolantur et acceptant, ipsis tributum solvent et, quod beluarum excedit ferocitatem, interdum proprios natos et frequenter infantes alienos demonibus immolant...*: Hansen, *Quellen*, 125. Cf.: Martine Ostorero, “Vinet, Jean,” in *Encyclopedia of Witchcraft*, 4, 1169 - 1170.

²³ Hansen, *Quellen*, 125.

²⁴ See: Martine Ostorero, “Visconti, Girolamo,” in *Encyclopedia of Witchcraft*, 4, 1171 - 1172.

*nullo modo est impossibilis, nam demones possunt deferre homines de loco ad locum.*²⁵ Furthermore, in his *Opusculum de striis*, published in 1460, Visconti cast the figure of the *Domina ludi* in a more unambiguously demonic light.²⁶ When Visconti's two texts were finally published together as a single volume in 1490, the image of the Sabbath as real, the connotation of its participants as "modern" and therefore different from those described in the *Canon*, and the demonic representation of the feminine deity leading the *ludus*, whose background was far more complex, were finally tied together in a single plot.

It is important to point out how precisely in the same period a last, definitive step in the construction of such a net of terror was taken, still under the auspices of Dominicans. In 1484, Pope Innocent VIII issued his bull *Summis desiderantes affectibus*,²⁷ which is considered the theological-canonical arrival point on the issue of witchcraft and at the same time the starting point of an approach that, combining the fears of Pope John XXII and the indications of pope Eugene IV, would eventually lead to the great witch-hunting processes based largely on the assumptions of the *Malleus Maleficarum*.²⁸ The bull was inserted, in fact, as a preamble to the *Malleus* itself, thus concluding an entire tradition of papal endorsement of the actions of inquisitors and judges concerning heretics and disbelief and transforming - as it was said²⁹ - imagination into matter of fact. The *Malleus Maleficarum*, the most infamous witch-hunting manual, was published by Heinrich Kramer only two years after Pope Innocent's bull. In the same year, 1484, Kramer himself, along with his confrere Jacob Sprenger, had addressed a *supplicatio* to Innocent soliciting approval and support for their inquisitorial actions.³⁰ This shows how themes, stereotypes and charges concerning sorcery and witchcraft, were brought to the highest ecclesiastical hierarchies directly by the inquisitors operating in the field. Thus, *Summis desiderantes* - following the indications provided by the inquisitors in the *supplicatio* - lists a long series of misdeeds and *maleficia* characterizing the behaviour of those *quamplures utriusque sexus persone, a fide catholica*

²⁵ Hansen, *Quellen*, 202.

²⁶ Cf.: Ostorero, "Visconti, Girolamo," in *Encyclopedia of Witchcraft*, 4, 1171.

²⁷ Innocent VIII, *Summis desiderantes affectibus*, in *Bullarum diplomatum et privilegiorum sanctorum romanorum pontificum taurinensis editio* (Turin, 1860), V, I, 296 - 298.

²⁸ See: *The Malleus Maleficarum* ed. P. G. Maxwell-Stuart (Manchester: Manchester University Press, 2007).

²⁹ Merlo, "Aliquando luna lucebat," 39.

³⁰ *Famosam bullam contra maleficas seu strigas Germaniae, diei 5 dec. 1484, papa concessit post supplicationem inquisitorum illius regionis, qui omnia ad litteram suggererant et facultates inquirendi petierant; Reg.Supplic. 842, f. 223 rv, sub die "quarto nonas decembris, anno primo" (2 dec. 1484): "fiat ut petitur (Ioannes Baptista Cybo)": Bullarium Franciscanum Innocent VIII ed. Cesare Cenci O.F.M., Vol. 4, 1 (Grottaferrata: Quaracchi, 1989), 12, note No. 39; Walter Senner, "How Henricus Institoris Became Inquisitor for Germany: the Origin of *Summis desiderantis affectibus*," in *Praedicatores, Inquisitores*, 395 - 406. Giovanni Battista Cibo was the name of Innocent VIII before becoming pope.*

deviantes:³¹ from the use of incantations, chants, and conjurations, to superstitions and acts of sorcery in order to cause harm of various nature to people, crops and livestock, and the out-and-out renunciation of the Catholic faith.³² The two main features are, on the one hand, the belief in the existence of groups of *malefici* and *maleficae*³³ practicing some form of *maleficium*, according to the belief in the possibility of “communication” between the material and non-material worlds, on the other, the firm belief in the reality of their outcomes, which could be questioned only on pain of being declared a heretic.³⁴

Thus, essentially, the vision of witch-beliefs as real was gaining ground in the last quarter of the fifteenth century. Nonetheless, as Duni reminds us, the skeptical point of view had never been completely eliminated.³⁵ One finds the first treatise articulating a systematic critiques against the belief in witchcraft in Giovanni Francesco Ponzinibio’s *Tractatus subtilis, et elegans, de lamijs, et excellentia utriusque iuris*, published around 1519-1520, and a complete defence of witches in Johann Wier’s *De prestigiis daemonum et incantationibus* (1563),³⁶ though some authors had raised skeptical voices before. This happened basically when some intellectuals started to re-assert their adherence to the *Canon episcopi* in order to interpret the allegedly “modern” phenomena, therefore pointing to the plausibility of seeing Diana’s ride as a mere illusion, though inspired by the devil. The first to allay doubts concerning the reality of the deeds confessed by witches were the Augustinian friar Guglielmo Becchi and the jurist Ambrogio Vignati in the 1460s, the same decade that witnessed an outburst of treatises attesting to the reality of the phenomenon; in

³¹ Senner, “How Henricus Institoris Became Inquisitor,” 404.

³² ..*Quamplures utriusque sexus personae, propriae salutis immemores et a fide catholica deviantes, eum demonibus incubis et succubis abuti ac suis incantationibus, carminibus et coniurationibus aliisque nefandis superstitiis et sortilegiis, excessibus, criminibus et delictis mulierum partus, animalium foetus, terrae fruges, vinearum uvas et arborum fructus necnon homines, mulieres, iumenta, pecora, pecudes et alia diversorum generum animalia, vineas quoque, pomeria prata, pascua, blada, frumenta et alia terrae legumina perire, suffocari et extingui facere et procurare, ipsosque homines, mulieres, iumenta, pecora, pecudes et animalia diris tam intrinsecis quam extrinsecis doloribus et tormentis afficere et excruciare, ac eosdem homines ne gignere, et mulieres ne concepire, virosque ne uxoribus, et mulieres ne viris actus coniugales reddere valeant, impedire*: Innocent VIII, *Summis desiderantes affectibus*, 1, 297.

³³ Both the masculine and the feminine are used in the text, although undoubtedly the use of the female form is prevalent and, within it, “the construction of witchcraft as an inherently female crime in the *Malleus*”, through passages such as, for instance, that in Part 1, *Questio* 6. Cf.: Tamar Herzig, “Malleus maleficarum, review,” *Magic, Ritual, and Witchcraft* 1 (2010): 135 - 138.

³⁴ “Whether claiming that sorcerers exist is such a Catholic proposition that to defend the opposite view steadfastly is altogether heretical,” see: Christopher S. Mackay, *The Hammer of Witches* (Cambridge: Cambridge University Press, 2006), I, 7a, Q. 1, 91.

³⁵ Duni, “Skepticism,” *Encyclopedia of Witchcraft*, 4, 1044 - 1049.

³⁶ See: Michaela Valente, “La critica alla caccia alle streghe da Johann Wier a Balthasar Bekker,” in “Non lasciar vivere la malefica,” 68 - 69; Duni, *Under the Devil’s Spell*, 20 - 22.

1489 Ulrich Molitor condemned both the Sabbath and the animal metamorphoses as impossible in his *De Lamiis et Pythonicis Mulieribus*.³⁷

Among the early skeptics, a peculiar place is due to the Observant Franciscan preachers in general, and among them, to Busti and some of his confreres of St. Angelo in Milan. Their skeptical stance is even more meaningful if one considers that it emerged in a period that saw multiplication of stakes and pyres all over Europe and the great success of the tradition related to Kramer's *Malleus Maleficarum*. What is more, in the same Milanese geographical area the tradition of the *Malleus* was gaining ground among the inquisitors and the would-be inquisitors of the powerful Dominican Congregation of Lombardy, which was expanding in direct connection with the *studium generale* of San Domenico in Bologna.³⁸ The unceasing activity of inquisitors such as Domenico Pirri, Niccolò dal Finale, and Giovanni Cagnazzo indicates the extent to which the Northern Italian Dominican circle was determined to spread ideas concerning the reality of the deeds of witches, seen by then as heretical and real, in relation to the idea that the participants in the *ludus* were part of a new sect not at all connected to what had been described earlier in the *Canon*.³⁹ Moreover, it has been pointed out how the ideas could have crossed the Alps through the connections of the friars belonging to the Observant Dominican Congregation of Lombardy with Kramer himself. The author of the *Malleus* would have played a central role, therefore, in transmitting to the Northern-Italian inquisitors the peculiar elements of the Northern European mythology describing witches as the members of a "new" diabolical sect devoted mainly to the perversion of orthodox Christianity. The letter written in 1508 by Domenico Pirri to the marquis of Mantua, Francesco Gonzaga, indicating the necessity of exterminating the sect, constituted the first Italian vernacular text to describe beliefs concerning witchcraft according to the northern European parameters.⁴⁰

In addition, the *Libellus adversus magos, divinatores, maleficos*, published in 1506⁴¹ by Isidoro Isolani (d. ca. 1528),⁴² a Dominican active in Milan and belonging himself to the Lombard Congregation, explains the points mentioned above. In the same year in which

³⁷ Duni, "Skepticism," in *Encyclopedia of Witchcraft*, 4, 1045; Duni, *Under the Devil's Spell*, 20 - 22.

³⁸ See: Michael Tavuzzi, *Prierias. The Life and Works of Silvestro Mazzolini da Prierio, 1456 - 1527* (Durham and London: Duke University Press, 1997), 34 ff.

³⁹ Cf.: Tamar Herzig, "Bridging North and South: Inquisitorial Networks and Witchcraft Theory on the Eve of the Reformation," *Journal of Early Modern History* 12 (2008): 375 - 377; Tavuzzi, *Prierias*, 35.

⁴⁰ Herzig, "Bridging North and South," 364 ff; 370 - 371; 373 - 375; See also: Herzig, "Heinrich Kramer," 184 - 194; Michael Tavuzzi, *Renaissance Inquisitors: Dominican Inquisitors and Inquisitorial Districts in Northern Italy, 1474 - 1527* (Leiden: Brill, 2007), 153.

⁴¹ See the brief description in: Luigi Balsamo, *Giovann'Angelo Scinzenzeler tipografo in Milano (1500 - 1526)*, *Biblioteca Bibliografica Italiana* (Florence: Sansoni Antiquariato, 1959), 91.

⁴² See: Tamar Herzig, "Isolani, Isidoro," in *Enciclopedia of Witchcraft*, 2, 573 - 574.

Dodi wrote his reply to Cassini condemning the Franciscan friar as a “defensore de le strie”, Isolani condemned all the misdeeds generally attributed to witches as real and possible, in what has been described as one of the first Italian texts dealing with witchcraft within the context of an anti-magic polemic.⁴³ Witches’ deeds seen as a perversion of Christian orthodoxy as well as the reality of their gatherings are evident in the third part of Isolani’s *Libellus*, in which he explains how *strige*, *lamiae* and *strigones* celebrate them. According to Isolani, they renounce the Christian faith, trample on the cross, and while bringing the holy Eucharist abuse it with their fingers; the little old women join the devil, who abuses them out of his power, and when they are brought before the judge, they confess amazing things. They generally gather in the forests, where they are either brought by the devil or enabled by him to go on their own feet. There they sing and dance, copulate with demons and men without making any distinction, and worship a queen seated on a high throne.⁴⁴ Isolani explains, furthermore, why the *mulierculae* generally make more use of the powers of demons: *quod ad lasciuiam sint procliuiiores ac facilius illudantur pro imbecilli faemineo sexu*.⁴⁵ The weakness of their sex makes them more prone to debauchery. Thus, from the second half of the fifteenth century on, one ascertains the existence of a line that links moments of a progressively clearer development leading to a vision of witchcraft emerging as dominant in the period to come.

Within this context, the choice made by Busti and his companions appears particularly noteworthy. They were, in fact, mostly preachers, not inquisitors, who were working in northern Italy in approximately the same period that witnessed the emergence of the reflections of Vineti and Visconti in the ’60s, the developments of the Dominican Lombard Congregation into essentially an inquisitorial network, the influence of Kramer on his northern Italian confreres, and the promulgation of the famous bull by Innocent VIII, provoked by the same Dominicans.

Of the two terms characterizing two successive stages in the inquisitor’s understanding of the *ludus*: *credidisti* (you believed) representing the game as a demonic illusion in line with the *Canon episcopi*, and *fecisti* or *fuisti* (you did or you went), Busti and

⁴³ Herzig, “Isolani, Isidoro,” 574.

⁴⁴ *Christum ac sanctum abnegant baptisma, crucem pedibus calcant, sanctissimae eucharistiae latentes digitis inferunt calumnias. Nubunt mulierculae diabolo quibus pro suo abutitur imperio. Hi ante ecclesiasticum iudicem constitutae mira fatentur. Loca adeunt silvestria, tum ab demone latae, tum pedibus eo concessae. Ibi choreas magno plausu, uiri demonesque passim feminis mixti deducunt.. ac quampiam alto residentem throno ueluti reginam adorant*: Isidoro Isolani, *Libellus adversus magos, divinatores, maleficos* (Milan: Johann-Angel Scinzenzeler, 1506), 73v. - 74r. I used the copy held in the Biblioteca Universitaria of Pavia.

⁴⁵ Isolani, *Libellus*, 78v.

his confreres opted for the former.⁴⁶ Busti's skeptical stance concerning the reality of the *ludus*-related mythologies is clear. What is more, it can be traced through several other texts compiled by preachers and confessors of St. Angelo. All the preachers rely on the *Canon episcopi* - through the reception of Gratian's *Decretum* - while in the same period there were so many attempts on the part of the Dominicans to skip it and consider beliefs concerning witchcraft a completely new phenomenon.

Thus, while mentioning the flight to the *ludus* in his manual for confessors twenty years earlier than Busti, Caimi clearly states that *hec omnia erronea sunt et omnino falsa et talia fantasmata a maligno spiritu mentibus infidelium irrogantur*; while similarly, when reporting the *ludus*-related belief concerning the supposed ability of the *mulieres* to go into people's houses through locked doors in order to commit nefarious deeds, he maintains that: *falsum est et erroneum sed demon hoc facit*.⁴⁷ Also, on point number 14 of the entry *superstitio*, in his huge *Summa* published for the first time in 1486, Angelo Carletti of Chivasso explains how those who believe in the "nightly rides" and who accept the idea that someone could actually turn into another species commit a mortal sin and are actually worse than the infidels; although, they might be excused for believing this "out of ignorance and before knowing the truth".⁴⁸ Carcano himself maintains and passes on the same belief. He speaks of the *ludus*, in fact, while dealing with *de observatione illusionum*. As in the earliest tradition of the *Canon*, he speaks of *mulieres* who are *demonum illusionibus seducte*, and who *credunt* - believe - to have flown during the night along with Diana or Herodias, while in truth they have not. Writing on this, Carcano urges the priests responsible for the *cura animarum* in their own churches to preach to the faithful with steadfastness, so that they understand that such beliefs are false and actually the work of the devil.⁴⁹

This line of thought, specifically represented in the preaching and confessional texts produced in St. Angelo of Milan, is synthetically recapitulated in Busti's sermon 16 of the *Rosarium Sermonum*. Furthermore, it seems that a much stricter connection and thus,

⁴⁶ Paradigmatic in that sense was the shift from the first stance to the second during the trial of Sibilla and Pierina, between 1384 and 1390. See: Muraro, *La signora del gioco*, 199 - 200; Corsi, "*Mulieres religiosae e mulieres maleficae*," 19; Ginzburg, *Storia notturna*, 69 - 70.

⁴⁷ Caimi, *Interrogatorium*, 37v.

⁴⁸ *Utrum credentes secum alijs nocturnis horis aequare, et ubicumque voluerint subito posse transire, aut in aliam speciem creaturam mutari peccent mortaliter. Ratio quod sic postquam super talibus audierunt veritatem et sunt infideli deteriores. 26.q.5 episcopi. Secus si ex simplicitate ante informationem de veritate:* Angelo da Chivasso, *Summa Angelica*, 485r. I used the edition printed in Venice in 1492 by Giorgio Arrivabene: *ISTC No. ia00723000*; *Gesamtkatalog der Wiegendrucke* 1934; *Indice generale degli incunaboli delle biblioteche d'Italia* 566.

⁴⁹ *Quapropter sacerdotes per ecclesias sibi commissas populo dei omnia instantia predicare debent ut nouerint hec omnia falsa esse et non a diuino sed a maligno spiritu talia fantasmata irrogari:* Carcano, *sermo* 21 in *Sermones Quadragesimales de Decem Preceptis*, 60v.

possibly, a source of transmission and mutual contamination existed specifically between Bernardino Busti and Samuele Cassini. We must not forget, in fact, that it was Cassini himself who encouraged Busti to compose his *Rosarium Sermonum*, addressing to him an *epistola exhortatoria* in the form of a poem in meter. This suggests that they were acquainted with one another and may have held each other in mutual esteem. Thus, the skeptical analysis of beliefs concerning witchcraft approached by Cassini in his *Questiones lamearum* views Busti's *Rosarium* as the natural source or vehicle of transmission for a peculiar reading of the *Canon episcopi* that was part of the common heritage of Observant Franciscans anyway, as the texts elaborated in St. Angelo show. Cassini's *Questiones lamearum*, however, offers a thorough treatment of the problem of the reality of beliefs concerning the deeds of witches through an analysis of the *ludus Diane*. It is basically the first Italian tract specifically questioning the reality of the *ludus* in light of the skeptical stance we have been highlighting.

Cassini's basic aim was to show how supporting the thesis of the reality of the *ludus* would lead to an impossible conclusion. This is intrinsically linked to the reconsideration of an issue already debated by the Dominicans more than forty years earlier: the ability of the devil to move people from one place to another in order to help them commit harmful deeds.⁵⁰ Since being moved to the *ludus* would require violation of the rules of nature and would imply that a body had been moved in a manner to which it was not disposed by its own nature, this would constitute a miraculous act, which as such could only be caused by God.⁵¹ Connected to this point is the initial part of the tract, in which Cassini, using all the means provided by Aristotelian-Thomistic rationalism, explains how God could not allow bodies to be moved *de potentia ordinata*, or in other words through the system of nature and grace that he himself has created, in such a manner that this would not immediately have dire consequences; while *de potentia absoluta*, or according to his faculty to operate even breaking his own rules, God could allow acts otherwise prohibited, except for those through which he would basically contradict himself.⁵²

⁵⁰ *Utrum diabolus possit deferre homines de loco ad locum causa alicuius maleficii perpetrandi*: Cassini, *Questiones lamearum*, f. 3.

⁵¹ *Deferre corpus non facilitatum sive non naturaliter dispositum ad deferri per aliqua terrarum spacia a spiritu, est actus miraculosus... cum miraculum possit a solo Deo causari...*: Cassini, *Questiones lamearum*, f. 3.

⁵² *Corpus... non posset Deus immediate movere de potentia ordinata, ne videretur esse immediata causa malorum culpe; de potentia vero absoluta posset, quia posset ratificare illos actus alias divina lege prohibitos preterquam actum odii divini, ne videretur Deus negare seipsum*: Cassini, *Questiones lamearum*, f. 1v. Cf.: Mariateresa Fumagalli Beonio Brocchieri, *Potentia absoluta - potentia ordinata: une longue histoire au moyen-âge*, in *Potentia Dei. L'onnipotenza divina nel pensiero dei secoli XVI e XVII*, ed. Guido Canziani, Miguel A. Granda, Yves Charles Zarka (Milan: Franco Angeli, 2000), 13 - 23.

Therefore, assuming that it were possible for bodies to be carried to the *ludus* and thus asserting the reality of the *ludus* itself, would mean assuming that God performs miracles in order to favour sin, which would be impossible,⁵³ or to put it more accurately, from what we understand from Cassini's reasoning, it would be possible *de potentia absoluta*, but it would contradict God himself, thus being *de facto* impossible. Thus, the logical outcome of the whole argument is that it is impossible for the devil to carry persons to the "game", since human bodies are neither naturally nor unnaturally disposed to this,⁵⁴ and it would ultimately result, again, from the fact that God would never authorize such a miraculous act to happen. The primary conclusion, Cassini points out, is that to believe in the possibility of *equitare et pertransire aliqua terrarum spacia* constitutes heresy.⁵⁵

The preacher summarizes his conclusions in four points of powerful effect, making his final lunge at the inquisitors themselves:

On the basis of this (the aforementioned) I conclude first of all that the inquisitors relying on those who accuse witches, claiming to have seen them in the "game", sin very seriously, since that is very much false and it is impossible that the accused could have been seen in such a "game". Secondly, I conclude that the inquisitors who believe this are themselves heretics, if they believe so impertinently, as it is said, that men could be taken to such a "game". Third, I conclude that the accusers and the inquisitors are required to return (to the accused) their reputation and the goods seized. Fourth, I conclude that, since such a charge cannot be proven in any way, no one should be considered an accomplice...⁵⁶

Thus, decades of notations and hints in the preaching and confessional texts of the Observant Franciscans suggesting that the allegations concerning *mulierculae*, *mulieres*, *strigae* or *lamiae* who believed to go with the nightly goddess were based on illusions and delusions, finally were made systematic within the framework of a coherent theological-philosophical reasoning, which read the *ludus* and the consistent stereotype of the Sabbath through the skeptical interpretation of the *Canon*. Cassini's text might rightly be considered the systematization of an issue that until his time had been dealt with by the other Observant

⁵³ *Cum miraculum possit a solo Deo causari, videtur Deus favere peccato et velle peccatum, quod est impossibile*: Cassini, *Questiones lamearum*, f. 3

⁵⁴ *Impossibile est diabolum ferre homines ad ludum, cum non sint naturaliter neque supernaturaliter ad hoc dispositi*: Cassini, *Questiones lamearum*, f. 8.

⁵⁵ Cassini, *Questiones lamearum*, f. 9.

⁵⁶ *Ex hoc infero primo quod inquisitores, facientes capi eos, qui accusantur ab istis lamiis, eo quod viderint illos in ludo, peccant gravissime, cum sit falsissimum et impossibile, quod viderint eosdem sic accusatos in tali ludo. Infero secundo, quod inquisitores sic credentes sunt heretici, si modo proterviter crediderint homines, ut prefertur, ad ludum huiusmodi deferri posse. Infero tertio, quod accusantes et inquisitores tenentur ad restitutionem fame accusatorum et restitutionem bonorum ablatorum. Infero quarto, quod accusatione huiusmodi improbanda nullus potest dici fautor hereticorum...*: Cassini, *Questiones lamearum*, f. 9.

Franciscans while speaking of “superstitions” aiming at a context of *cura animarum*, rather than in texts of and for inquisitors, as generally happened. The rapid developments of the last decades, however, led one of the friars who was particularly versed in philosophy to argue increasingly on the topic of witchcraft for itself, in order to contrast a vision pointing progressively to the novelty of the phenomenon and its constituting a looming menace, no longer linked to the old *Canon* and to the more or less serious context of traditional “superstitions”. I would therefore emphasize the contribution of the preachers of St. Angelo of Milan to the polemics on the reality of witchcraft.

Also, from this point of view we are dealing with figures who were not minor, but, especially in the case of Busti - whose very much appreciated *Rosarium* spread well beyond the Council of Trent - preachers active at the center of the formation of one of the streams of Italian theories of witchcraft. After all, as I have already noted, the central role played by the *Rosarium* as a recommended reading for friars until very late, testify to the extent of its reception. In a list of 1611, containing all the books the retention of which was deemed mandatory from the new library of a friary restored by Ranuccio I Farnese near Parma, the *Rosarium* appears among only a few other titles of Observant Franciscan texts - first of all Bernardino da Siena - belonging to the period before the Council of Trent. The *Rosarium* was still indicated in a list of texts compiled in 1640. Both those lists were meant to provide the friars with the titles deemed essential to their preparation as preachers, and would probably mirror schemes applied in other Observant Franciscan libraries belonging to the period after the Council of Trent.⁵⁷ This indicates the strong importance and influence attributed to Busti’s compilation of sermons. Due to the connection with Cassini, which has already been highlighted, one can reasonably suppose that Busti played an important role as a catalyst of a part of the Observant Franciscan tradition concerning “superstition” and, as we have seen, of beliefs concerning witchcraft. The skeptical stance that he inherited from the tradition of his own Order at St. Angelo found a place in a coherent picture framed among the offences against the First Commandment. I would highlight the possible role of such a tradition and, ultimately, of Busti’s handbook for preachers, in the elaboration of Cassini’s polemical tract on the reality of the *ludus Dianae*. A further detail highlighting this would be that Cassini, like Busti, while speaking of the *ludus* and quoting the *Canon* through the usual reference to Gratian’s *Decretum*, mentions no other name apart from that of Diana to refer to the nightly character believed to lead the train of women to the game.

⁵⁷ See: Stanislao da Campagnola, “Ranuccio I Farnese (1569 - 1622) fondatore della biblioteca dei Cappuccini di Fontevivo (Parma),” *Collectanea Francescana* 3 - 4 (1968): 308 - 363.

Within a single year, however, the tough message transmitted by Cassini against believers in the reality of the *ludus*, prompted a reply from Dominican circles promoting the opposing approach. In 1506, Vincenzo Dodi wrote his *Apologia Dodi contra li difensori delle strie*,⁵⁸ aiming to counter Cassini's thesis. From the first sentences of Dodi's text, one sees clearly the frames of mind concerning the issue, and overall the harsh dispute that characterized the relationships between Dominicans and Franciscans. Dodi accuses Cassini of having written a tract containing so many mistakes that it was offensive to his eyes, and indeed he even accused him of favoring witches.⁵⁹ Furthermore, Dodi claims that once he tried to set a date for a public debate with Cassini, but Cassini declined out of fear of losing.⁶⁰

Dodi reaffirms both the devil's ability to move a person in order to help him or her commit *maleficia* as well as his ability to deceive people by making them believe that they are moving while in fact they are not.⁶¹ The contention that, with the permission of God, the devil can really move someone from one place to another is the main point where Dodi opposes Cassini. He refers to the example of Jesus - who was carried to the desert to be tempted by the devil⁶² - and that of Simon Magus to confirm his assertion that one can actually be moved both from one place to another, for purposes either good or evil.⁶³

Dodi's argument has rightly been characterized as "l'argutie la plus sophistiquée",⁶⁴ which however seems to be also one of his main weak points, since by frequently employing the restriction *permittente Deo* - allowing God - on the one hand he preserves divine omnipotence, but on the other hand he fails to explain coherently how and why the reality of people being moved from one place to another, and ultimately of the reality of the Sabbath, should be accepted.

⁵⁸ See: Michaela Valente, "Dodo, Vincente," in *Encyclopedia of Witchcraft*, 1, 287 - 288. As to Dodi's text, whose complete title is: *Apologia Dodi contra li difensori delle strie et principaliter contra Questiones lamiarum fratris Samuelis de Cassinis*, I used the rare *cinquecentina* held in the Biblioteca Comunale Augusta in Perugia, which gathers also the *Apologia contra invectivam predicti Samuelis in doctrinam sancti Thomae Aquinatis*. The book was printed in Pavia by *Magistrum Bernardinum de Garaldis*, without any indication of the year, but presumably in 1506; see: http://edit16.iccu.sbn.it/web_iccu/imain.htm. A partial transcription of Dodi's *Apologia contra li difensori delle strie* is in Hansen, *Quellen*, 273 - 278.

⁵⁹ *Questio lamiarum fratri Samueli de Cassinis se meis offendisset oculis... eam plures continere errores et lamiarum secte multorum iudicio plurimum favere*: Dodi, *Apologia Dodi*, 2r.

⁶⁰ *Quam tamen se obtulerat facturum congressionem, statuto tempore territus declinavit*: Dodi, *Apologia Dodi*, 2r.

⁶¹ *Diabolus potest de facto hominem localiter movere (permittente Deo) ad maleficium perpetrandum, adque ad oscenos actus exercendos... Diabolus potest illusorie decipere hominem... ut credat se localiter moveri ad maleficium vel actus turpes peragendum, etsi realiter aut corporaliter non moveatur*: Dodi, *Apologia Dodi*, 25v and 26v.

⁶² Cf.: *Mt* 4, 1 - 11.

⁶³ *Stante inquam tali permissione divina, clarum est... quod diabolus potest hominem localiter movere... patet de Salvatore nostro, quem detulit Matheo 4li... sed respectu delati talis delatio potest esse et ad bonum finem, ut patet de nostro salvatore, et etiam ad malum finem... idem patet de Simon Magus*: Dodi, *Apologia Dodi*, 26r.

⁶⁴ Max, "Les premières controverses sur la réalité du sabbat," 57.

The thesis asserting the reality of witchcraft, and in the end, the Dominican line of reasoning, became predominant especially following the spread of the doctrines promulgated by the *Malleus Maleficarum*, and would remain so for several centuries. It is significant from this point of view, that Cassini's *Questiones lamearum* was never reprinted after 1505, while Dodi's *Apologia* was printed again four years after its first publication, in Rouen, and his theses were widely used by the *Tractatus de strigibus* compiled by the Dominican Bernardo Rategno of Como in 1510 but published only in 1566.⁶⁵ However, Cassini's heated tract did not pass without leaving its trace on the skeptical polemicists, since Ponzinibio used many of its arguments in his own *Tractatus de lamiis*, composed around 1520.⁶⁶ Ultimately, Cassini's *Questiones*, an incredibly early tract dedicated to establishing a contrasting vision alleging the reality of a phenomenon that would be recognized as imaginary only centuries later, show, from a certain point of view, a line of thought interestingly advanced for the time. His approach, though using all the means of a medieval philosopher, really appear as rather "modern" from the perspective of the conclusions he intended to draw. This might be meaningful of a distinct aspect concerning the Observant Franciscan pastoral approach.

Thus, I have attempted to show the overall role of Busti in summarizing and transmitting notions pertaining to the unreality of some of the stereotypes related to witch-belief, namely: the *ludus*, the night flight, the metamorphoses into animals, and the ability to pass through locked doors. On the one hand, again, one must consider how this occurred in a period in which the growing concern triggered by the Dominican inquisitorial tradition relying on the *Malleus* was becoming dominant; on the other, his position shows the peculiar point of view of an Observant Franciscan who, along with his Milanese confreres of St. Angelo, was not an inquisitor, but first and foremost a preacher and a confessor. This suggests the need for a thorough reconsideration of the role of friars who were not engaged in inquisitorial matters, but who still took part in the debate concerning witchcraft, approaching it from a different perspective than that of inquisitors. In turn, this would ultimately point to the role of Busti as a core figure in this context, both because of the vision he expresses and his peculiar connection with Cassini.

Nevertheless, the fact that Busti highlighted the unreality of certain beliefs does not mean that his text did not also continue to circulate the same stereotypes that he approached

⁶⁵ Cf.: Cohn, *Europe's Inner Demons*, 194 - 195.

⁶⁶ Max, "Les premières controverses sur la réalité du sabbat," 57.

in a skeptical fashion along with those the reality of which he did not question. Skepticism was still expressed on a mobile terrain, where different points of view pertaining to the same stereotypes were still dangerously close to one another. Thus the *Rosarium* could also contribute to the general development of a fear of the demonic. In Busti's text it is clear how the slide towards a sort of ritualistic interpretation of "superstition", often marked by a diabolical significance, can constitute a step in that direction. When the humanist Gianfrancesco Pico della Mirandola composed his dialogical-tract entitled *Strix* in 1523,⁶⁷ in which one of the four participants, the witch, finally manages to persuade the more sceptical fellows of the reality of witchcraft, we find descriptions already read in Busti's sermon 16. The actions that *Strix* says to have committed - the practice of *maleficia*, the renunciation of Christianity, participation in the *ludus* as a place of preparation for evil actions, contaminated by orgiastic and demonic aspects - are acts of which not even Busti was very skeptical.

Conclusively, the process of creation of those which were deemed to be mere illusions - a process called the "psychologie de l'action démoniaque"⁶⁸ - implied two main elements clearly indicated by Busti: the *malignus spiritus* or the devil, and the *mentes infidelium* or the Christians who were not good Christians. The action of the preacher situates itself precisely within the changing connection between these two reference points, delimiting and orienting it according to his particular type of approach. This inevitably calls into question the issue of the relationship between the preacher, his message and the audience.

⁶⁷ Giovan Francesco Pico della Mirandola, *La strega o vero de gli inganni de demoni*, ed. I. Li Vigni (Genoa, ECIG, 1988); Burke, "Witchcraft and Magic in Renaissance Italy," 34 - 35.

⁶⁸ Schmitt, "Les superstitions," 433 - 436.

Conclusions: Preachers and Confessors “From the Pulpit to the Nave” A Problem of Behavioural Transformation?

In conclusion, in order to speak of preaching, confession, or pastoral care and contextualize the “messages” concerning “superstition” and witchcraft, one has also to consider the problem of the reception of these messages by the audience. In the texts under discussion here there is a double level of audience. On the one hand, both Busti’s and Cassini’s immediate target is the community of friars: preachers and confessors for the former; more specifically inquisitors and theorists of witchcraft, for the latter. As the language of the texts (Latin) makes clear, not to mention their genre - the *Rosarium* is a handbook for preachers and the *Questiones lamearum* a polemic tract with strong roots in philosophical-theological reflection - the intended readership was educated. However, one should not forget the impact such texts had, or were intended to have, on lay people. After all, that is the final aim of any pastoral care. This is true for Cassini’s *Questiones*, but even more so for Busti’s *sermonarium*. I should focus my attention on the latter, since it offers an opportunity to reflect on the connection or on the possible relationship between preacher and audience, and raise questions concerning the extent to which similar texts were explicitly intended as instruments to have an impact on the behaviour and beliefs of the faithful.

From this point of view, two terms have become popular in scholarship to describe the particular kind of exchange that took place between preacher and audience: “pulpit” and “nave”. These terms, used to designate this relationship, are engaging, although it would be more appropriate to speak of the “square” rather than of the “nave”, since the urban audiences of preachers due to its dimension, generally gathered in public squares instead. This happened already at the time of Salimbene de Adam (d. 1288) but it was even more the case in the fifteenth century, during the exploits of the Observant preachers.¹

The first to use such terminology and to address the necessity of inquiring into this issue was Zelina Zafarana. In an article published in 1981 she noted that, “A great deal of work has been done in the past years and a great deal of important things have been said shedding light in particular on the relationship between professorship chair and pulpit; I

¹ Cf.: Jacques Paul, Mariano D’Alatri, *Salimbene da Parma testimone e cronista* (Rome: Istituto Storico dei Cappuccini, 1992), 181 - 182; Maria Giuseppina Muzzarelli, *Pescatori di uomini. Predicatori e piazze alla fine del Medioevo* (Bologna: Il Mulino, 2005), 107.

would say that a long way remains to be covered in order to grasp the connection between pulpit and nave, at least to some extent”.² A lot has been said, in fact, on the connections between preachers and schools, on the moment of preaching and the formation of its literary-philosophical-theological models, especially by means of *sermo modernus*, which become at the same time one typical outcome of such a connection and a means at the service of the “civilization of speech” that bound together new urban elites and mendicant orders.³ To outline the relationship between the preacher, with his scholarly background, and the audience, however, is a more complex task, as it measures the effectiveness of preaching itself. This issue was at the core of a conference organized in Florence in 1986 in memory of Zafarana.⁴ Among the numerous contributions to that conference, Roberto Rusconi has underscored the importance of the *reportatio*, which is the transcription of the words of the preacher by members of the audience as a means of grasping the meaning of a sermon.⁵ From this point of view, inquiry into the relationship between preacher and audience in the case of Busti is hampered by the fact that, as far as I know, not a single *reportatio* nor even partial draft of his preached sermons survives. All that we have is his compendium of preaching material, on which other preachers could draw to build their own sermons.

However, several elements of the *Rosarium* may allow one to grasp something of the sense and the meaning of the sermons that the preacher held, and in general to reconstruct - although indirectly - the expectations of those who attended. As I have already noted, through the organization of its material and the continuous insistence on the importance of penitence and confession, Busti’s *Rosarium* indicates the close connection, almost symbiotic, between preaching and confession in the intentions of preachers. This aspect constitutes a kind of central thread of the connection between the pulpit and crowd of the faithful, at least from the point of view of the preacher. As Rusconi has pointed out, this is also indicated by the iconographical tables of the *Decretum Gratiani*, which from at least the 1330s and 1340s, represent friars preaching from the height of a pulpit, while other friars hold confession among the faithful along the nave of a church.⁶ However, this highlights a rather general aspect of which we have already spoken. More interesting, at this point, are

² Zelina Zafarana, “La predicazione francescana,” in *Francescanesimo e vita religiosa dei laici nel ‘200: Atti dell’ 8° Convegno internazionale, Assisi, 16-18 ottobre 1980, Società internazionale di studi francescani* (Assisi: Università degli Studi di Perugia, 1981), 250.

³ Zafarana, “La predicazione francescana,” 205 ff.

⁴ *Dal pulpito alla navata. La predicazione medievale nella sua recezione da parte degli ascoltatori (secc. XIII-XV), Convegno Internazionale di Storia Religiosa in memoria di Zelina Zafarana, Florence, 5-7 June 1986*, ed. by Gian Carlo Garfagnini (Florence: Olschki, 1989), 7 - 321.

⁵ Cf.: Roberto Rusconi, “Reportatio,” in Garfagnini, *Dal pulpito alla navata*, 8 ff.

⁶ Rusconi, “Reportatio,” 34.

perhaps the hints alluding to a more direct involvement of the faithful in a work such as the *Rosarium Sermonum*, which was intended primarily for preachers.

In this regard, sermon 16 itself offers interesting hints, since there are verses written in vernacular alongside the Latin text of the sermon and the thick series of *auctoritates* cited. Even more interesting is the fact that these parts in vernacular are reported in the oldest edition of the *Rosarium*, the one printed in Venice in 1498 analysed here, while they are missing at least in the subsequent ones that I have seen, for instance in the edition printed in Lyon in 1506. This may point to the presence in the most primitive editions of some marks of proximity to the practical aspect of preaching; while with the passing of time the text was evidently deemed to be adequate enough as a handbook without the parts in vernacular, which were not numerous in any event.

Thus, in the first part of his sermon 16, while writing his *declaratio brevis decem preceptorum decalogi* and after having clarified briefly the consistency of each individual commandment, Busti inserts a sort of summary explanation in vernacular of what previously had been stated in Latin, introducing it with the words: *vulgariter autem sunt ista*.⁷ It is significant that it seemed important to Busti to report a synthesis in the vernacular and, as already mentioned, that the same vernacular pieces disappear in the later editions of the *Rosarium*. We have thus a direct echo of how the complicated learned model consisting of theological-canonical *auctoritates* and biblical quotations, could generate a simpler discourse for the benefit of the lay audience. In this way, this brief synthesis of the Ten Commandments became a condensed behavioural checklist for the faithful.

To know something of the real effects of preaching on the public is, however, a different issue. We know basically what was said from the pulpit. Nevertheless, as Zafarana has pointed out, we are not sure of the performance of the preacher in the actual moment of preaching, since the *sermonarii* - as it is clear in the case of *Rosarium* - were mere outlines of “preaching materials”, and furthermore, we do not know precisely how much the faithful

⁷ Uno solo Dio debi avere / amar et adorar cum tutta mente / cercar con ogni forza e lui timere / il suo nome non / debi nominare / senza casone né quello de li sancti; / fa che non giuri e mai non bestemiare / sanctifica le feste / che sono comandate / oldendo messa e li officii sancti / lassa le vicii, giochi e balate / il padre e la madre debi honorare / e provvedere a lor necessitate / se a mala morte non vôi capitare / non infamare, occidere né havere / in odio o rancore alcuna creatura. / Ma quanto poi defende e fa piacere / in te non sia vicio né brutura / dalcuna luxuria che se po usare / nel matrimonio serva la drittura / quello che daltrui non te appropriare / per furto, usura o ver per rapinare, / perché saresti tenuto a soddisfare / Guarda che falso non testificasse / per odio, pagamento o per amore, / non a firmare quando dubitasse, / cacia da te li mali pensamenti / e non desiderar laltrui moglia / se vôi fugire li eternal tormenti / di cose daltri non ti venga voglia / né anche de roba de male acquisto / per avaritia la to mente invoglia / quello christiano che observa questo / che sopra è dicto camparà le pene / di possedere gloria li protesto. Bernardino Busti, *Rosarium Sermonum* (Venice: Giorgio Arrivabene, 1498), 126r. - v.

really understood of what preachers said.⁸ Measuring the effectiveness of these processes is something which certainly goes beyond my intentions here. However, in the first sermons of the *Rosarium*, Busti hints at the kind of connection that should exist between preacher and audience. Thus, while he instructs the preachers on the behaviour that the audience is supposed to exhibit in order to make the most of its presence at a sermon, the necessity for the preacher to instruct the faithful adequately about this emerges as well. Thus, in sermon 2 Busti indicates seven basic prerequisites or “dispositions” that should characterize the faithful in order to *de verbo dei fructus reportare*.⁹ Busti explains, in fact, that *non sufficit ad conversionem peccatoris seminatio predicationis nisi ad sit etiam bona dispositio auditoris*. First, “accession”: it is important to go to listen to sermons since the experience indicates, Busti says, that in order to understand something, it is necessary that one *vadat et audiat doctores illis artis*. Second, “timeliness”: one has to go to sermon on time and from the beginning, and avoid showing up after it has already begun: *ita ut veniat in principio predicationis, contra multos qui somno aut sensualitate aut cupiditate lucri retenti numquam veniunt nisi ad medium predicationis*. Third, “perseverance”: the listener has to attend a sermon *a principio usque ad finem*, and furthermore, Busti adds, one should not simply go to one sermon *sed oportet quod vadat ad omnes predicationes que fiunt in quadragesima*, unless some important impediments arises, he specifies. Fourth, it is important to pay attention. Quoting Seneca, Busti reminds one that *nullum exercitium bonum redditur ubi est discursus at vagatio animi*: nothing should distract one from the sermon. Fifth, one must believe what the preacher says: challenging the *auctoritates* is not allowed. Sixth, one must take what one has heard upon oneself. The Seventh and last, directly related to the previous disposition, one must put what one has learned from the sermon into practice: this is the effect, Busti says, that must be produced in those who are evangelized by preachers, *a predicatoribus evangelizantur*. We cannot judge to what extent preachers were successful in these efforts of “evangelization”. We can note, however, that preachers were well aware that their sermons could not be considered effective unless the public consciously accepted what they had preached. Thus, in his sermon Busti shows the need to address this issue, by providing a list of seven “dispositions” which, if part of the thinking and behaviour of the audience, could help effectively spread the message and thus further the final objective of influencing the audience to behave as the preacher has

⁸ Zelina Zafarana, “Per la storia religiosa di Firenze nel Quattrocento. Una raccolta privata di prediche,” in Eadem, *Da Gregorio VII a Bernardino da Siena. Saggi di Storia medievale* ed. by Ovidio Capitani, Claudio Leonardi, Enrico Menestò, and Roberto Rusconi (Florence: La Nuova Italia Editrice, 1987), 1018.

⁹ Busti, *Rosarium Sermonum*, sermon 2, 8v. The sermon from which all the citations in this chapter are drawn, lasts from 8v. to 13v. I used the copy published in Lyon in 1506, held in the Library of the Franciscan College of Sant’Isidoro in Rome (Quaracchi).

indicated they should, as Busti specifies: *non sufficit audire verbum dei et postea non operari*. Preaching is thus passed on to the faithful so that they can act on its basis. This is the fundamental purpose of the relationship established between pulpit and audience.

Preaching is thus the key event in which the transmission of what should matter for Christians is carried on. It is a communicative process, a “system of communication”¹⁰ in itself, and as such it is profoundly related to the process of transmission and shaping of specific mentalities. In this way, the models preached by a friar become mental and then behavioural structures to the extent that they entered into the thinking of the faithful, at least in the intention of the preacher. Busti’s case shows how the preacher preached to the faithful on the basis of an old tradition and of *his* personal experience on the ground. They might be both considered forms of *memories*. Using the categories employed by Jan Assmann, we can define the former as “cultural memory”, which “orients itself on the basis of fixed points set in the past”, since the preacher develops any discourse on the basis of an established set of intellectual categories dating back to the Scriptures, pertaining to the doctrine of the fathers, and the reflections of theologians. The second can be defined as a “communicative memory” or a set of “memories referring to a recent past”, concerning in this case, primarily, the preacher’s pastoral activity. This would be shown for instance by the *exempla* in which Busti recaps what had happened to him while preaching in Lodi, Ivrea and other cities. In this way, preachers aim to establish what Assmann calls a “connective structure”, which links them to the faithful on the basis of a shared set of “rules” and “values” that establish a common culture and therefore an identity.¹¹ That is the aim of Busti’s text, an aim it indeed shares with a number of similar works.

It is tempting to inscribe this discourse within what has been viewed by Delumeau as a new process of Christianization carried out in Europe by the reformers of the sixteenth and seventeenth centuries, although this would also imply to consider the existence of a truly Christian Medieval West as just a “legend”.¹² Even without subscribing unconditionally to the radical thesis of Delumeau, it is possible to trace precise efforts on the part of the clergy in response to an increasingly palpable necessity of reform and conversion.¹³ As I noted

¹⁰ Cf.: Carolyn Muessig, “Preacher, Sermon and Audience in the Middle Ages: An Introduction,” in *Preacher, Sermon and Audience in the Middle Ages*, ed. by Carolyn Muessig (Leiden: Brill, 2002), 13 ff.

¹¹ Cf.: Jan Assmann, *Das kulturelle Gedächtnis: Schrift, Erinnerung und politische Identität in frühen Hochkulturen* (München: C. H. Beck’sche Verlagsbuchhandlung, 1992).

¹² Jean Delumeau, *Un chemin d’histoire: Chrétienté et christianisation* (Paris: Fayard, 1981), 138 ff.; Idem, *Le Catholicisme entre Luther et Voltaire* (Paris: Presses Universitaires de France, 1992), 237 ff; 266 ff.

¹³ To which in turn also the category of “acculturation” was sometimes applied, suggested by “the imposition of cultural superiority by dominant élites on subject populations”: Stuart Clark, *Thinking with Demons. The*

earlier, Busti himself speaks of “evangelization”. Later, expressions such as “internal missions” and “our India” would denote the process of re-evangelization of geographical areas that were supposed to have been Christian for centuries, but that were instead discovered by the clergy to suffer from a serious deficit of Christian education. This newly acquired awareness gave rise to the impression among members of the church that they were not in Europe but rather in one of the uncivilized lands overseas (generally called India) to which missionaries travelled.¹⁴ In this case - and this also was already indicated by Delumeau - the efforts of the urban preachers of the fifteenth century could be inscribed within such a context, which can be seen as a preparatory process to the subsequent wider Catholic reform of the sixteenth and seventeenth centuries. On the one hand, as mentioned, the consistency of the later process of evangelization would possibly put in question the effectiveness of the pastoral efforts carried out by the friars before the Council of Trent; on the other, more probably, it could indicate the existence of a divide between cities and countryside as to the pastoral permeability: the pastoral efforts of the later “internal missionaries” would in fact focus on the peripheral areas in particular.

In this regard, it has been noted how the “conviction of the obvious solidity of a Christianization fulfilled once and for all” was put in question precisely by the re-emergence of beliefs and fears connected to the world of “superstition”.¹⁵ Again, after the prodromal period in the fifteenth century, this also became true especially during the Reformation and Counter-Reformation.¹⁶ What I have analysed throughout this dissertation becomes more meaningful if contextualized within what later came in the sixteenth century. It is definitely the happy fate of the historian to be able to consider the significance of a period of history with the benefit of a much broader vision than the perspective of those who lived in the period under discussion.

I have hinted earlier at the rediscovery of *ad status* preaching¹⁷ in Busti’s *Rosarium*, as well as in Carcano and other coeval Observant Franciscans. The need to create the

Idea of Witchcraft in Early Modern Europe (Oxford: Clarendon Press, 1997), 508 ff. Cf. also: Delumeau, *Un chemin d’histoire*, 113 ff.

¹⁴ Thus, the Jesuit Silvestro Landini, sent to Corsica as a missionary in 1553, discovered the “internal savages,” peasants, shepherds, and woodmen completely ignorant of the principles of Christianity. Cf.: Adriano Prosperi, *Tribunali della coscienza. Inquisitori, confessori, missionari* (Turin: Il Mulino, 1996), 551 ff. See also: Delumeau, *Un chemin d’histoire*, 154 ff.; Idem, *Le Catholicisme*, 284 ff; Raimondo Turtas, “Missioni popolari in Sardegna tra ‘500 e ‘600,” *Rivista di Storia della Chiesa in Italia* 44 (1990): 369 - 412.

¹⁵ Zelina Zafarana, “Cura pastorale, predicazione, aspetti devozionali nella parrocchia del basso Medioevo,” in Eadem, *Da Gregorio VII a Bernardino da Siena. Saggi di Storia medievale* ed. Ovidio Capitani, Claudio Leonardi, Enrico Menestò, and Roberto Rusconi (Florence: La Nuova Italia Editrice, 1987), 494.

¹⁶ Delumeau, *Un chemin d’histoire*, 51 ff.

¹⁷ Cf.: Carolyn Muessig, “Audience and Preacher: Ad Status sermons and Social Classification,” in Muessig, *Preacher, Sermon and Audience*, 255 ff.; Carla Casagrande, *Prediche alle donne del secolo XIII: Testi di Umberto da Romans, Gilberto da Tournai, Stefano di Borbone* (Milan: Bompiani, 1978).

premises for a deeper and more selective penetration of the pastoral message into the religious culture of the laity is underscored by such returns to an old literary tradition. In the works of these authors, in fact, the consideration of the faithful on the basis of their own “socio-functional” *status*, as Michaud-Quantin has called it,¹⁸ mirrors the tendency to classify and examine them through an ample spectrum of grids during confession. Once more, it is worth noting that there existed a strict and consequential connection between preaching and confession: the former leading to and requiring the latter. This is a core issue in the history of pastoral care and in the history of the Church itself, an issue that allows one to measure the connection between the Church and its faithful. As I have attempted to demonstrate, our understanding of the problem of “superstition” and of the rise of the concept of witchcraft in the fifteenth century, may benefit from a perspective that inscribes them within their own broader pastoral context. This implies the necessity of inquiring into the relations and connections between preaching and confession, since the friars who dedicated so much space and effort to the world of “superstition” were preachers and confessors, who dealt with that issue generally in the context and for the purposes of their pastoral work. Thus, as I have tried to point out, elements of “novelty” and originality arise especially related to the unrealistic interpretation of a core issue such as the *ludus Diane*, with the return to the original vision given by a text - the *Canon episcopi* - while the approach of other friars (generally Dominicans), involved less in pastoral care and more in the inquisitorial practice, were completely different. Furthermore, the insertion of these themes in a comprehensive discourse concerning the Ten Commandments represents a general feature of these texts for preaching and confession aiming to prepare the friars for their pastoral duties. Busti’s *Rosarium* is from this point of view exemplary, identifying the pivotal themes within the long theological, pastoral, and canonical tradition to which he and his confreres referred, inserting them in a clearly built doctrinal outline, in which his own ideas are also present. This also offers an answer to the lack of “articulation among the diverse superstitious, magic and witchcraft related phenomena” highlighted by Marina Montesano as the only way to understand the Observants’ attitude and the beginning of witch hunts.¹⁹

In answer to the question asked by Zafarana, “what was understood and assimilated by the faithful in the church’s nave?”, Rusconi proposed that the criterion represented by

¹⁸ Cf.: Pierre Michaud-Quantin, “Les méthodes de la pastorale du XIII au XV siècle,” in *Methoden in Wissenschaft und Kunst des Mittelalters, Miscellanea Medievalia* 7 (Berlin: 1980), 88 ff.

¹⁹ Marina Montesano, “L’Osservanza francescana e la lotta contro le credenze magico-superstiziose. Vecchie e nuove prospettive di ricerca,” *Quaderni Medievali* 41 (1996): 144.

utilitas characterized the point of view of both the friars collecting sermons and members of the audience who wrote *reportationes* of the sermons.²⁰ In our case, however, at least in Busti's age it seems that the people's "curiosity" was a core element that the preacher had to take into serious consideration in order not to risk losing his share of the public. It is from this point of view, i.e. the relationship between preacher and audience or pulpit and nave, that peculiar stylistic elements aimed at satisfying the faithful's *curiositas* should be analysed. Thus, the stereotype of preachers as "fishermen of people" - Busti said: *Predicadores enim sunt piscatores, quia uno tractu rethis, id est predicationis, aliquando magnam multitudinem hominum capiunt, id est convertunt* - originates here.²¹ Muzzarelli takes up this notion again and explains how those *piscatores* constituted a real "network":²² Michele Carcano, Cherubino da Spoleto, Bernardino da Feltre and others were all connected in the last quarter of the fifteenth century, using similar techniques and styles to convert their audiences through the net of their preaching. The central element here, I believe, and the one which represents at the same time the point of contact and of a possible clash between preacher and audience, is the term *conversio* as used by Busti. The preacher is a fisherman, Busti says, whose aim is to convert people by means of preaching. Two elements here are noteworthy. First, the mention of conversion highlights, I believe, the aim of the preacher to change the behaviour of his audience. Second, as Busti himself explains, the attempt to capture people's natural curiosity by means of specific rhetorical techniques is part of the job of a preacher in order to give spiritual salvation to the faithful: *Sunt enim multi qui non irent ad praedicationem nisi causa curiositatis... et sic qui prius ibant propter curiositatem, postea accedunt propter animarum suarum salutem*. This is another indication of the connection between pulpit and nave. Busti's inclusion in his preaching of elements (such as poetic and philosophical quotations) that satisfy the expectations - *curiositas* - of the audience, and his exhortation to other preachers to do the same, can be considered as a hint concerning the existing mutual influence between preacher, message and audience.

On the other hand, I have mentioned how the relationship between pulpit and nave is not the only one characterizing the preacher's efforts concerning society. The political connections of the Observant friars and their link at various levels to city life might be considered as bridges connecting the preachers and the higher strata of the urban society, as in the case of Antonio da Vercelli, political adviser to Lorenzo il Magnifico.²³ But they

²⁰ Rusconi, "Reportatio," 31.

²¹ Busti, *Rosarium* (Venice, 1498), sermon 1, 6r. - v.

²² Muzzarelli, *Pescatori di uomini*, 188 - 189.

²³ Cf.: Paolo Evangelisti, "Un non-umanista consigliere politico di Lorenzo il Magnifico. Etica politica ed "arte dello stato" nel Memoriale e nelle lettere di Antonio da Vercelli, osservante francescano (marzo-maggio

could even become vehicles of hatred and personal resentment, as I have explained in the difficult case of Michele Carcano and Galeazzo Maria Sforza, duke of Milan.

Still linked to this theme is the problem of the effective capacity of preachers to impose on society issues and themes of concern. This problem pertains to the relationship between friars and audience, although in this case the concept of audience is much more broadly interpreted to include the faithful as well as the political authorities of a city. This is particularly true when dealing with witchcraft. In the famous case of Matteuccia of Todi, for instance, Mormando has pointed out how “the arrival of friar Bernardino [of Siena] radically changed the reputation and fate” of the supposed witch. From that moment, in fact, she passed from being merely a “freelance folk doctor” to a “demon-serving witch”.²⁴ This is a view that exemplifies the assumption of the existence of a direct and almost exclusive link between the intervention of a preacher and the various outcomes occurring in a city, such as, for instance, the issuing of *ad hoc* legislation or the fates of supposed followers of the devil. This view has been thoroughly called into question by Letizia Pellegrini. The Italian scholar has warned that one must look more attentively at the context within which preaching took place in order to check - in the case of witchcraft - the real existence of a causal link between preaching or a specific sermon and the condemnation of a supposed witch.²⁵ As a more thorough consideration suggests, the role of the preacher often appears to have been secondary with respect to that of the city authorities. It was among the latter, in fact, that all the discussions concerning city policies were held, and the final decision concerning whether or not to invite a preacher could be made merely as a means of spreading such a decision among members of the public.²⁶ Thus, in Todi’s case, the arrival of Bernardino has been referred to as part of Pope Martin V’s strategy of a “Roman restoration” in the region following the Great Western Schism.²⁷ The same context of pontifical restoration has been adduced with regard to other similar events that took place between the 1420s and the 1450s. This includes the repression and the executions of *fraticelli* in the Marche region, as well as the executions of witches in the area of Perugia, first and foremost that of Santuccia (1445), which was followed and not preceded by the sermons of Giacomo della Marca, but

1478),” in Ovidio Capitani, *Quaranta anni per la Storia medievale*, 2, ed. M. C. De Matteis, (Bologna: Il Mulino, 2003), 167 - 187.

²⁴ Franco Mormando, *The Preacher’s Demons. Bernardino of Siena and the Social Underworld of Early Renaissance Italy* (Chicago: The University of Chicago Press, 1999), 76 - 77.

²⁵ Letizia Pellegrini, “Predicazione osservante e propaganda politica: a partire da un caso di Todi,” in *La propaganda politica nel basso medioevo, Atti del XXXVIII Convegno storico internazionale, Todi, 14-17 ottobre 2001* (Spoleto: Centro Italiano di Studi sull’Alto Medioevo, 2002), 514.

²⁶ See: Alberto Ghinato, *Vita religiosa nel 400 italiano. Apostolato religioso e sociale di Giacomo della Marca*, (Rome: Edizioni Francescane, 1956); Pellegrini, “Predicazione osservante e propaganda politica,” 514.

²⁷ Pellegrini, “Predicazione osservante e propaganda politica,” 516 - 521.

also other well documented cases, such as those of Filippa da Città della Pieve (1455) and Mariana da S. Sisto (1456).

Thus, it is of crucial importance to bear in mind that the urban-political context was not exclusively dominated by the preacher, but relied on the mutual interrelations of preacher, victim and political authority. “Demythologizing” can open the way to a more thorough consideration of important issues. At the same time, however, one should not fall sway to the opposite tendency to underestimate the personality of the preacher to the extent that his influence almost vanishes in the midst of his connections with the political powers. The presence and the strong role of preachers in the life of medieval and early modern towns have been highlighted from various points of view.²⁸

On the one hand, from a certain point of view, the stormy vicissitudes in the relationship between Michele Carcano and the Milanese Sforza, would confirm that the last word on the fate of a preacher and ultimately his own fortune could depend on the approval of the political authorities. On the other hand, one should consider Carcano’s removal from Milan, as a consequence of his preaching against the Jews and his inflexible position on the case of the “Capriolanti”, (who wanted to split the Milanese Franciscan Observant congregation), as well as the fact that also Bernardino da Feltre had to renounce preaching in Florence in 1488 and was replaced by the more moderate Augustinian friar, Mariano da Genazzano, due to the anti-Jewish riots caused by his fiery preaching, which was in clear opposition to the plans of Lorenzo il Magnifico.²⁹ These cases suggest something more than a mere “indicator of the contradictions that flounder around the pulpit”.³⁰ Namely, that preachers were not always easily compelled to adopt the positions of the mighty, although they were in evident need of their approval. Otherwise, the preacher was generally listened to and his learned intervention very much required. Thus, the all-in-all moderate *consilium* composed by Busti³¹ on the occasion of the anti-Jewish trial in Milan in 1488 approved only the expulsion of the Jews and the confiscation of their properties, but not their execution, as Ludovico Sforza duke of Milan and the *doctores* (who finally subscribed and accepted the *Consilium*) would have wished.³²

These are a few hints concerning a very complex issue, that of the multifaceted relationship between the preachers and their various audiences, which definitely deserves

²⁸ Cf.: Muzzarelli, *Pescatori di uomini*; Mormando, *The Preacher’s Demons*; Bernadette Paton, *Preaching Friars and the Civic Ethos: Siena, 1380 - 1480* (London: University of London, 1996); Richard C. Trexler, *Public Life in Renaissance Florence*, (Ithaca: Cornell University Press, 1991).

²⁹ See: Walter Ingeborg, *Lorenzo il Magnifico e il suo tempo*, (1st. It. Tr. Rome: Donzelli Editore, 2005), 258.

³⁰ Pellegrini, “Predicazione osservante e propaganda politica,” 527.

³¹ Busti, *Rosarium*, sermon 15, 102r. - 113r.

³² Cf.: Busti, *Rosarium*, sermon 15, 113r.

considerable more attention. However, there is little doubt that Busti's *Rosarium Sermonum* was well received by its primary audience, namely the community of preachers. As I have mentioned, the pan-European appeal of the *Rosarium*, which was published in several different cities beyond the Alps, unquestionably indicates the extent of its success within the community of preachers, as does the fact that it is mentioned in the lists of monastic libraries until at least 1640, as for instance in the case of the Parma friary, where it was the only text of an Observant Franciscan to be suggested apart from that of Bernardino da Siena.³³

I would therefore underline the relevance of the *Rosarium*, and in particular the significance of *sermo* 16 on “superstitions”, as a vehicle for the transmission of a body of knowledge in which preachers and confessors, between the Middle Ages and early modern times, might find a complete *repertoire* of doctrinal elements and interpretative categories for their pastoral purposes, consequently spreading them throughout society.

³³ Stanislao da Campagnola, “Ranuccio I Farnese (1569 - 1622) fondatore della biblioteca dei Cappuccini di Fontevivo (Parma),” *Collectanea Franciscana* 3 - 4 (1968): 308 - 363.

Appendices

Bernardino Busti, Sermon 16 of the *Rosarium Sermonum* (Transcription)

The transcriptions I propose here are made to help readers to follow Busti's and Cassini's thought. My aim at this stage is not, therefore, to provide an edition of these texts, but rather to produce a preliminary work of transcription and identification of the main sources used by the authors.

The *editio princeps* of the *Rosarium Sermonum* by Bernardino Busti was printed in Venice by Giorgio Arrivabene in 1498.¹ I could ascertain that the only copy (collecting only the sermons of the second volume) of the *Rosarium* held in the library of the Carthusian monastery of Trisulti (Italy), was not printed in Venice in 1490, as stated by Renato Giancola,² but in Venice in 1498 by Giorgio Arrivabene, although on the spine of its cover the date 1493 is impressed. This might be possibly due to the reuse of a previous cover. The existence of a copy printed in Strasbourg in 1496³ could not be verified.⁴ The Venetian edition of 1498 was revised by the author himself and constituted the model for the numerous subsequent reprints of the *Rosarium*: Lyon, 1498; Hagenau, 1500; Lyon, 1502 and 1503; Lyon 1506 (first part) and 1507 (second part); Lyon, 1513; Lyon, 1525; Brescia, 1588; Köln, 1607; Lyon, 1625.⁵ Copies of the various editions of the *Rosarium Sermonum* are held in numerous libraries throughout all Europe, the US and Australia. In the library of the "Gymnasium Carolinum" at Osnabrück,⁶ a pocketbook-format manuscript is held (MS 22), which on fol. 143v contains 13 lines out of sermon 27 of the *Rosarium Sermonum*. This sort of handbook, containing excerpts of various sermons, was intended to serve the ministers of the cloister in Iburg as reading on their way to the parishes.⁷

¹ <http://istc.bl.uk/search/search.html?operation=record&rsid=1175084&q=6> Consulted on July 2011.

² Renato Giancola, "Il patrimonio bibliografico delle abbazie d'Italia," in *Vita italiana. Documenti e informazioni* 11 (1974): 1061.

³ Paolo Maria Sevesi, *Santa Maria della Misericordia in Melegnano* (Melegnano, 1932), 59.

⁴ Cf.: Giuseppe Galli, "Due ignote edizioni quattroentine della Corona della Beatissima Vergine Maria di fra' Bernrdino de' Busti," in *Miscellanea bibliografica in memoria di don Tommaso Accurti*, ed. by Lamberto Donati (Rome: Edizioni di Storia e letteratura, 1947), 104.

⁵ *Catalogo degli incunaboli della biblioteca comunale di Assisi*, ed. by G. Zaccaria (Florence: Olschki, 1961), no. 119 - 122; Miriam Turrini, *La coscienza e le leggi. Morale e diritto nei testi per la confessione della prima Età moderna* (Bologna: Il Mulino, 1991), 76.

⁶ Mentioned by Bert Roest at: <http://users.bart.nl/~roestb/franciscan/> Consulted on July 2011.

⁷ Cf.: *Mittelalterliche Handschriften in Niedersachsen*. I am thankful to Heino Hehmann of the Carolinum for the information.

This transcription is based on the incunable printed by Giorgio Arrivabene at Venice in 1498, which includes in the *proemium* additions by friars Samuele Cassini and Illuminato da Novara. The copy is printed in *quarto* format, and is held in the Biblioteca Angelica of Rome, shelfmark “Inc. 644-645”. Sermo 16 is ten *folios* in length, from f. 125r. to f. 129v.

Abbreviations:

C: *Codex Justiniani: Corpus Iuris Civilis*, ed. Paulus Krüger, Rudolph Schöll, Wilhelm Kroll, I - III (Berlin, 1928 - 1929).

D: *Digestae Justiniani*: Idem.

I: *Institutiones Justiniani*: Idem.

X: *Decretales Gregorii IX (Liber Extra): Corpus Iuris Canonici*, ed. Emil Friedberg, II, (Graz: Akademische Druck-und-Verlagsanstalt, 1955).

Bernardinus de Bustis, Rosarium Sermonum predicabilium

[f. 125r, B]

Dominica secunda in Quadragesima.

De preceptis. Primo in generali. Deinde de primo in particulari.

Sermo sextusdecimus.

“Scitis que precepta dederim vobis per Dominum Iesu”, *Prime ad Thessalonicenses* 4¹ Secundum omnes leges, superioribus obediendum est in licitis et honestis, unde, *ff. de re iudi. l.*, contumacia dicitur: “Contumacia eorum qui ius dicenti non obtemperant litis dampno coarceatur”;² et *C. de of. pre. preto. Affri. l. primus* in finem dicitur: “Si quis ex quacumque parte ausus fuerit iussiones nostras execrari et non festinanter cum Dei timore eas servare, non solum dignitatis et substantie periculum sustinebit, sed etiam ultimo supplicio subiacebit”;³ et, *ff. de re mili. l., miles § in bello*, dicitur: “In bello, qui rem prohibitam a duce⁴ fecerit aut mandata non servaverit, capite puniatur, etiam si res bene gesserit”.⁵ Si, igitur, tam districta animadversione puniuntur, qui mortalium principum preceptis contumaces existunt, quantam credendum est ultionem recepturos, qui omnipotenti Deo rebelles esse voluerint. Quia igitur, ut scriptum est, *ff. de iuris. omni. iudi. l. fi. et XI^{mus}, q. 3, c. qui resistit*⁶ et *Extra de constitutio. c. ut animarum lib. 6*⁷, “obedientia se extendit secundum potestatem iudicis precipientis”. Si Deus est super omnes, habens potestatem ad omnia, ei est summe obediendum, quia potentissimus est inobedientes punire et obtemperantes premiare. Ideo, inquit Virgilius in libro *Geor.*: “Est legum servanda fides. Suprema potestas quod mandat fierique iubet patere necesse est”.⁸ Inobedientibus enim minatur Deus, *Numeri* 14, dicens: “qui non obedierint voci mee, non videbunt terram pro qua iuravi patribus eorum”⁹ et, *Deuteronomii* 11, inquit Moises: “Propono in conspectu vestro hodie benedictionem et maledictionem: benedictionem si obedieritis mandatis Domini Dei vestri, maledictionem si non obedieritis”¹⁰, et, *Deuteronomii* 12, etiam dicit Deus: “Quod precipio tibi hoc tantum facias, nec addas quicquam nec minuas”¹¹.

De preceptis ergo Dei tractaturi, tres considerationes peritiles faciemus: prima dicitur declarationis, secunda adorationis, tertia offensionis.

¹ 1Ts 4, 2.

² Cf.: D.42.1.53pr: *Contumacia eorum, qui ius dicenti non obtemperant, litis damno coercetur.*

³ C. 1.27.1.20: *Nam si aliquis ex quacumque parte ausus fuerit iussiones nostras excedere et non festinaverit cum Dei timore eas servare, non solum dignitatis aut substantiae periculum sustinebit, sed etiam ultimo supplicio subiacebit.*

⁴ In the text *adduci*

⁵ D. 49.16.3.15: *In bello, qui rem prohibitam a duce fecerit aut mandata non servaverit, capite puniatur, etiam si res bene gesserit.*

⁶ *Decretum Gratiani*, in *Corpus iuris canonici*, I, ed Emilius Friedberg, (Leipzig: Bernhard Tauchnitz, 1879), C.11 q. 3 c. 97: *Qui resistit potestati Dei, ordinationi resistit.*

⁷ *Decretum*, VI.1.2.2: *Ut animarum periculis obvietur, sentiis per statuta quorumcumque ordinariorum prolatis, ligari nolumus ignorantes dum tamen eorum ignorantia crassa non fuerit aut supina. Statuto episcopi, quo in omnes, qui furtum commiserint, excommunicationis sententia promulgatur, subditi eius, furtum extra ipsius diocesim committentes, minime ligari noscuntur, cum extra territorium ius dicenti non pareatur impune.*

⁸ It is a quote from an apocryphal Virgil. Cf.: Jan M. Ziolkowski and Michael C. J. Putnam, *The Virgilian Tradition: The First Fifteen Hundred Years* (New Haven: Yale University Press, 2008), 284.

⁹ Nm 14, 22-23.

¹⁰ Cf. Dt 11, 26-28.

¹¹ Cf. Dt 12, 32.

Declaratio brevis decem preceptorum decalogi.

Quo¹² ad primam partem nostri sermonis, quia inquit philosophus in proemio Physicorum¹³ quod a comunioribus semper est inchoandum; de singularibus enim [f. 125v., A] non habetur scientia primo. Poster(ius), intellectis autem comunioribus, faciliter intelliguntur particularia, quia generalibus particularia insunt *l. semper ff. de regu. iu.*¹⁴ Ideo de ipsis preceptis primo in generali, illa enumerando, in hac parte aliquid dicemus, ostendendo quomodo excedunt leges humanas. Decem autem sunt precepta decalogi, nec debuerunt esse plura vel pauciora, ut probat Alexander de Alesin^{3a} parte summe, in tractatu de lege Moysi¹⁵ et Bonaventura in 3, distinctio 37^a, argumento 2, questio 1^a,¹⁶ quorum rationes causa brevitatis omitto. Omnia precepta continentur in his versibus:

“Unum cole Deum, ne dicas vanas per ipsum.
Sabbata sanctifices, habeas in honore parentes.
Non sis occisor, fur, mechus, testis iniquus.
Alterius nuptam nec rem cupias alienam”.

Primum preceptum, quod habetur *Exodi* 20, dicit: “Non habebis deos alienos”.¹⁷ Prohibet omnem idolatriam, divinationem et recursum ad ariolos ac magos indistincte et quacumque ex causa; et hoc *Levitici* 19 expresse prohibetur¹⁸. Et in hoc preceptum istud excedit leges humanas quae, licet puniant incantatores et maleficos, tamen, si incantationes faciant contra grandines aut infirmitates et huiusmodi, non ulciscuntur sed assentiunt, *C. de malefi. l. eorum.*¹⁹

Secundum preceptum dicit: “Non assumes nomen Dei in vanum”, *Exodi* 20.²⁰ Quo precepto prohibetur omnis periuratio et iuramentum sine causa, ut inquit Nicolaus de Lira super predicto capitulo.²¹ Et ideo hoc mandatum excedit leges humanas quibus licitum est corrumpere accusatorem in causa sanguinis. *l. fi. ff. de praevarica.*²²

Tertium preceptum inquit: “Memento ut diem Sabbati sanctifices. Sex diebus operaberis et facies omnia²³ opera, septimo autem die sabbati Domini Dei tui non facies omne opus tu et filius tuus et filia tua, servus tuus et ancilla tua aut iumentum tuum”, *Exodi* 20.²⁴ Hoc autem precepto prohibetur in festo omne opus servile secundum Nicolaum de Lira, ubi supra.²⁵ Et ab hoc precepto non discrepat lex humana, ut infra patebit.

Quartum preceptum dicit in eodem capitulo: “Honora patrem tuum et matrem tuam”.²⁶ Ubi etiam inclusive precipitur parentibus filios diligere et nutrire. Et in hoc excedit leges imperiales, quae filios spurios et ex damnato coitu generatos ab omni beneficio paterno

¹² In the text letter “q” was not indexed as a guide-letter.

¹³ Busti refers to Aristotle’s *Physicorum Libri*.

¹⁴ D. 50, 17, 147: *Semper specialia generalibus insunt.*

¹⁵ Here and below the reference is to Alexander Halensis, *Universae theologiae summa in quatuor partes ab ipsomet autore distributa.*

¹⁶ Here and below the reference is to Bonaventura da Bagnoregio’s *Collationes de decem preceptis.*

¹⁷ *Es* 20, 3.

¹⁸ *Lv* 19, 4: *Nolite converti ad idola nec deos conflatile faciat vobis. Ego Dominus Deus vester.*

¹⁹ C.9.18.4pr: *Eorum est scientia puniendi et severissimis merito legibus vindicanda, qui magicis adincti artibus aut contra salutem hominum moliti aut pudicos animos ad libidinem deflexisse deteguntur.*

²⁰ *Es* 20, 7.

²¹ Here and below the reference is to Nicholas de Lyre’s *Postillae perpetuae in universam Sacram Scripturam.*

²² D. 47.15.7: *In omnibus causis, praeterquam in sanguine, qui delatorem corruptit, ex senatus consulto pro victo habetur.*

²³ In the text *anima*

²⁴ *Es* 20, 8-10.

²⁵ Cf.: note no. 21 above.

²⁶ *Es* 20, 12.

excludunt. Ut in *aute. quibus mo. natu. effi. sui. et C. de incestis nup. aute. ex complexu*²⁷ et *C. de naturali. li. aute. licet*²⁸. Et hoc est nimis durum, licet factum sit bono respectu. Et ideo episcoporum interest dare operam quod uterque parentum talibus necessariis subministret secundum eorum facultatem. *Extra, De eo, qui duxit in matrimonium quam polluit per adulterium, c. cum habet*.²⁹ Preterea in hoc precepto precipitur etiam honoratio patrum spiritualium, scilicet sacerdotum et religiosorum, ut inquit Alexander de Ales³⁰ **[B]** in *3^a parte summe, in tractatu huius precepti*.³¹ Leges autem humane sepe permittunt fieri contra hoc preceptum, scilicet exigere pedagum et gabellas a religiosis et clericis, pro rebus eorum quas non causa negotiationis sed pro victu suo defferunt. Qui omnes hoc facientes peccant mortaliter contra hoc preceptum. Et si sunt singulares persone, sunt excommunicati ipso facto. Et si est collegium, vel universitas talia faciens statuta, ipso facto subiicitur interdicto nec a predictis absolvi poterunt nisi satisfecerint et plene restituerint, *Extra, De censi(bus), capitulo quamquam, lib. 6 in textu et per doct(rinam)*.

Quintum preceptum est "Non occides",³² et ponitur ubi alia predicta. Et contra hoc preceptum permittunt leges imperiales, quibus licitum est viro occidere adulterum uxoris deprehensum in adulterio, si est persona cui non debet reverentiam, *ff. de adul. l. patri*³³ et *l. nec in ea*³⁴ et *l. quod ait*.³⁵ Similiter latronem et populatorem agrorum inventum in maleficio, *C. quando liceat unicuique l. prima et secunda*.³⁶

Sextum preceptum dicit: "non furtum facies", quo prohibetur omnis acceptatio rei aliene iniusta sive per furtum sive per usuram vel damnificationem vel alio modo. Contra quod faciunt leges imperiales permittentes usuras saltem leves. *C. de usu. l. eos*³⁷ et quod contrahentes possint se decipere in pretio, *l. in cause*³⁸ *l. 1^a. 2^a § idem Pomponius*,³⁹ *ff. de mino. et l. item si pretio. § fi. ff. locati*⁴⁰. Secundum autem legem divinam, si non servatur equalitas in contractibus, qui plus habet debet recompensare damnificato, *cap. per tuas, extra de dona*.⁴¹ Item secundum leges non requiritur bona fides in prescriptione longissimi

²⁷ Cf.: C, 5, 5, 0: *De incestis et inutilibus nuptiis*.

²⁸ C, 5, 27, 11, 3: *Licet enim hoc quod speratum est ad effectum non pervenit, nihil anterioribus liberis fortuitus casus derogare concedatur...*

²⁹ X, 4, 7, 5.

³⁰ In the text *alea*

³¹ Cf.: note no. 15 above.

³² *Es* 20, 13.

³³ D, 48, 5, 21: *Patri datur ius occidendi adulterum cum filia quam in potestate habet: itaque nemo alius ex patribus idem iure faciet: sed nec filius familias pater*.

³⁴ D, 48, 5, 23: *Nec in ea lege naturalis ab adoptivo pater separatur*.

³⁵ D, 48, 5, 24: *Quod ait lex "in filia adulterum deprehenderit"...*

³⁶ C, 3, 27, 1, 1: *Vestram igitur vobis permittimus ultionem et, quod serum est punire iudicio, subiugamus edicto: nullus parcat militi, cui obviare telo oporteat ut latroni; C.3.27.2: Opprimendorum desertorum facultatem provincialibus iure permittimus. qui si resistere ausi fuerint, in his velox ubicumque iubemus esse supplicium. cuncti etenim adversus latrones publicos desertoresque militiae ius sibi sciant pro quiete communi exercendae publicae ultionis indultum*.

³⁷ D, 22, 1, 17, 7: *Eos qui ex administratione rerum civitatum conveniuntur usuris obnoxios esse satis notum est. idem observatur in operum curatoribus, si pecunia apud eos remansit. sed in ea quam redemptoribus commiserunt, etiamsi neglegenter dederint, usura eis remittitur: haec autem ita sunt, si nulla fraus arguitur: alioquin etiam usurae applicabuntur*.

³⁸ D, 4, 4, 13: *In causae cognitione versabitur, utrum soli ei succurrendum sit, an etiam his qui pro eo obligati sunt, ut puta fideiussoribus*.

³⁹ D, 4, 4, 16, 4: *Idem Pomponius ait in pretio emptionis et venditionis naturaliter licere contrahentibus se circumvenire*.

⁴⁰ D, 19, 2, 22: *Item si pretio non soluto inempta res facta sit, tunc ex locato erit actio*.

⁴¹ X, 3, 24, 5: *Per tuas nobis literas proponere procurasti, quod, quum quidam nobiles Florentini et potentes, prompti ad servitium et devoti, tempore schismatis bonae memoriae Iustum episcopum Florentinum in domo sua tenuerint contra imperatoris suorumque fautorum insultus, idem episcopus, sedata schismatis tempestate, de mandato felicitis recordationis Alexandri Papae praedecessoris nostri quatuor modios terrae in feudum concessit eisdem, et, eo postmodum viam universae carnis ingresso, bonae memoriae B. successor ipsius, prout est moris, de certo feudo praefatos nobiles investivit...*

temporis, *l. si quis emptionis* et *l. cum notissimi*, *C. de presc. 30° vel 40° anno*.⁴² Secundum autem Deum et canones est secus *c. possessor*, *de reg. iur.*, *lib. 6*^{o43} et *c. vigilanti*, *extra de prescrip.*⁴⁴

Septimum preceptum dicit: “non mechaberis”. Quo precepto omnis actus carnalis sine matrimonio prohibetur. Contra quod permittunt leges imperiales, concedentes homini soluto tenere mulierem solutam in concubinam. Ut inauten(ticis quibus modis natura ef. legi § si quis autem. Et tamen est peccatum mortale. Preterea secundum leges licet uxorem in multis casibus repudiare et matrimonium rite contractum dissolvere. Sed secundum legem divinam non est licitum, ut notatur *10^a di. c. lege*.⁴⁵ et *27^a, q. 2^a, c. sunt qui*⁴⁶ et *Matthei 19* dicitur: “Quod Deus coniunxit, homo non separet”.⁴⁷ Item, secundum leges imperiales damnatur qui deprehensam in adulterio detinet in uxorem, *C. de adul., l. crimen* et *l. castitatis*.⁴⁸ Sed secundum Deum potest illam tenere absque ulla pena, dummodo illa velit ab adulterio recedere, *31^a, q. 1, c. subauditur*⁴⁹ et *c. illud vero*.⁵⁰ Preterea si mulier infra annum mortis viri sui nubat efficitur infamis et punitur, *C. de secundis nuptiis, l. primus* et *2*,⁵¹ sed non sic secundum Deum, *1 Cori. 7*, ubi dicitur: “Nubat libere qui vult: melius [f. 126r, A] est enim nubere quam uri”,⁵² et *Extra de secundis nuptiis, c. si*.⁵³ Item, secundum leges, homo unius generis potest copulari in matrimonio cum muliere alterius generis. Et contra, ut inaute. de

⁴² C, 7, 39, 8: *Si quis emptionis vel donationis vel alterius cuiuscumque contractus titulo rem aliquam bona fide per decem vel viginti annos possederit et longi temporis exceptionem contra dominos eius vel creditores hypothecam eius praetendentes sibi adquisierit posteaque fortuito casu possessionem eius rei perdidit, posse eum etiam actionem ad vindicandam eandem rem habere sancimus. Hoc enim et veteres leges, si quis eas recte inspexerit, sanciebant*; C, 7, 39, 7: *Cum notissimi iuris sit actionem hypothecariam in extraneis quidem suppositae rei detentores annorum triginta finiri spatiis, si non interruptum erit silentium, ut lege cautum est, id est etiam per solam conventionem, aut si aetas impubes excipienda monstretur, in ipsos vero debitores aut heredes eorum primos vel ultiores nullis expirare lustrorum cursibus: nostrae provisionis esse perspeximus hoc quoque emendare, ne possessores eiusmodi prope immortalis timore teneantur*.

⁴³ VI, R. J., 2: *Possessor malae fidei ullo tempore non praescribit*.

⁴⁴ X, 2, 26, 5: *Vigilanti studio cavendum est, quum summa dimensio divini iudicii ab initio censuerit propria dimittere, aliena non appetere, ne malae fidei possessores simus in praediis alienis, atque rebus [maxime] ecclesiasticis, quoniam nulla antiqua dierum possessio divino iure iuvat aliquem malae fidei possessorem, nisi resipuerit, postquam se noverit aliena possidere, quum iure etiam bonae fidei possessor dici non possit. Ephesinus enim legislator Origenis patrius solum propter vitandam miserorum segnitiam et longi temporis errorem et confusionem primus tricennali vel quadragenali praescriptioni vigorem legis imposuit. Nobis autem tam in rebus cognitis quam in rebus latentibus placuit non habere vigorem*.

⁴⁵ C. 1, D. 10: *Lege imperatorum non in omnibus ecclesiasticis controuersiis utendum est, presertim cum inueniantur euangelicae ac canonicae sanctioni aliquotiens obuiare*.

⁴⁶ *Decretum Gratiani*, C. 27, q. 2, c. 19: *Sunt qui dicunt, religionis causa coniugia debere dissolvi*.

⁴⁷ *Mt 19, 6*.

⁴⁸ C, 9, 9, 11: *Crimen adulterii maritum retenta in matrimonio uxore inferre non posse nemini dubium est*; C, 9, 9, 9: *Castitati temporum meorum convenit lege iulia de pudicitia damnatam in poenis legitimis perseverare. qui autem adulterii damnatam, si quocumque modo poenam capitale evaserit, sciens duxit uxorem vel reduxit, eadem lege ex causa lenocinii punitur*.

⁴⁹ *Decretum Gratiani*, C. 32, q. 1, c. 4: *Subauditur, nisi ab adulterio mulier uoluerit recedere, quo casu uxorem suam uir recipere potest, nullum periculum ei illaturus*.

⁵⁰ *Decretum Gratiani*, C. 31, q. 1, c. 2: *Illud uero Leonis Papae de ea intelligendum est, quae a uiro suo non erat repudiata, cuius uiuebat uir, reddens ei coniugale debitum*.

⁵¹ C, 5, 9, 1, 1-2: [1] *Praeterea secundo viro ultra tertiam partem bonorum in dotem ne det neque ei testamento plus quam tertiam partem relinquat*. [2] *Omnium praeterea hereditatum legatorum fideicommissorum suprema voluntate relictorum, mortis causa donationum sit expers. haec namque ab heredibus vel coheredibus aut ab intestato succedentibus vindicari iubemus, ne in his, quibus correctionem morum induximus, fisci videamur habere rationem*.

⁵² Cf. *1 Cor 7, 9, 39*: *Melius est enim nubere quam uri ...Mulier ...si dormierit vir eius, libera est, cui vult nubere*.

⁵³ X, 4, 21, 2: *Si vero aliquis vel aliqua id hactenus non servavit, et de morte prioris coniugis adhuc sibi existimat dubitandum: ei, quae sibi nupsit, debitum non deneget postulanti, quod a se tamen noverit nullatenus exigendum. Quodsi post hoc de prioris coniugis vita constiterit, relictis adulterinis illicitisque complexibus ad priorem sine dubio coniugem revertatur*.

nup(tii) § inter eas et C. de nup., l. *nemini*.⁵⁴ Sed secundum Deum hoc est illicitum et tales debent penitus separari, 35^a, q. 2^a, c. *progeniem*⁵⁵ et *de consan. et affin., cap. non debet*.⁵⁶ Octavum preceptum dicit: “Non falsum testimonium dices”, quo prohibetur omne mendacium et falsa testificatio ac promissio non servata. Sed huic precepto contrafaciunt leges imperiales. Nam, secundum illas, si promitto aliquid nudo pacto, non teneor, quia non oritur civilis actio, ff. de pac. l. *iuris gentium*⁵⁷ § sed cum nulla ver. igitur nuda pactio. Sed secundum Deum recedens a pacto peccat mortaliter et est obligatus ex nuda promissione, c. 1, *Extra de pac.*⁵⁸

Nonum preceptum dicit: “Non concupisces uxorem proximi tui”, quo prohibetur omnis affectus deliberatus libidinis carnalis.

Decimum vero et ultimum preceptum dicit: “Non concupisces rem alienam”, quo prohibetur omne inordinatum desiderium rei aliene. Hec autem duo precepta lex civilis non habet, que non puni maleficia cogitationis, ff. de penis cogitationis.⁵⁹ Secundum autem divina mandata, punitur omne peccatum tam cogitationis quam facti, de pe. d. prima c. omnis iniquitas et c. numquid et c. homicidium et c. propterea et c. si cuiet 33. q. 2. c. omnis. Ex quibus patet excellentia preceptorum decalogi, quibus non solum prohibetur actus malus sed etiam affectus.

Lex igitur divina incomparabiliter excellentior est quam humana. Si autem queratur quare lex humana non punit omnia, que punit lex divina, respondet Albricus de Rosate,⁶⁰ in suo *Repertorio* sive *Dictionario* in verbo *lex*, quod finis quem intendit lex humana est pax humani generis interesse, ut in prohe. decreta § ideo lexet 4a di. § facte sunt autem leges. Finis autem legis divine est pacificatio humani generis cum Deo. Quia, ergo, lex humana non punit nisi ea que contrariantur fini suo. Ideo quedam relinquit impunita que punit lex divina, quia contrariantur fini eius, scilicet paci hominis cum Deo. Et sic lex humana respectu divine est imperfecta. Ubi autem lex humana aliquid permittit vel precipit, quod si contra legem divinam et consequenter non possit servari sine peccato, non est ei obediendum, quia “obedire oportet Deo magis quam hominibus”⁶¹ Actuum 5 et 11a. q. 3a. c. si Dominus et 15. q. 7a. c. iuratos et de sen. exc. c. relatum. Ut enim inquit Augustinus in I libro De libero arbitrio: “Non videtur esse lex, que iusta non fuerit”. Nam ut dicit Isidorus in capitulo consuetudo, prima distinctio: “Lex est omne quod ratione consistit”. Et consequenter nihil est servandum pro lege, nisi quod est iustum et rationabile cuiusmodi sunt precepta decalogi. De quibus loquens, Augustinus in libro *De decem chordis* inquit:

⁵⁴ C, 5, 4, 17: *Nemini liceat contrahere matrimonium cum filia nepte pronepte, itemque matreaviaproavia et ex latere amita ac matertera, sorore sororis filia et ex ea nepte, praeterea fratris filia et ex ea nepte, itemque ex adfinibus privigna noverca nuru socru ceterisque, quae iure antiquo prohibentur: a quibus cunctos volumus abstinere.*

⁵⁵ *Decretum Gratiani*, C. 35, q. 2, c. 16: *Progeniem suam unumquemque usque ad septimam decernimus observare generationem, et, quamdiu se agnoscunt affinitate propinquos, ad coniugalem copulam accedere denegamus.*

⁵⁶ X, 4, 14, 3: *Non debet reprehensibile iudicari, si secundum varietatem temporum statuta quandoque varientur humana, praesertim quum urgens necessitas vel evidens utilitas id exposcit, quoniam ipse Deus ex his, quae in veteri testamento statuerat, nonnulla mutavit in novo.*

⁵⁷ D, 18, 1, 1, 2: *Est autem emptio iuris gentium, et ideo consensu peragitur et inter absentes contrahi potest et per nuntium et per litteras.*

⁵⁸ X, 1, 35, 1: *Antigonus episcopus Madaurensis dixit: “Gravem iniuriam patior, et credo, dolere sanctitatem vestram contumeliam meam et computare communem iniuriam. Optantius quum se repraesentaret, pactum mecum habuit et divisimus plebes; manuscriptiones nostrae tenentur et pittacia. Contra hoc pactum circuit plebes mihi attributas, et usurpat populos, ut illum patrem, me vitricum nominent. Gratus episcopus dixit: Factum hoc dolendum est, ut in se illiciat populorum imperitorum animas contra disciplinam, contra evangelicam traditionem, contra pacis placita. Nam si id sibi posse contingere arbitraretur, nunquam profecto in fratrem aliquis deliquisset.” Unde Aut inita pacta suam obtineant firmitatem, aut conventus, si se non cohiverit, ecclesiasticam sentiat disciplinam. Dixerunt universi: Pax servetur, pacta custodiantur.*

⁵⁹ D, 48, 19, 18: *Cogitationis poenam nemo patitur.*

⁶⁰ Alberico da Rosciate, *Dictionarium iuris tam civilis quam canonici*.

⁶¹ At 5, 29.

“Decalo- [b] gus legis decem precepta habet, quorum tria prima pertinent ad Deum et septem alia ad homines. Hec decem precepta sunt decem chorde psalterii, quas tangendo feras peccatorum occidis. Quibus occisis, securus et innocens in dilectione Dei et humana societate versaris”.⁶² Hec ille. Et ideo David dicebat Deo *Psal. 143*: “In psalterio decachordo psallam tibi”,⁶³ quod exponens Augustinus, ubi supra, ait quod quidam istud psalterium portant, sed in eo non psallunt, quia precepta Dei ex timore servant. Portare autem psalterium et non cantare in eo onus quidem habet, sed non delectationem, quia timor penam habet. Alii autem portant et cantant, quia mandata Dei ex amore servant. Licet enim sit laborin portando, est etiam delectatio in cantando; iuxta illud psalmiste: “Cantabiles mihi erant iustificationes tue”. Alii vero nec portant nec cantant, sed proiiciunt qui scilicet mandata Dei nec ex amore nec ex timore servant. Melius est autem, ut ibidem dicit Augustinus, psalterium portare et cantare, quam tantum portare, et rursus, melius est portare et non cantare quam proicere, quia melius est precepta Dei ex amore quam ex timore facere et rursus melius est facere ex timore quam nullo modo facere. Potest autem addi, quod sunt aliqui, qui non portant sed cantant, scilicet qui dicunt et non faciunt. In psalterio quidem decem chordarum cantant, quia de preceptis Dei aliis predicant, sed non portant, quia ea non servant, de quibus dicitur *Matthei 23*: “Alligant onera gravia et importabilia et imponunt ea in humeros hominum, digito autem suo nolunt ea movere”.⁶⁴ Et hec de decem preceptis in generali dicta sufficiant pro prima parte nostri sermonis.

Vulgariter autem sunt ista:

Uno solo Dio debi avere
 amar et adorar cum tutta mente
 cercar con ogni forza e lui timere
 il suo nome non debi nominare
 senza casone né quello de li sancti;
 fa che non giuri e mai non bestemiare
 sanctifica le feste che sono comandate
 oldendo messa e li officii sancti
 lassa le vicii, giochi e balate
 il padre e la madre debi honorare
 e provvedere a lor necessitate
 se a mala morte non vôi capitare
 non infamare, occidere né havere
 in odio o rancore alcuna creatura.
 Ma quanto poi defende e fa piacere
 in te non sia vicio né brutura
 dalcuna luxuria che se po usare
 nel matrimonio serva la drittura
 quello che daltrui non te appropriare
 per furto, usura o ver per rapinare,
 perché saresti tenuto a soddisfare [f. 126v, A]
 Guarda che falso non testificasse
 per odio, pagamento o per amore,
 non a firmare quando dubitasse,
 cacia da te li mali pensamenti
 e non desiderar laltrui moglia

⁶² Augustine, *Sermones de Scripturis de Vetere Testamento*, *Patrologia Latina*, ed. Jacques-Paul Migne (Paris, Garnier: 1953), *sermo* 9,6: *Decalogus enim legis decem praecepta habet. Quae decem praecepta sic sunt distributa, ut tria pertineant ad Deum, septem pertineant ad homines.*

⁶³ *Sal* 144, 9.

⁶⁴ *Mt* 23, 4.

se vôi fugire li eternal tormenti
 di cose daltri non ti venga voglia
 né anche de roba de male acquisto
 per avaritia la to mente invoglia
 quello christiano che observa questo
 che sopra è dicto camparà le pene
 di possedere gloria li protesto.

De primo precepto adorationis Dei.

Secunda⁶⁵ pars nostri sermonis dicitur adorationis. Primum enim preceptum est: “Dominum Deum tuum adorabis”, de quo etiam *Psalm. 71* dicitur: “Adorabunt eum omnes reges terre, omnes gentes servient ei”, et *Iohelis 2*: “Sacrificium est libamen Domino Deo nostro”. Secundum enim Aristoteles in predica et in 5. Metha(phisica), relativa dicuntur ad aliquid, sicut pater alicuius filii pater dicitur. Si igitur est dominus alicuius servi, ipsum dominum esse oportet. Igitur ubi est propria ratio dominii, ibi debet esse specialis et propria ratio servitutis. Cum ergo dominium conveniat soli Deo, secundum quandam excellentiam singularem, quia est creator, salvator et gubernator totius orbis. Igitur ei specialis servitus et reverentia debetur et non alteri, hec autem reverentia et servitus appellatur religio, unde Tullius *2a Rethorice* inquit: “Religio est qua reverenti famulatu cerimonie divini cultus exhibentur”.⁶⁶ Et hec reverentia est de iure naturali, ff. de iusti. et iu. l. veluti. Cum ergo unicuique regno unus solus princeps preesse debeat, ut dicitur ff. de ori. iu. l. 2. § novissime et in aute. quomodo opor. episc. circa principium coll. prima et philosophus *12 Methaphisica*⁶⁷ idem dicit. Ideo illi summo principiet domino totius orbis universali, qui est Deus, debetur summa et excellentissima veneratio, que nulli alteri fiat. Et iccirco ipse *Deuteronomii 5 capitulo* inquit: “Ego sum Dominus Deus tuus, non adorabis deos alienos in conspectu meo”. Eapropter, Alexander de Ales in *3^a parte summe in tractatu de preceptis precepto* primo et Ricardus in 3 di. 9a. ar. primo, questio prima et 2a et sanctus Bonaventura in eadem distinctione et Thomas 2a 2e questio 84a. artic. 2 et Scotus in 3 di. 9a dicunt quod solus Deus adorandus est adoratione latrie. Latria autem, secundum Augustinum X De civitate Dei c. primo,⁶⁸ est servitus que pertinet ad colendum Deum, latria enim grece idem est quod religio latine sive cultus soli Deo debitus secundum eundem Augustinum ubi supra.

Adorandus est ergo Deus hac veneratione latrie ut principium et finis omnium, Apocalipsis primo et ultimo capitulo,⁶⁹ et dominus dominantium, Exodi 13.⁷⁰ Et Ideo sicut esset proditor regis qui auferret ei quod illi debet ita magnam Deo facit iniuriam, qui non exhibet ei spe- [B] cialem super omnes reverentiam, et iccirco imperator C. de summa trini. et fi. ca. l. 2a precipit dicens: “Unius et summi Dei nomen undique celebretur”. Adorandus est autem Deus corde et opere, ut potest colligi ab Alexandro de Ales in *4^a parte summe in tractatu de oratione* et Ricardo in 4 di. 15a et Thoma 2a 2e q. 83 et ab Ugone in libro de virtute orandi c. XI. Super omnia autem debet adorari caritate et singularissima dilectione,

⁶⁵ In the text letter “s” was not indexed as a guide-letter.

⁶⁶ Jean Pontas, *Dictionarium Casuum Conscientiae* (Venice: Antonio Bortoli, 1744), III, 168, quotes the same passage and refers to it as taken from Cicero, *De natura deorum*, I. However, it appears in none of the three books of this work.

⁶⁷ Aristotle *Methaphisica*, 12. See: *Aristotelis Methaphisica*, ed. Werner Jaeger (Oxford: Oxford University Press, 1957).

⁶⁸ Augustine, *De civitate Dei* (Turnhout: Brepols, 1955), X, 1, 2.

⁶⁹ Ap 1, 8: *Ego sum Alpha et Omega, dicit Dominus Deus, qui est et qui erat et qui venturus est, Omnipotens; Ap 22, 13: Ego Alpha et Omega, primus et novissimus, principium et finis.*

⁷⁰ The reference is actually to Dt 10, 17: *quia Dominus Deus vester ipse est Deus deorum, et Dominus dominantium...*

iuxta illud *Deuteronomii* 6,⁷¹ *Matthei* 22⁷² et *Luce* X:⁷³ “Diliges Dominum Deum tuum ex toto corde tuo et ex tota anima tua et ex tota fortitudine tua et ex omnibus viribus tuis”.

Si vero queratur qua adoratione adoranda est humanitas Christi, dico quod in quantum est coniuncta divinitati, debet adorari adoratione latræ, secundum Scotum in 3a di. 9a et Petrum Aureoli, eius discipulum, ibidem circa finem et Alexandrum de Ales in 3a parte summe, in tract(atu). de preceptis precepto primo et Ricardum in 3a di. 9a ar. 2 q. 1a et sanctum Bonaventuram ibidem ar. primo q. 1a et Thomam in 3a parte summe q. 25. ar. primo et 2.⁷⁴ Beata autem Virgo debet adorari adoratione iperdulie. Nam dulia proprie sumpta est adoratio, que fit rationali creature. Et ista adorandi sunt sancti et angeli, quia ut inquit iurisconsultus in l. prima § denique et 2 ff. de aqua pluvia ar. Servandum est semper inferiorem superiori servire, iperdulia vero est aliquid supra duliam. Et ista adoranda est beata Virgo, scilicet honore aliis maiore et Dei honore minore. Et hoc inquit Thomas ubi supra ar. 5⁷⁵ et Ricardus in 3 di. 9a ar. 2 q. 4a et sanctus Bonaventura eadem distinctio ar. primo. q. 3a.

Sed queritur de cruce Domini an adoranda sit. Et respondeo, secundum Ricardum in 3 di. 9a ar. 2 q. 3a et Bonaventuram ibidem ar. primo q. 4a, quod illa crux, in qua Christus pependit, absolute considerata non debet adorari adorationi latræ, sed venerari sicut preciose reliquie propter contractum sacrorum membrorum Christi et propter multa beneficia, que in illa per mortem Salvatoris nobis sunt exhibita, ut etiam inquit Damascenus libro 4 c. 3 et similiter dicendum est de clavis, vestibis et omnibus Christi rebus. Si enim reliquie sanctorum sunt venerande, Extra de reli. et vene. sanctorum c. cum ex eo, multo magis reliquie Christi: si enim consideretur in relatione ad Christum in ea pendentem, debet adorari adoratione latræ, quia hec adoratio refertur ad Christum secundum predictos doctores et etiam Thomam in 3a parte summe q. 25a. ar. 4., in corpore questionis. Alie autem cruces, que de aliqua materia fiunt, in tantum sunt adorande, in quantum sunt figurative et reprehesentative Christi crucifixi, secundum Damascenum libro 4. c. 3.

Sed iterum queritur de imagine Christi depicta vel sculpta, respondeo declarando, secundum Ricardum in 3a. di. 9a. ar. 2. q. 2a et Bonaventuram ibidem ar. primo q. 2a., quod imagines Christi, virginis et aliorum sanctorum introducte fuerunt [127r, A] triplici de causa primo propter simplicium eruditionem, ut qui non possunt scripturas legere in picturis possint sacramenta nostre fidei cernere, ut dicitur de conse. dist. 3a. c. perlatum. Secundo propter devotionis excitationem, ut qui non excitantur cum aliqua audiunt de sanctorum memoria, saltem moveantur cum ea cernunt in picturis quasi presentia plus enim excitatur affectus per ea que videt quam per ea que audit, iuxta illud Oratii in *Poetria*: “Segnius irritant animos demissa per aures quam que sunt oculis infixa fidelibus”⁷⁶ et in § *fi. insti. de gra.*⁷⁷ dicit: “Veritas magis oculata fide quam per aures animis hominum infigitur”, unde Macrobius, *de somno Scipionis, libro primo*,⁷⁸ inquit: “Facilior ad intelligendum per oculos via est quam per sermonem” et, *libro 2*⁷⁹ eiusdem operis, etiam dicit: “Anime facilius illabatur concepta ratio descriptione quam sermone”. Ideo Terentius in *Adelphis* ait c°. XI: “Inspicere tanquam in speculo vitas hominum iubeo, atque ex aliis sumere exemplum sibi”⁸⁰. Tertio depinguntur imagines sanctorum propter memorie labilitatem, quia, ut dicitur

⁷¹ Dt 6, 5: *Diliges Dominum Deum tuum ex toto corde tuo et ex tota anima tua et ex tota fortitudine tua.*

⁷² Mt 22, 37: *Diliges Dominum Deum tuum in toto corde tuo et in tota anima tua et in tota mente tua.*

⁷³ Lc 10, 27: *Diliges Dominum Deum tuum ex toto corde tuo et ex tota anima tua et ex omnibus viribus tuis et ex omni mente tua.*

⁷⁴ Thomas Aquinas, *Summa theologiae*, III, Q. 25 a. 1 -2.

⁷⁵ Thomas Aquinas, *Summa theologiae*, III, Q. 25 a. 5.

⁷⁶ Horatius, *De arte poetica liber*, 180-181.

⁷⁷ I. 3.6.

⁷⁸ Macrobius, *Commentarii in Somnium Scipionis*, I, 21, 3; Cf.: ed. James Willis (Leipzig: Teubner, 1963).

⁷⁹ Idem, *Commentarii in Somnium Scipionis*, II, 5, 13.

⁸⁰ Publius Terentius Afer, *Adelphoe*, 415

C. de veteri iu. enu. l. II. § si quid autem,⁸¹ omnium habere memoriam et nullius oblivisci divinitatis potius quam humanitatis est. Et hec ratio tangitur de conse. di. 3a. c. venerabiles his presuppositis, dico secundum Ricardum, Bonaventuram et Alexandrum, ubi supra, et Thomam in 3 parte q. 25^a ar. 3, quod imagines Christi et sanctorum sunt adorande in relatione ad rem representatam per illas, aliter non. Unde sic adorando potest adorari adoratione latrerie imago salvatoris alie autem imagines sanctorum adoratione dulcie et beate virginis iperdulcie. Et sic adorando imagines non picturam, sed picture representationem veneramur vel melius rem representatam c. placuit de conse. di. 3, unde metrice dicitur: “Effigiem Christi cum transis pronus adora. Non tamen effigiem, sed quod designat honora”.

Verum quia hodiernis temporibus demones faciunt homines idolatrare, apparentes eis in forma Christi vel beate Virginis aut alicuius sancti et ab eis adorantur maxime a mulierculis et viris imperitis. Ideo sciendum est secundum sanctum Bonaventuram in 3. di. 9^a. ar. primo q. 6^a. et Alexandrum de Ales in 3^a. parte summe in tractatu de primo precepto decalogi, quod tales sic adorantes demonia loco Christi vel alterius sancti non excusantur propter ignorantiam. Quia primo quilibet christianus est premonitus per divinam scripturam quod diabolus transfiguratur se in angelum lucis, 2^e Cor. XI⁸², et transumptive 26. q. 5^a c. epi.⁸³ et c. nec mirum,⁸⁴ et prime Cor. 4 dicit apostolus: “Nolite credere omni spiritui, sed probate spiritus, utrum ex Deo sint”⁸⁵ et, Matth. 24⁸⁶, dicit Dominus: “Multi venient in nomine meo dicentes: “Ego sum Christus”” et ideo quilibet christianus tenetur primo discutere et non statim credere. Secundo peccat, quia habet remedium orationis quam debet pretermittere huic adorationi, nam si Deum toto corde oraret, ut ostenderet ei veritatem, non fineret eum decipi, quia promisit salvator noster. Johannes 16⁸⁷ dicit: “Si quid petieritis patrem [B] in nomine meo dabit vobis”, hoc est secundum Augustinum quicquid pertinet ad salutem patet ergo quod qui non orat non adhibet omnem diligentiam. Tertio peccat, quia quilibet debet se reputare indignum huiusmodi visionibus. Et ideo potius debet illas timere, quam affectare. Narratur enim de quodam sancto patre quod cum diabolus ei in forma Christi apparuisset, clausit oculos et dixit nolle⁸⁸ se Christum videre in hac vita. At diabolus eius humilitate confusus evanuit. Debemus ergo adorare taliter nobis apparentem, cum hac condicione. “Adoro te, si es Christus vel beata Virgo, aliter non”, donec simus certi quid sit. Et hoc sufficiat pro secunda parte dicta adorationis, scilicet quod debemus adorare, amare, et venerari Deum super omnes creaturas et illi obedire iuxta illud Deut. 6 et Matth. 4: “Dominum Deum tuum adorabis et illi soli servies”;⁸⁹ unde Cato moralis in suis documentis inquit: “Si Deus est animus nobis, ut carmina dicunt, hic tibi precipue fit pura mente colendus”.⁹⁰

⁸¹ C.1.17.2.13: *Si quid autem in tanta legum compositione, quae ab immenso librorum numero collecta est, simile forsitan raro inveniatur, nemo hoc vituperandum existimet, sed primum quidem imbecillitati humanae, quae naturaliter inest, hoc inscribat, quia omnium habere memoriam et penitus in nullo peccare divinitatis magis quam mortalitatis est: quod et a maioribus dictum est...*

⁸² Cf.: 2Cor 11, 14: *Et non mirum, ipse enim Satan as transfiguratur se in angelum lucis.*

⁸³ *Decretum Gratiani*, C. 26 q. 5 c. 12.

⁸⁴ *Decretum Gratiani*, C. 26 q. 5 c. 14.

⁸⁵ The quote is actually taken from 1 Gv 4, 1: *Nolite omni spiritui credere, sed probate spiritus si ex Deo sint.*

⁸⁶ Mt 24, 5.

⁸⁷ Gv 16, 23.

⁸⁸ In the text *nole*.

⁸⁹ Mt 4, 10; Cf.: Dt 6, 13: *Dominum Deum tuum timebis et ipsi servies.*

⁹⁰ *Disticha Catonis*, I, 1.

Multis modis circa hoc preceptum offenditur Deus, primo idolatria. Secundum enim Thomam 2^a 2^e quaestione 94^a articulo 2^o⁹¹ et sanctum Bonaventuram, Ricardum, Scotum in 3a di. 37. et Alexandrum de Ales, in 3a parte Summe super hoc precepto, et Nicolaum de Lira, super *Exod.20*, idolatria est peccatum mortale et directe est contra primum mandatum decalogi. Scriptum est enim *Exodi 20*,⁹² ubi precipit Deus contra idola, dicens: “Non adorabis ea”, scilicet exterius, “neque coles”, scilicet interius, secundum glossam. Si quis, ergo, adoret diabolus pro Deo aut aliquod idolum sive creaturam, ei tribuens honorem divinum, peccat mortaliter, 26^a q. 5^a c. non liceat.⁹³

Secundo peccant mortaliter divinatores. Et notandum, secundum Thomam 2^a 2^e questione 96a articulo primo⁹⁴ et Bonaventuram in 2 di. 7a parte 2a articulo primo q. 3a et Alexandrum de Ales, in 3a parte Summe, in tractatu de scientia demonum, quod tunc aliquis dicitur divinare contra hoc preceptum quando indebito modo vult predicere de futuris contingentibus, ut puta de his, que dependent ex libero arbitrio vel que per accidens contingunt in rebus humanis, que solius Dei et prescire, unde *Esaia 41*⁹⁵ dicitur: “Annunciate que futura sunt et sciemus quia dii estis”, et 26^a questione 5^a canone primo⁹⁶ scriptum est: “Futura prescire solius Dei est”. Quantum autem sint exosi, tales divini Deo et ad eos recurrentes habetur *Levit. 19*,⁹⁷ ubi precipitur: “Non declinetis ad magos nec ab ariolis aliquid sciscitemini, ne polluamini per eos” et 20 caput⁹⁸ eiusdem libri scribitur: “Anima que declinaverit ad magos et ariolos ponam faciem meam contra eam et interficiam eam de medio populi mei”. Et ibidem dicitur: “Vir sive mulier in quibus phitonis sive divinationis fuerit spiritus, morte morietur, lapidibus obruent eos” et *Deuteronomii 18*caput⁹⁹ dicitur: “Non inveniatur in te qui phitones ac divinos consulat aut querat a mortuis veritatem, omnia enim abhominabitur Dominus”. Similiter prohibetur divinatio lege canonica, 26^a quaestione 5^a canone si quis etc.¹⁰⁰ Nec mirum et etiam lege civili, ut in *l. nullus*¹⁰¹ et *l. nemo*,¹⁰² *C. de maleficis et mathematicis*.

Tertio offenditur Deus contra hoc preceptum invocatione demonum. Tamen sciendum est secundum Bonaventuram in 2 di. 7a parte 2a ar. 2 q. 3a, quod homo potest advocare demonem duobus modis: uno modo virtute divina, ei imperando aliquid licitum et honestum, unde, *Act. 16*, Paulus imperavit diabolo exire de puella et exivit eadem hora.¹⁰³ Et

⁹¹ Thomas Aquinas, *Summa theologiae*, II, II, Q. 92 a. 2: *Utrum sint diversae superstitionis species*.

⁹² *Es 20*, 5.

⁹³ *Decretum Gratiani*, C. 26, q. 5, c. 3.

⁹⁴ Thomas Aquinas, *Summa theologiae*, II, II, Q. 96 a. 1: *Utrum uti observantiis artis notoriae sit illicitum*.

⁹⁵ Cf.: *Is 41*, 23: *Annunciate, quae ventura sunt in futurum, ut sciamus quia dii estis vos*.

⁹⁶ *Decretum Gratiani*, C. 26 q. 5 arg.

⁹⁷ *Lv 19*, 31.

⁹⁸ *Lv 20*, 6.

⁹⁹ *Dt 18*, 10-12: *Nec inveniatur in te, qui filium suum aut filiam traducat per ignem, aut qui sortes sciscitetur et observet nubes atque auguria, nec sit maleficus nec incantator, nec qui pythones consulat nec divinos, aut quaerat a mortuis veritatem; omnia enim haec abominatur Dominus*.

¹⁰⁰ *Decretum Gratiani*, C. 26, q. 5, c. 1: *Si quis ariolos, aruspices vel incantatores observauerit, aut philacteriis usus fuerit anathema sit*.

¹⁰¹ C.9.18.3pr.: *Nullus haruspex, nullus sacerdos, nullus eorum, qui huic ritui adsolent ministrare, limen alterius accedat nec ob alteram causam, sed huiusmodi hominum amicitia quamvis vetus repellatur: concremando illo haruspice, qui ad domum alienam accesserit, et illo in insulam detrudendo post ademptionem bonorum, qui eum evocaverit suasionibus vel praemiis*.

¹⁰² C.9.18.5: *Nemo haruspice consulat aut mathematicum, nemo hariolum. augurum et vatum prava confessio conticescat. chaldaei ac magi et ceteri, quos maleficos ob facinorum magnitudinem vulgus appellat, nec ad hanc partem aliquid moliantur. sileat omnibus perpetuo divinandi curiositas. etenim supplicium capitis feret gladio ultore prostratus, quicumque iussis obsequium denegaverit*.

¹⁰³ *At 16*, 16-18: *Factum est autem, euntibus nobis ad orationem, puellam quandam habentem spiritum pythonem obviare nobis, quae quaestum magnum praestabat dominis suis divinando. Haec subsecuta Paulum*

hoc similiter esse posset quando Deus suo iusto iudicio diabolum subiiceret homin prout de quibusdam viris sanctis narratur. Nam etsi demon non invocatus alicui sancto viro occurreret posset eum in virtute divina cogere ad aliqua vera dicenda ad utilitatem aliorum. Alio modo potest quis invocare diabolum ei supplicando. Et hoc est mortale peccatum. Scriptum est enim 26^a *quaestione 5^a canone episcopi*:¹⁰⁴ “A diabolo captivi tenentur, qui relicto creatore, diaboli auxilium querunt”. Tales autem consulentes demonem ab eo plerumque tandem in suum exterminium decipiuntur. Sicut ille cui demon ait: “Andariti, tornariti, non sareti preso”. Isti autem perditii homines non tantum faciunt contra hoc primum preceptum, quia non adorant Deum sed diabolum sed etiam faciunt contra omnia alia precepta. In vanum enim nomen Dei assumunt quia illud invocationibus demonum et incantationibus suis immiscent. Item quia sepe periurant idolatre enim iuramenta non servant et male iurantes cito periurant, ut dicitur *Sap. 14*.¹⁰⁵ Contra etiam tertium preceptum faciunt quia festa non sanctificant imo in precipuis festivitatibus maleficia sua magis exercent. Quantum etiam preceptum transgrediuntur, quia non honorant sed vituperant patrem celestem, eius honorem diabolo tribuentes, nec etiam honorant sanctam matrem ecclesiam cuius precepta et sacramenta contemnunt et accipere nolunt. Unde isti malefici, maxime qui vadunt ad ludum diabolicum, nunquam aqua benedicta se aspergunt, sed quando intrant ecclesias accipiunt asperges, et dant aliis aquam benedictam, se autem illa non tangunt vel aspergere se ostendunt et aquam de super caput proiciunt; hi autem irreverentes patri eterno et matri ecclesie multo magis sunt irreverentes patribus carnalibus quia in canone *non potest, 2a quaestione 7* dicitur: “Non potest hominibus esse fidelis, qui Deo extiterit infidelis”.¹⁰⁶ Contra quintum mandatum etiam faciunt quia multa homicidia perpetrant. Combusta enim fuit Rome quedam malefica tempore sancti Bernardini nomine Facinella, que confessa est quod occiderat 65 pueros. Et alia combusta est Perusii 1445 nomine Sanctucia; videbatur enim una sancta sicut communiter sunt tales malefice, que frequentant ecclesias et simulant se stare in orationibus et devotionibus, occulte tamen diabolum adorantes ac crucem Christi conculcantes baptismoque ac sacramentis ecclesie renunciantes ac fidem catholicam negantes. Hec autem maledicta femina confessa est se 50^a pueros occidisse. Contra sextum etiam preceptum faciunt, quia communiter tales sunt meretrices vel adulteri et adultere et matrimonii legem violantes ac mechie et impudicitie dediti, ut dicitur *Sap. 14*.¹⁰⁷ Committunt etiam vitium sodomiticum et omnes alias spurcicias perpetrant, maxime illi et ille, que vadunt ad ludum, qui dicitur *bariloti*, in quo pater cum filiabus et filii cum matribus ac sorores cum fratribus et cognati cum consanguineis carnaliter commiscuntur. Isti quoque, si ex antiquitate non possunt predicta scelera perpetrare, procurant illa ab aliis committi. Contra septimum etiam preceptum faciunt, quia communiter sunt fures. Item, ut proximos suis bonis spolient, eis divinationes et incantationes faciunt ad inveniendos thesauros et furta etc. Hinc apostolus *AdEph. 5* vocat avaritiam servitutem idolorum.¹⁰⁸ Contra octavum preceptum similiter faciunt, quia pleni sunt mendaciis, unde Salomon, *Sap. 14*, dicit quod

et nos clamabat dicens: “Isti homines servi Dei Altissimi sunt, qui annuntiant vobis viam salutis”. Hoc autem faciebat multis diebus. Dolens autem Paulus et conversus spiritui dixit: “Praecipio tibi in nomine Iesu Christi exire ab ea”; et exiit eadem hora.

¹⁰⁴ *Decretum Gratiani*, II, C. 26, q. 5, c. 12, *Corpus iuris canonici*, I, ed. Emilius Friedberg (Leipzig: Bernhard Tauchnitz, 1879), 1030.

¹⁰⁵ Cf.: *Sap. 14*, 29-30: *Dum enim confidunt in idolis, quae sine anima sunt, male iurantes noceri se non sperant. Utraque autem illis evenient digne, quoniam male censerunt de Deo attendentes idolis et iuraverunt iniuste in dolo contemnentes sanctitatem.*

¹⁰⁶ Cf.: *Decretum Gratiani*, C. 2 q. 7 c. 24: *Non potest erga homines esse fidelis, qui Deo extiterit infidus.*

¹⁰⁷ Cf.: *Sap. 14*, 25-26: *Et omnia commixta sunt: sanguis et homicidium, furtum et fictio, corruptio et infidelitas, turbatio et periurium tumultus bonorum, gratiarum immemoratio, animarum inquinatio, generis immutatio, nuptiarum inordinatio, moechia et impudicitia.*

¹⁰⁸ Cf.: *Ef. 5*, 5: *Hoc enim scitote, intellegentes quod omnis fornicator aut immundus aut avarus, id est idolorum cultor, non habet hereditatem in regno Christi et Dei.*

“vaticinantur falsa”¹⁰⁹ et sic multos innocentes inculpant et infamant de furtis et proditiis ac aliis vitiis, sequentes diabolum, qui est mendax et mendacii pater, ut ait Salvator, *Ioannis* 8.¹¹⁰ Ex predictis quoque patet quod etiam faciunt contra alia duo precepta: nam, qui actualiter quando possunt furantur et tollunt aliena et cum aliena uxore mechantur, perpetrando predicta facinora desiderium semper retinent in eo perseverant. Alia etiam innumera et abhominabilia scelera perpetrantes, hos enim maritatos suis maleficiis impediunt ne possint coniungi. Illos ne possint filios generare. Aliis procurant abortus, aliis faciunt ne possit uxorem bono vultu intueri et similiter de uxore peragunt, ut non valeat maritum suum, nisi torva facie aspicere atque asperis verbis alloqui. Ait enim Salomon, *Sap.* 14: “Infandorum idolorum cultura omnis mali causa est et initium ac finis”.¹¹¹

Quarto contra hoc primum preceptum offenditur Deus dando fidem somniis, volendo interpretari per somnia illa que sunt futura, quod est peccatum secundum Bonaventuram in 2, di. 7a, ar. primo, q. 3a et beatum Thomam 2^a 2^e quaestio 95^a articulus 6^o¹¹² et habetur 26^a q. 7^a c. non observetis.¹¹³ Ideo inquit moralis Cato: “Somnia ne cures, nam mens humana quod optat, dum vigilat, sperat, per somnum cernit id ipsum”.¹¹⁴ Ideo scriptum est *Deutero*. 18: “Non invenietur in te, qui observet somnia”.¹¹⁵ Non ergo debemus facere sicut quidam, qui in bonum vel malum eventum accidere putent, si quis somniet invenire pecunias vel dentes ab ore sibi cadere et huiusmodi.

Quinto peccatur tentando Deum secundum Nicolaum de Lira, super Mattheo 4, et Thomam 2^a 2^e q. 97 ar. primo¹¹⁶ et Astesanum parte prima libro primo [f. 128r, A] tit. 16,¹¹⁷ qui dicunt, quod tentare Deum est experientiam de eius potentia et maiestate querere sine necessitate. Sic faciebant pharisei, *Matthei* 12, signum de celo querentes.¹¹⁸ Et hoc modo peccaret ille, qui existens in solario, nollet descendere per gradus scale, sed se precipitaret credens quod Deus ipsum incolumem servare debeat. Similiter si quis infirmatur et renuit remedium naturale volens quod Deus faciat miraculum eum sanando, cui dicitur *Ecclesiast.* 18:¹¹⁹ “Nole esse tentans Deum», *Deutero*. 6: “Non tentabis Dominum Deum tuum”,¹²⁰ quod etiam habetur *Matthei* 4^o¹²¹. Et talis fuit quidam scholaris ultramontanus, qui in civitate Papie infirmatus mortuus est. Nam, cum vellent medici dare ei medicinam, recusabat illam, dicens: “Christus medicina”; et, cum vellent cordi eius imponere picturam, nolebat eam, dicens: “Christus pictura”. Et hoc fuit temporibus nostris.

Sexto offenditur, quando quis credit certitudinaliter et determinate quod omnes cogantur ad bonum vel malum ex constellationibus et planetis sub quibus nati sunt hoc enim hereticum est et prohibitum 26^a q. 2^a c. illud¹²² et capit. illos¹²³ et ea causa q. 5^a c. non liceat¹²⁴ et per Thomam 2^a 2^e q. 95^a ar. 5.¹²⁵

¹⁰⁹ *Sap* 14, 28.

¹¹⁰ *Gv* 8, 44: Vos ex patre Diabolo estis et desideria patris vestri vultis facere. Ille homicida erat ab initio et in veritate non stabat, quia non est veritas in eo. Cum loquitur mendacium, ex propriis loquitur, quia mendax est et pater eius.

¹¹¹ *Sap* 14, 27.

¹¹² Thomas Aquinas, *Summa theologiae*, II, II, Q. 95 a. 6: *Utrum divinatio quae fit per somnia sit illicita.*

¹¹³ *Decretum Gratiani*, C. 26 q. 5 c. 16.

¹¹⁴ *Disticha Catonis*, II, 31.

¹¹⁵ Cf.: *Dt* 18, 10-11.

¹¹⁶ Thomas Aquinas, *Summa theologiae*, II, II, Q. 97 a. 1: *Utrum tentatio Dei consistat in aliquibus factis in quibus solius divinae potestatis expectatur effectus.*

¹¹⁷ Astesano da Asti, *Summa de casibus conscientiae*.

¹¹⁸ *Mt* 12, 38: Tunc responderunt ei quidam de scribis et pharisaeis dicentes: "Magister, volumus a te signum videre.

¹¹⁹ *Qo* 18, 23: Ante orationem praepara animam tuam, et noli esse quasi homo qui tentat Deum.

¹²⁰ *Dt* 6, 16: Non tentabitis Dominum Deum vestrum.

¹²¹ *Mt* 4, 7.

¹²² *Decretum Gratiani*, C. 26 q. 2 c. 6.

¹²³ *Decretum Gratiani*, C. 26 q. 2 c. 8.

¹²⁴ *Decretum Gratiani*, C. 26 q. 5 c. 3.

Septimo offenditur, quando quis observat cursus stellarum aut lune pro domo facienda vel ad coniugia socianda 26^a q. 5^a c. *non liceat*.¹²⁶ Unde peccant illi, qui ad faciendas armaturas expectant punctum astrologie et tunc percutiunt maleo et dant aliquos ictus. Deinde alium punctum expectant et credunt quod postea talis armatura sit fatata, quasi esset Hectoris vel Achillis. Alii vero, volentes itinerare, tenent equum paratum cum sella, habentes calcaria in pedibus et unum pedem in stafa et in puncto astrologie ascendunt equum etiam si pluviis et turbinibus aer esset exagitatus. O astrolole, exspecta etiam punctum astrologie quando morieris, ut facias iter prosperum. Et fac ut tua uxor expectet punctum astrologie ad pariendum tibi filium, quando est in illis doloribus, ut faciat filium felicem. O stultitia maxima, per quam quamplures a diabolo tenentur captivi. Et similiter, si quis observat tempora et menses Egiptiorum vel horam ad aliquid inchoandum vel non, 26^a q. 7^a c. *non observetis*,¹²⁷ et c. *sequente*.¹²⁸ Talis, autem, erat quidam medicus, qui quodam die, dum rogaretur, ut visitaret infirmos ait: “Hodie est die ociarius, in quo non debemus ambulare, aliter nobis eveniet aliquid mali, sed oportet quiescere et stare in lecto”. Dum ergo sic staret, accidit quod, dormiens et se super lectum revolvens, cecidit et crurifragium pertulit, quod ei non evenisset, si dies ociarius non observasset. Si autem quis observet cursum Lune ad incidenda ligna vel, si utatur, consideratione [B] astrorum ad prenoscendum futura, que ex celestibus corporibus causantur, puta siccitates et pluvias, non est illicitum, secundum Thomam, ubi supra, et nota Archidiaconus,¹²⁹ 26^a q. 5^a c. *si quis clericus*,¹³⁰ licet etiam rusticis per ventos et dispositiones lune considerare tempus seminandi. Et medicis tempora potionum et aliarum rerum medicinalium. Et generaliter possumus uti consideratione astrorum et lune in his que procedunt naturaliter ex influentiis eorum, ut notat glossa et doctores in dicto c. *non liceat*.¹³¹

Octavo offenditur contra hoc preceptum, quando in kalendis ianuarii vel alio, quasi pro bono augurio, aliquid donatur [3^a] 37^a di. c. *legant*¹³² et 26^a q. 7^a c. *non observetis*.¹³³ Item si tali die aliquid plus novi faciat quis propter bonum annum et bonam fortunam habendam 26^a q. 7^a c. *si quis*.¹³⁴ Item si in kalendis maii vacavit lauro, aut viriditate arborum domos cinxit, hec enim observantia paganorum est 26^a q. 5^a c. *non liceat*.¹³⁵ Item si quis superstitiones alias observavit, puta suspendendo carbones nativitatis Domini contra grandinem vel accipiendo in malum signum, si quis exiens domum pedem offenderit et si mulier vadens ad maritum in superliminari offenderit, pedem vel si quis a lecto surgens sternutaverit. et huiusmodi alia superstitiosa et pestifera timendo, ut puta si panis nativitatis Domini marcuerit infra annum, credere quod debeat mori principalis de domo. Hec enim omnia similia prohibentur 26^a q. 2^a c. *illud*.¹³⁶ Item si ex effusione olei de lucerna vel garritu aliquarum avium aut magnitudine et continuatio ne ventorum vult iudicare de venturis contingentibus. Hoc enim est superstitiosum secundum Thomam 2^a 2^e q. 95^a ar. 7.¹³⁷ Et similiter credere quod apparente cometa debeat mori princeps illius patrie. Licet enim Deus quandoque illam propter predictam causam faciat apparere. Non possumus tamen hoc scire nisi ipse revelet per se, vel per alium, non est ergo vera sententia. Lucani in primo

¹²⁵ Thomas Aquinas, *Summa theologiae*, II, II, Q. 95 a. 5: *Utrum divinatio quae fit per astra sit illicita*.

¹²⁶ *Decretum Gratiani*, C. 26 q. 5 c. 3.

¹²⁷ *Decretum Gratiani*, C. 26 q. 7 c. 16.

¹²⁸ *Decretum Gratiani*, C. 26 q. 7 c. 17.

¹²⁹ Guido de Baysio (1250-1313), archdeacon of Bologna and jurist.

¹³⁰ *Decretum Gratiani*, C. 26 q. 7 c. 9.

¹³¹ *Decretum Gratiani*, C. 26 q. 5 c. 3.

¹³² *Decretum Gratiani*, C. 3 d. 37 c. 5.

¹³³ *Decretum Gratiani*, C. 26 q. 7 c. 16.

¹³⁴ *Decretum Gratiani*, C. 26 q. 7 c. 14.

¹³⁵ *Decretum Gratiani*, C. 26 q. 5 c. 3.

¹³⁶ *Decretum Gratiani*, C. 26 q. 4 c. 6.

¹³⁷ Thomas Aquinas, *Summa theologiae*, II, II, Q. 95 a. 7: *Utrum divinatio quae est per auguria et omina et alias huiusmodi observationes exteriorum rerum, sit illicita*.

dicentis: “Mutantem regna cometen etc.”. Nisi hoc modo ut potest colligi ex dictis magistri Pauli Veneti in summata sua super librum Methauro,¹³⁸ videlicet quod cometa sive alii ignes apparentes in aere, dant nobis sepe intelligere quod aer est mutatus a sua naturali qualitate. Nam aer medie regionis deberet esse frigidus, et tunc est calidus, contra naturam suam. Et ideo inflammat illos vapores a terra, vel ab aqua elevatos virtute solis et delatos usque ad ipsam mediam regionem aeris et consequenter per ipsam aeris corruptam dispositionem, multa hominum corpora corrumpuntur et moriuntur. Quia ve- [f. 128v. A] ro sepe accidit quod princeps in victu et luxuria sunt magis dissoluti quam alii. Item magis delicate complexionis ideo citius moriuntur quam alii. Mortuis ergo multis ex illa aeris infectione et similiter ipso principe dicunt populares quod cometa illa propter eius mortem apparebat. Item ex ventorum agitatione commovetur colera hominum secundum Avicenam 2a. primi doctrina. 2a. in c. de naturis ventorum¹³⁹ et consequenter provocantur ad iracundiam et ex illa iracundia sequuntur bella et prodictiones. Vulgares autem dicunt quod illi venti denotant prodictiones esse in aere et errorem suum confirmant ex sequentibus cum tamen illi venti hoc non significarent licet fuerint causa dispositiva prodictionum et bellorum. Corvi quoque habentes meliorem odorem quam homines ut dicitur in libro de animalibus, de longe sentiunt odorem fetidum corporis morituri, quem tamen homines prope stantes non bene sentiunt. Et ideo super tectum domus in qua iacet infirmus volitant et crocitant, volentes ingredi ubi est illa corruptio quam sentiunt. Populares vero dicunt quod ibi apparent in signum quod ille infirmus debet mori, quod non est verum. Sepe tamen Deus permittit demones apparere in forma corvorum et aliorum animalium super domos vel in domibus morientium quando bestialiter vixerunt. Similiter quis peccat contra hoc preceptum dando fidem auguriis et aliis quasi innumeris stultitiis, que hodie fiunt. Memini¹⁴⁰ enim dum secularis essem et cum uno meo affine equitarem et quandam mustelam¹⁴¹ in via invenissemus, que viam ipsam ante nos transversavit, ille statim tres passus equum retro traxit, dicens quod illa bestia transversando malum signum dabat alicuius mali, ad quod evitandum sic oportebat facere. Quidam autem si talem bestiam vel similem taliter transversantem invenerint, nunquam inde recedunt nisi postquam illam invenerint et occiderint. Alii vero si vinum casu in mensam effundatur pro optimo augurio accipiunt. E contra vero, si effundatur sal. Refert quoque Augustinus in libro *De Doctrina Christiana*,¹⁴² quod cum quidam auguria observaret et futuri mali magnum indicium crederet si mures in domo aliquid corroderent. Cum semel mures eius caligas corrosissent, super hec interrogavit Catonem, qui eum deridens¹⁴³ ait: “Non est mirum si mures caligas corroserunt. Sed hoc fuisset futuri mali magnum indicium, si mures a caligis fuissent corrosi”.

Nono offenditur Deus contra hoc preceptum utendo sortibus divinatoriis et consultoriis 26^a, q. 5^a, c. *sortes* et tribus capitulis sequentibus.¹⁴⁴ Et habetur per Thomam 2^a 2^e, q. 95, ar. 8.¹⁴⁵ Antiquitus vero non videbatur illicitum sortibus divinatoriis, unde Iosue sortibus deprehendit Achior, *Josue* 7,¹⁴⁶ et Saul Ionatham, qui comederat contra preceptum suum, *primo Reg.* 14,¹⁴⁷ et Ionas deprehensus fuit sorte a nautis quod propter eum venerat

¹³⁸ The reference is to the commentary on Aristotle’s *Liber Methauro* by Paolo da Venezia (Paolo Nicoletti) (d. 1428), a Nominalist philosopher and theologian belonging to the Order of the Hermits of St Augustine.

¹³⁹ Busti refers here to one of Avicenna’s *Kitab Al-Shifa*’ (“The book of healing”) Latin translations, to the chapter on the nature of winds.

¹⁴⁰ In the text *memeni*.

¹⁴¹ In the text *muregulam*.

¹⁴² Cf.: Augustine, *De doctrina christiana*, II, 20, 31. Ed. R. P. H. Green (Oxford: Clarendon Press, 1995).

¹⁴³ In the text *diridens*.

¹⁴⁴ *Decretum Gratiani*, C. 26, q. 5, 7 - 10.

¹⁴⁵ Thomas Aquinas, *Summa theologiae*, II, II, Q. 95 a. 8: *Utrum divinatio sortium sit illicita*.

¹⁴⁶ *Gs* 8, 16 - 26. The reference is to Achan, the Israeli who pillaged a war chest consecrated to God provoking his wrath over Israel.

¹⁴⁷ *ISam* 14, 24 - 46. The reference is to the sacrilege committed by Jonas son of Saul.

tempestas, *Ione* 2,¹⁴⁸ et Mathias sorte electus est ab apostolis, Act. 1,¹⁴⁹ et 11a di. c. cleros. Modo tandem non est licitum nisi ut infra dicitur. Nam licet scriptum sit in *c. sors* 26^a q. 2^a. Sors non est aliquid mali, sed in re humana dubia, divinam indicans voluntatem, tamen quia plerunque male eis utuntur homines sortes prohibetur ut in § his ita 26a q. 2a, ubi dicitur: “Antequam evangelium claresceret: multa permittebantur, que tempore perfectionis sunt penitus eliminanda”. Et ideo scriptum est in *c. non statim* 26^a q. 2^a, quod in electionibus ecclesiasticis non debemus exemplo apostolorum sortibus eligere, quia ipsi fecerunt hoc spiritu sancto, ut dicitur in *c. non exemplo*, eadem causa et questione, et in *c. hi qui* eadem questione, Augustinus reprobatur divinam inquirentes voluntatem per sortes. In electionibus tamen temporalibus, ubi non potest aliter bono modo fieri tunc invocare Dei voluntatem cum reverentia et oratione premissa sortes proiciendo sine superstitione est licitum ut inquit Augustinus ad Honoratum. Uti autem sortibus diversoriis est licitum in capitulo finali de sortilegiis. Facere vero experientiam de ferro ignito vel aqua ferventi ad cognoscendum aliquod peccatum, ut olim fiebat, est illicitum secundum Thomam 2^a 2^e, q. 95^a, ar. 8¹⁵⁰ in responsione ultimi argumenti. Et de hoc est textus in *c. consulisti* 2a q. 3a.

Decimo contra hoc preceptum peccat, qui facit vel fieri consentit aliquod maleficium propter quamcumque causam, Deuteronomii 18 et 26a q. 5a c. nec mirum. Et qui potest tollere maleficium, meretur destruendo opera diaboli, ut inquit Scotus in 4 di. 34a ar. 2 q. prima.

Undecimo offenditur Deus contra hoc preceptum, cum quis facit incantationem vel fieri procurat vel ad inveniendum furta aut amissa vel ad aliquid sciendum vel ad recuperandam sanitatem et semper est mortale peccatum et gravius, si fiat cum rebus sacris vel sacramentalibus, ut cum aqua benedicta vel oleo sancto et huiusmodi. Quotiescumque ergo aliquis querit sanitatem vel aliud per incantationem quomodocumque fiat semper peccat mortaliter, si est sciens hoc esse prohibitum sive incantatio fiat verbis et impetrationibus sive fiat signaturis ac ligaturis seu aliis remediis que medicorum disciplina condemnat, 26a q. 2a c. illud et Deuteronomii 18, et tales incantatores dicuntur inimici Christi, ut in *c. pervenit* 26a q. 5a, si vero ex simplicitate ignoranter faciat, credens bonas esse orationes vel verba, veniale videtur, nisi sit ignorantia crassa et supina, que equiperatur dolo, l. quod Nerva ff. depo.,¹⁵¹ neutro tamen casu absolvendus est, nisi velit in futurum abstinere. Nec ideo quia quandoque malefici et divini predicunt futura et eveniunt, credendum est eos in his aliquid virtutis habere, sed permissu [f. 129r, A] Dei fit ut illi, qui hoc audiunt vel vident, probentur quali fide et devotione sint erga Deum, 26^a q. 5^a c. *episcopi*.¹⁵² Et non debent absolvi nisi comburant libros nigromantie et artis notorie. Omnes enim his artibus operam dantes sunt filii diaboli.

Duodecimo offenditur contra hoc preceptum, quando quis portat brevia aut facit ea vel fieri procurat quando sunt superstitiosa, sicut communiter accidit. Et ideo est peccatum, secundum Thomam 2^a 2^e, q. 96, articulo 4.¹⁵³ Si in eis est aliquid pertinens ad invocationem demonum vel si aliquid illicitum sub ignotis nominibus lateat in ipsis vel etiam si sint verba

¹⁴⁸ Gn 1, 7: *Et dixit unusquisque ad collegam suum: “Venite, et mittamus sortes, ut sciamus quare hoc malum sit nobis”. Et miserunt sortes, et cecidit sors super Ionam.*

¹⁴⁹ At 1, 23-26: *Et statuerunt duos, Ioseph, qui vocabatur Barsabbas, qui cognominatus est Iustus, et Matthiam. Et orantes dixerunt: “Tu, Domine, qui corda nosti omnium, ostende quem elegeris ex his duobus unum accipere locum ministerii huius et apostolatus, de quo praevaricatus est Iudas, ut abiret in locum suum”. Et dederunt sortes eis, et cecidit sors super Matthiam, et annumeratus est cum undecim apostolis.*

¹⁵⁰ See the previous footnote.

¹⁵¹ D, 16, 3, 32: *Quod nerva diceret latiore culpam dolum esse, procul displicebat, mihi verissimum videtur. nam et si quis non ad eum modum quem hominum natura desiderat diligens est, nisi tamen ad suum modum curam in deposito praestat, fraude non caret: nec enim salva fide minorem is quam suis rebus diligentiam praestabit.*

¹⁵² *Decretum Gratiani*, C. 26, q. 5, c. 12.

¹⁵³ Thomas Aquinas, *Summa theologiae*, II, II, Q. 96, a. 4: *Utrum suspendere divina verba ad collum sit illicitum.*

divina et bona sed cum eis misceantur aliqua vana, puta aliqui characteres preter signum crucis aut spes habeatur in modo scribendi, puta in charta non nata, vel in uno tempore vel loco magis quam in alio qut per unam personam magis quam aliam, puta quod scribantur a ieiuno vel tempore misse vel in ecclesia vel per virginem vel in fine dicatur. Quicumque portaverit super se istud breve, non peribit in aqua vel igne. Hec enim omnia superstitiosa sunt, ut notat Archidiaconus, 26^a q. 5^a c. *non liceat*.¹⁵⁴ Qui autem talibus credunt, scribunt, portant seu docent graviter peccant, 26^a q. 7^a c. *non observetis*,¹⁵⁵ ubi habetur quod non licet portare nisi symbolum et orationem dominicam et verba evangelii vel similia et hoc sine aliqua superstitione. Similiter, ut dicit Thomas, ut supra, in responsione tertii argumenti, licitum est portare super se reliquias sanctorum ex devotione aut nomen Iesu seu alias devotas orationes, dummodo fiat sine aliqua vana observantia, tamen caute in his est ambulandum, quia multe fiunt deceptiones sub pretextu devotionis. Nam quidam maleficus dedit unus breve cuidam domino Sambuco contra omnes febres huius tenoris: “Dio ve salvi miser Sambuco, pane e sale io ve lo adduco, febre terzana e febre quartana e febre d'ogni di, tollitela voi che non la volio mi”. Item quedam domina Ioanna, laborans febre quartana, portabat super se quoddam breve in quo putabat esse bona verba cum legere nesciret. Quidam autem frater noster confessor eius aperiens hoc breve invenit scriptum sic: “Madona Gioanna de la febre quartana Dio ve mandi lo malo anno e la mala septimana” Et frater Vincentius, socius sancti Bernardini invenit quoddam breve huius tenoris: “Dogliate [B] il capo che doler te sole, doglia a te e a chi ben te vole, dogliate li ochi e dogliate li denti, dogliate il corpo insieme con il ventre. Vanne al mare e fate incantare che cento demoni ti possono portare”. Ecce, ergo, quanta est deceptio in his brevibus. Et ideo taia brevina portantes graviter peccant, nisi fuerint adeo simplices, quod ignorantia debeat eos excusare, que tamen eos non excusat, cum super hoc fuerint moniti et instructi. Et talia brevina superstitiosa habentes non debent absolvi nisi ea destruant. Sunt enim diabolica opera. Nam predicante me in civitate Hipporegiensi, quidam portabat unum breve parvissimum ligatum quibusdam filis diversi coloris, quod ei dederat unus caprarius. Cum autem eius confessor ipsum breve apperuisset, statim de eo exivit quoddam animal grossius ipso brevi fortiter vociferans et evolans et credo quod esset diabolus in eo habitans. In illo autem brevi erant scripti tantummodo aliqui characteres. Et idem per omnia accidit, predicante me in civitate Laudensi.

Decimotertio offenditur in hoc precepto, cum quis credit aliquam creaturam posse realiter transmutari in aliam speciem, puta in gatas vel huiusmodi hoc enim est hereticum, 26^a q. 5^a c. *episcopi*.¹⁵⁶ Et notat Augustinus 18 *De civitate Dei*, capitulo 18,¹⁵⁷ apparente vero potest fieri virtute demonum ut patet de Samuele, de quo in capitulo nec mirum 26a q. 5a.¹⁵⁸ Et idem habetur per Thomam *prima parte Summe*, q. II. 4.¹⁵⁹ Item si quis credat quasdam mulieres seu homines ad ludum, cum Diana nocturnis temporibus ire et deferri super bacculum unctum seu super quasdam bestias ac multa terrarum spacia transire. Hec enim omnia falsa sunt et talia fantasmata a maligno spiritu mentibus infidelium irrogantur, ut habetur plene in c. *episcopi* 26^a q. 5^a.¹⁶⁰ Item si quis credat predictas mulieres intrare ostia clausa et interficere parvulos et quandoque a patribus vel matribus eorum vulnerari, hoc enim est falsum et erroneum sed demon hoc facit secundum Augustinum et Hieronimum et etiam Thomam, ubi supra, art. 4. Et predicta confirmantur per illud quod accidit in territorio Hipporigiensi, ubi quedam iuvenis sepius incitata a quadam vetula diabolica, ut ad ludum Diane secum pergeret. Cum ei semel inter alia diceret quod numquam talia solatia viderat

¹⁵⁴ *Decretum Gratiani*, C. 26, q. 5, c. 3.

¹⁵⁵ *Decretum Gratiani*, C. 26 q. 5 c. 16.

¹⁵⁶ *Decretum Gratiani*, C. 26, q. 5, c. 12.

¹⁵⁷ Augustine, *De Civitate Dei*, 18, 18.

¹⁵⁸ *Decretum Gratiani*, C. 26, q. 5, c. 14.

¹⁵⁹ Thomas Aquinas, *Summa theologiae*, III, Q. 25, a.3.

¹⁶⁰ *Decretum Gratiani*, C. 26, q. 5, c. 12.

nec habuerat tandem consensit. Cumque illi vetula diceret, quod talibus spectaculis et consolationibus interesse non poterat nisi fidei christiane et baptismo atque omnibus sacramentis ecclesie renunciaret. Illa omnia fecit quibus peractis, cum esset in quodam agro, statim apparuit ei, quod esset ducta in quodam pulcherrimo atrio, sericis strato atque miris odoribus pleno. Ibique videbantur esse iuvenes pulcherrimi vestibibus aureis et argenteis induti corripientes cum feminis euntibus ad ipsum ludum et similiter femine pulcherrime tripudiantes cum viris audiri soni et cantus melliflui. Cum autem et ipsa iuvenis tripudiaret, vidit quandam vetulam decrepitam et curvam deformissimamque tripudiantem et post choream velle turpia agere cum uno iuvene, propter quod stupefacta illa iuvenis cepit clamare dicens: “O Iesu” et statim omnis illa illusio disparuit ipsaque in eodem agro et loco se reperit, ut postea confessori suo retulit. Ad confirmationem quoque predictorum faciunt ea que leguntur de sacto Remigio,¹⁶¹ scilicet quod cum semel esset hospitatus in quodam ospitio vidit nocte parari mensas quamplures cum ferculis. Quapropter advocans patronum illius hospitii, interrogavit eum quibus prepararet cibaria in illa hora. Ipse autem respondit, quod preparabat his qui vadunt ad ludum, qui debebant venire talia hora noctis et ibi epulari. Cum autem venissent in magna multitudine, sanctus Remigius interrogavit predictum patronum hospitii, an illos viros et mulieres cognosceret quo respondente quod sic, sanctus Remigius misit statim ad domos eorum et inventi sunt omnes in lecto dormientes. Ipsi tamen tunc videbatur quod in dicto hospitio in simul essent et ibi epularentur.

Decimoquarto violatur hoc preceptum peccato blasphemie de quo quia in sequenti sermone intendo tractare. Ideo ad presens pertranseo. Hoc autem solum dixisse sufficiat, quod si non adorans nec honorans Deum ac sanctos transgreditur hoc mandatum multo gravius offendit ille qui impudico ore ipsos blasphemat. Et ideo dicitur *Esaie primo*:¹⁶² “Veh, genti peccatrici, populo gravi iniquitate, semini nequam filiis sceleratis. Blasphemaverunt sanctum Israel” etc.

Quintodecimo quis peccat contra hoc preceptum, quando diligit plus corpus suum, filium aut filam vel uxorem aut uxor maritum vel aliam creaturam seu nummos quam Deum, hoc enim sapit idolatriam, secundum apostolum ad Col. 3¹⁶³ et ad Ephe. 5.¹⁶⁴ Ait enim Hieronimus in quadam epistola, quod quis plus veneratur et amat hoc illi Deus est. O quot sunt qui alios habent deos, quam Deum verum. Gulosos enim et luxuriosus habet ventrem pro Deo, de quibus voluptati carnali deditis apostolus dicit ad Philip. 3¹⁶⁵ “Quorum Deus venter est”. Non ergo adoremus res temporales pro Deo, sed toto corde et omni devotione in omnibus necessitatibus nostris recurramus ad Deum et ipse nos exaudiet, quia inquit Hiere. 29:¹⁶⁶ “Invocabitis et adorabitis me et exaudiam vos”. Tunc autem veraciter Deum adoremus cum bonis operibus eius maiestati serviamus. Ait enim Augustinus 18 De civitate Dei, c. 13¹⁶⁷ “Deus per iustitiam ac castitatem aliasque virtutes adoramus”. Quod facere ille nobis

¹⁶¹ Busti refers here to the famous *Legenda sancti Germani* recounted by Iacopo da Varazze. It is about St. Germain bishop of Auxerre, whom Busti refers to as Remigius. See: Iacopo da Varazze, *Legenda aurea*, ed. Giovanni Paolo Maggioni (Florence: SISMEL, 2007), 775. Cf.: Carlo Ginzburg, *I benandanti* (Turin: Einaudi, 1966), 43; Jean Claude Schmitt, *Les revenants. Les vivants et les morts dans la société médiévale* (Paris: Gallimard, 1994), 44 and 208; Henningsen, “The Ladies from Outside: An Archaic Pattern of the Witches Sabbath,” *Early Modern European Witchcraft. Centres and Peripheries*, ed. Bengt Ankarloo and Gustav Henningsen (Oxford: Clarendon Press, repr. 2001), 191 - 215.

¹⁶² *Is* 1, 4: *Vae genti peccatrici, populo gravi iniquitate, semini nequam, filiis sceleratis! Dereliquerunt Dominum, blasphemaverunt Sanctum Israel, abalienati sunt retrorsum.*

¹⁶³ *Col.* 3, 5: *Mortificate ergo membra, quae sunt super terram: fornicationem, immunditiam, libidinem, concupiscentiam malam et avaritiam, quae est simulacrorum servitus*

¹⁶⁴ *Ef* 5, 5: *Hoc enim scitote intellegentes quod omnis fornicator aut immundus aut avarus, id est idolorum cultor, non habet hereditatem in regno Christi et Dei*

¹⁶⁵ *Fil* 3, 19

¹⁶⁶ *Ger* 29, 12: *Et invocabis me et ibitis; et orabis me, et ego exaudiam vos.*

¹⁶⁷ Augustine, *De Civitate Dei*, 18, 13.

concedat, qui in eternum vivit et regnat. Amen.

Samuele Cassini, *Questiones lamearum* (Transcription)

Samuele Cassini published his *Questiones lamearum* in 1505 at Pavia. This is the *editio princeps* and actually the only edition, since his text was apparently never reprinted later.¹

The text of the *Questiones* was already transcribed by Joseph Hansen in 1901.² However, Hansen either used a different copy or he voluntarily omitted a few parts of the text printed in 1505, since his transcription shows several excisions in comparison with that edition. By way of example, according to Hansen, the preliminary *conclusiones* that Cassini indicates at the beginning of his tract are six, while in the Pavia text they are seven.

The copy I have used is a rare *cinquecentina* printed in 1505 and held in the Biblioteca Universitaria of Pavia, shelfmark: “Corr. 83 D 10. 2”. The text is twelve *folios* in length, in *octavo* format, and is bound together with a copy of Jacob Sprenger’s *Malleus maleficarum*, printed in Nürnberg in 1519. The date indicated in the colophon as year of publication of the *Questiones* (1404) must be a typo, since at that date the author had not yet been born.

¹ Cf.: Frédéric Max, “Les premières controverses sur la réalité du sabbat dans l’Italie du XVI siècle,” in *Le sabbat des sorciers en Europe (XV-XVIII siècles)*, Colloque international E.N.S. Fontenay-Saint-Cloud (4-7 novembre 1992), ed. by Nicole Jacques-Chaquin and Maxime Préaud (Grenoble: Jérôme Millon, 1993), 58; Michaela Valente, “Cassini (Cassinis), Samuel de,” in *Encyclopedia of Witchcraft. The Western Tradition*, I, ed. by Richard M. Golden (Santa Barbara: ABC Clio, 2006), 172 - 173; R. Ristori, “Cassini, Samuele,” in *Dizionario biografico degli italiani*, Vol. 21, 488.

² Cf.: Joseph Hansen, *Quellen und Untersuchungen zur Geschichte des Hexenwahns und der Hexenverfolgung im Mittelalter*, (1901, reprint Hildesheim, Zürich, New York: Georg Olms Verlag, 2003), 262 ff.

Questione de le Strie

Questiones lamearum fratris Samuelis de Cassinis Ordinis Minorum Obedientie Regularis

Questionem quandam de lamiis, quas strigas vocant, seponumero ventilatam, | cum tamen in ea non fuerit usque adhuc apertius rei veritas exposita, nunc brevi | compendio eliquare de hac ipsa re in animo est. Agor enim conscientie stimulo, cum | videam plerosque per incuriam in errorem labi turpiter ac segniter; et, ut in quasi | prospectu sit ipsius rei alta difficultas, arduas magis in corpore questionis | contentas conclusiones hic subnecto, et sunt hec.

Prima conclusio. Si diabolus invenerit corpus aptum natum moveri nec tamen di|spositum potentia propinqua, potest illud assumere, sed non movere.

Secunda conclusio. Si invenit dispositum potentia propinqua, potest assumere et movere.

Tertia conclusio. Si invenerit non aptum natum naturaliter moveri et dispositum | supernaturaliter ad moveri, et illa supernaturalis dispositio sit ad finem | bonum mediatum, quia videlicet possit mediare actus deformitatis, qui | sit ipsius diaboli, tunc diabolus et potest assumere et movere.

Quarta conclusio. Si sit dispositum ad finem bonum mediatum, quem videlicet mediat | actus difformitatis hominis, tunc etiam assumere potest et movere.

Quinta conclusio. Si sit dispositum ad finem bonum omnino immediatum, tunc non potest | assumere neque movere nec quasi testis adesse illi motui, | quem operatur immediate divina vis.

Sexta conclusio. Quando solum supernaturaliter disponitur, si solum moveatur a Deo imme|diate, tunc est miraculum, licet intercedat presentia angeli, ut factum | est in delatione Abacuch et Elie et Philippi.

Septima conclusio. Corpus dispositum illis duobus modis primis non posset Deus | immediate movere de potentia ordinata, ne videretur esse | immediata causa malorum culpe; de potentia vero absoluta posset, | quia posset ratificare illos actus alias divina lege prohibitos | preterquam actum odii divini, ne videretur Deus negare seipsum. ||

Utrum diabolus¹ possit deferre homines de loco ad locum causa alicuius male|ficii perpetrandi. Et videtur primo, quod sic, tum ratione tum exemplo. Sic substantie separate movent | orbes, ergo et diabolus potest movere corpora hominum. Antecedens est manifestum, probatio | consequentie, quia eiusdem nature est diabolus cuius et angelus movens celum; preterea substan|tie separate sive angeli possunt se transferre de loco ad locum, ergo possunt transferre | alia corpora. Antecedens est omnium theologorum et patet ex evangelio: Missus est Gabriel an|gelus a Deo in civitate Galilee etc..² Probatio consequencie, quia si possunt applicare seipsos | corporibus et esse in loco, cum non sint locabiles locatione circumscriptiva, quanto magis possunt applicare corpora corporibus, quibus competit esse in loco circumscriptive; argumen|tum per locum a minori. Item Abacuc

¹ In the text *diabouls*.

² Lc 1,26.

fuit delatus ab angelo ad Daniele[m] per longa terrarum spacia,³ ergo et angelus malus potest id facere, quia sunt eiusdem nature. Item Salvator noster fuit delatus, ut patet ex evangelio.⁴ Item Simon magus fuit delatus per aera coram Nerone ab angelo aut malo aut bono:⁵ non bono, quia non pugnaret adversus apostolos, ergo a malo. Ergo diabolus potest deferre homines de loco ad locum.

In oppositum arguo sic. Nullus actus miraculosus concurrit in producendo actu peccati. Deferre corpus non facilitatum sive non naturaliter dispositum ad deferri per aliqua terrarum spacia a spiritu, est actus miraculosus, ergo deferre sic corpus non concurrit in producendo actum peccati, qui actus peccati est postea ipse ludus. Maior est nota theologo quia, cum miraculum possit a solo Deo causari, videretur Deus favere peccato et velle peccatum, quod est impossibile. Probatio minoris patet enim, quod natura humana non habet hanc proprietatem, que est esse indistincte ad quecumque loca quocumque modo deferribilem. Est enim solum deferribilis a corporibus debito modo et debitis circumstantiis adaptatis ad hoc, ut patet; quod autem deferatur a spiritu, hoc non est naturale simpliciter, sed secundum quod in aliquo modo facilitatum. Et tunc etiam non sequitur, quod sit miraculosum quando defertur facilitatum, ut infra videbitur, quia tunc erit aliquo modo naturale spiritui et non miraculosum ex parte utriusque. Preterea iste actus sic deferendi est miraculosus, ut probabitur. Ergo est a solo Deo producibilis, ergo non a diabolo. Preterea Concilium Acquirense, 26, questio 9, caput *Episcopi*⁶ dicit esse hereticum credere huiusmodi delationem, ut probabitur, declarando illud caput ergo etc.

Respondeo dicendum, quod pars negativa conclusionis est vera, quod videlicet diabolus non possit deferre homines de loco ad locum causa alicuius maleficii perpetrandi et argumenta in oppositum adducta optime concludunt. Pro cuius veritatis elucidatione sciendum primo, quod actuum producibilium alius est voluntarius, alius naturalis. Voluntarius, alius est naturaliter ordinatus, ut sunt hi omnes actus, quos divina lex aut imperat aut commendat aut admittit; alius est non ordinatus naturaliter, ut sunt hi omnes actus, quos divina lex prohibet, execratur et damnat. Naturalis iterum est duplex: alius naturaliter ordinatus et eveniens ut in pluribus, ut scilicet habet determinatam causam, alius vero non. Isti actus omnes, ut in duplici differentia constituti, possunt produci altero duorum modorum, aut active aut passive. Active quidem, prout consideratur actus manare a producente et in eo recipi aliquid de novo, ut quando quis producit actum castigandi filium et alius actum occidendi hominem, et quando ignis producit actum comburendi. Uterque enim istorum recipit de novo aliquid in se, quod non fieret si Deus ista faceret, quia nil de novo reciperet. Quando ergo isti actus producuntur a voluntate vel ab agente naturali principaliter, nunquam possunt esse recte producti nisi divina lege aut a natura imperentur aut permittantur. Illi igitur, qui vetantur a divina lege et quos natura vetat, a Deo solo rectificari possunt, ut patuit in antiqua lege, ubi aliquando licuit fenerari vel tollere alienum vel habere plures uxores vel accipere uxorem fornicariam et similia multa et, ut patet in his que aguntur ab arte suspecta, quia, cum Deus sit supra naturam simpliciter et supra naturam morum, potest substantiam actuum substractorum deformitati peccati rectificare per relationem ipsorum actuum, ad se ipsum voluntatem hominis sive creature rationalis dirigendo. Quia igitur tunc actus alias prohibiti iuberentur a divino imperio, essent tunc recti. Secundo principaliter sunt producibiles passive, ut doceri supernaturaliter et transferri

³ See: Dn 14, 35: *Et apprehendit eum (scil. Ábacuc) angelus Domini in vertice ejus, et portavit eum capillo capitis sui, posuitque eum in Babylone supra lacum in impetu spiritus sui.*

⁴ See: Mt 4, 5.8: *Tunc assumpsit eum diabolus in sanctam civitatem, et statuit eum super pinnaculum templi ... Iterum assumpsit eum diabolus in montem excelsum valde: et ostendit ei omnia regna mundi, et gloriam eorum.*

⁵ It is the episode of the aerial flight of Simon Magus told in the Acts of Peter and Paul by Pseudo-Marcellus, apocryph of the New Testament. Cf.: Mario Erbetta, *Gli apocrifi del Nuovo Testamento, II Atti e leggende* (Turin: Marietti, 1981), 189 - 190.

⁶ Actually the reference is to *Decretum Gratiani*, C. 26, q. 5, c. 12. See: *Decretum Gratiani*, II, *Corpus iuris canonici*, I, ed. Emilius Friedberg (Leipzig: Bernhard Tauchnitz, 1879), 1030.

de loco ad locum aliter quam motu progressivo proprie virtutis et generari | grandines in nubibus preter consuetum morem sive succendi ignem in aliqua regione aeris, qui alias fuisset impeditus nisi concurrisset acceleratio ab extrinseco. | Et isti possunt evenire duobus modis, aut comitante libero arbitrio aut | non comitante, ut patuit in exemplis supra positis. Si primo modo, aut liberum | arbitrium consentit ante actum producibilem aut in productione eius aut post quoquomodo | consentiatur; si sint actus divina lege prohibiti, non potest illos homo suscipere nisi ini|que. Suppono enim hic, quod sint actus subiectum receptibiles passione tantum, ut est | delatio de loco ad locum a spiritu. Ad actus autem sic suscipiendos aut susceptivum | est naturaliter et determinate ordinatum aut non. Si primo modo, et hoc respondetur aut per|agens naturale et naturaliter ordinatum ad hoc, et tunc nulla fit vis, aut peragens | non naturale nec naturaliter ordinatum, et hoc respondetur aut illud agens est simpliciter causa propria et | primum agens, et de hoc etiam nulla est dubitatio theologo quin immediate produci pos|sit talis actus in passivum, aut est non simpliciter primum, sed aliqua substantia separata | et tunc non potest imprimi sive produci talis actus immediate ab ipsa separata nisi | mediante causa naturaliter ordinata ad talem actum vel effectum, ut patet de se, quia alias | frustratorie esset ordinata illa causa naturalis ad naturaliter agendum. Quia aut illa secunda causa natura|lis naturaliter ordinata est per se sufficiens causa aut non; si sic, ergo, adveniente alia, | per se causa alia superfluit aut non est sufficiens et tunc necessario concurret alia secunda | naturaliter ordinata, non autem substantia separata, quia substantie separate non movent | naturaliter corpora aliqua nisi orbes, quos movent motu locali, ut patet ex tota | philosophia naturali; producit autem per accidens applicando agentia passis et accelerando officium, qui alias longo tempore processisset.

Ex hoc infero duo. Primum, quod nulla causa agit || immediate ad officium aliquem in passo nisi naturaliter ordinata ad illum producendum, ut | patet inductive. Secundum, quod applicari per se non potest unum agens alicui passo nisi in|veniantur naturaliter ordinata ad invicem. Ex hoc infero, quod diabolus, inveniens | aliquam causam dispositam ad producendum affectum et aliquod passum dispositum ad su|scipiendum illum, utitur quadam arte occulta ad applicationem amborum; et ratio est quia, cum | non sit naturaliter ordinatus ad per se talem applicationem, oportet dicere, quod illud agat arte | acquisita vel indita ab initio a Deo, in subtiliter aspiciendo secreta nature et exinde | tanquam ab exemplari artes eliciendo. Ex quo patet, quod ille actus applicandi agen|tia passis in demone, non posset in eo produci nisi inveniret in se demon for|mam illam artis similem forme illorum applicabilium, sicut medicus non posset appli|care agenda passis in stomaco egroti nisi essent in ratione medici forma impressa | modi sanitatis introducende a natura. Ex quo infertur, quod forte ex forma impressa | ab arte et subiecto resultat quoddam totum habens in se totalitatem illam alteram ab ea | que resultasset ex concursu agentis et patientis mere naturalium; et ratio est quia, agens | illud ad applicationem illam, habet aliquid similitudinis in passo, sicut solet causa equivo|ca. Non est enim imaginandum quin mus productus ex putrefactione habeat aliquid di|versitatis ab eo, qui est generatus per coitum, quamvis sit eiusdem speciei, que diversi|tas erit, saltem aliud accidentale inseparabile, sed non quarti modi. Quando igitur demon | habet in sua arte modum agendi et patiendi per accidens, quia, dum applicat agenda pas|sis, agit sic applicando et patitur sic recipiendo in se novum actum, tunc habet actum | forme artis impressae in intellectu suo, que forma est similitudo totalitatis illius | componibilis, aliter elicibilis quam peragens et patiens naturaliter applicata.

Ex quo | infertur, quod, et si ars archimica possit esse vera ars et perducere accelerando aliquod | verum compositum naturale, nunquam tamen erit eiusdem perfectionis et bonitatis, cuius est illud, | quod producit peragens et patiens naturale mere naturaliter applicata. Ex his infertur, quod | demon movere non potest motu locali aut applicationis aliquod naturale, quod non in|venit dispositum ad sic moveri, quomodo ipse demon intendit movere; et ratio est quia | non potest movere aliquod corpus nisi assumendo illud aliquo modo et hoc non facit nisi per | dispositionem quandam et naturalem, convenientem scilicet cum dispositione naturali demonis. Inest | siquidem in rerum quiditatibus, prius natura esse tales quam

accidentibus unitas | esse. Habent itaque, in quantum tales, aliquid similitudinis in natura cum spiritib|us; ergo possunt illis uniri naturaliter ab extrinseco, sed movere actu non possunt, | nisi invenerint ad motum illum, quem intendunt, esse disposita per naturam phisice sum|ptam: quia sola illa causa que efficit re, producit passionem ad sic posse moveri et non | nisi in esse naturali, ad quod non est ordinata passis angelica natura, nisi illi naturali | fiat dispositio supernaturalis, que non potest fieri nisi ab eo qui est supra naturam, ut infra dicitur. |

Infertur etiam, quod, quia non est essentialiter ordinatus ad talem effectum applicationis, quando || id agit non iussu divino, preveniens actionem nature et depravans illam, ut dictum est, | est presumptuosus et latrunculus, cum ipse non indigeat opera talis artis, quemad|modum homo indiget artibus mechanicis non depravantibus opus nature. Et ideo homo | utens arte depravante, opus nature etiam peccat et est temerarius et curiose agens; nec | obstat, si dicatur, quod sanans per accelerationem medicine, videtur depravare opus nature et | convenienter medicina est illicita. Hoc nihil est, quia per accelerationem illam non inducitur pro|prie forma sanitatis, sed prohibetur⁷ destitutio nature. Et ideo medicina applica|ta agentia passis applicantur per naturam, nulla arte adulterante formam sanitatis. | Medicina enim id agit, ut agentia passis applicata non impediuntur ad introdu|ctionem sanitatis intendende et conservande. Si ergo ars est talis, non est deprava|tio operis nature. Quando ergo demon adiuvat aliquod, ut huiusmodi fiat in adhiben|do aliqua medicamina, non depravat opus nature; sed tamen, quia sua ars non debet exire in | opus sine iussu divino, cum non indigeat illa, est nichilominus presumptuosus. Ex | hoc infero, quod demon ex sua subtilitate aliquando illudit alchimicos, adhibens | impeditioni agentium et passorum aliquid medicaminis,⁸ quo mediante natura operatur et fit | optimum aurum vel argentum, ut alchimici allecti depauperentur et conterant tempus, | putantes id semper in sua arte posse evenire. Aut illud susceptivum non est natura|liter ordinatum ad suscipiendum talem formam vel effectum, et sic nisi disponatur a | supernaturali virtute divina, que ita illud disposuit, quod possit in aliquo assimilari | substantiis separatis, nedum secundum earum naturam, sed etiam secundum supernaturalia. Habuerunt enim ab ini|tio quedam supernaturalia a Deo, que nunc etiam retinent, quorum unum est presentire poten|tiam obedientialem in creaturis erga Deum; si, inquam, susceptivum non disponatur secundum | potentiam propinquam, in illa potentia obedientiali, quam etiam habet natura angelorum, numquam | angelus poterit introducere formam illam talem vel effectum. Exempli causa, hominem | preter agitationem corporis posse ferri per aera⁹ non potest esse in homine per aliquam di|spositionem naturalem, et ideo diabolus, non inveniens aliam dispositionem nisi naturalem, | non poterit movere sic contra aut preter naturam sine videlicet adminiculo corporali. Quod si autem rei | ipsi naturali Dominus indiderit aliquid supernaturalis dispositionis, poterit diabolus corpus | illud assumere et sic movere.

Quando ergo angelus portasse dicitur aliquem de loco ad lo|cum latione non connaturali et ad malum finem non per corpus, hoc ideo fuit, quia illud | corpus delatum ab ipso fuit supernaturaliter a Deo dispositum, ita quod occulte quo|dam instinctu diabolus videns talem dispositionem, ingessit se ad illud operandum. | Et hec dispositio supernaturalis potest esse in duplici differentia, quia aut erit ad finem non immedia|te bonum, ut patuit in corpore nostri Salvatoris, quod Sathanas, subtilis suo acumi|ne videns propter ingentes virtutes ipsius salvatoris, quem putabat esse sanctum | virum, posse superferri aeri, quoniam didicit elementa etiam parere hominibus sanctis propter | eum, qui habitat in eis, ingessit se, ut ferret illum per aera atque propter hoc tentaret; aut || erat ad finem non immediate bonum, ut quia videlicet Deus tantam gratiam gratis datam de|dit alicui malo viro, quod tamen poterat attingere ad magnas virtutes Dei, si per | se non staret, et sic illi parem elementa potuissent

⁷ In the text *prohibere*.

⁸ In the text *medicamis*.

⁹ In the text *aira*.

et, dum illa abutitur, querit ten|tare sive exercere hominem sanctum, videns hoc, malus angelus ingerit se ad | introducendam illam formam, ad quam videt illum hominem supernaturaliter esse dispositum | dispositione propinqua; aut est immediate ad finem bonum immediate consequendum, null|lo malo intercedente, ut delatio Danielis: primo duplici modo ingerere se potest | diabolus, secundo vero non. Ex hoc infertur, quod id, quod alias fuisset miraculum, quando scilicet fuis|set secutus effectus per illam dispositionem divinam precise, postquam diabolus vel ange|lus iungit se illi, sic dispositio non est miraculum, quia angelum assumere aliquid assi|milatum sibi in aliquo accidentaliter operando, hoc est ei naturale, et hominem posse re|cipere talem dispositionem, est etiam ei naturale, quia tunc ad motum angeli rapitur corpus. Sed quod | consequatur talem actum solus sine aliquo naturaliter assumente, est miraculum, quia tunc | in illo actu esset sola actio divina, active enim producere actum illum virtus est so|lius Dei, et in eo, qui ex sui natura nunquam potest habere hoc tamquam radicale male principium. | Ex hoc patet, quod, quando Petrus ambulavit super aquas,¹⁰ non fuit portatus ab ange|lo, sed a sola virtute divina; et sic, quando Paulus fuit sub aquis XXIII horis, non fuit | sibi ministratus aer ab angelo, sed sola divina virtute preservatus. Notandum enim, quod ali|quando assumptio angelorum fuit miraculosa, et hoc quando illi assumptioni iun|cta est virtus divina: quod tunc cognoscimus, quando modus deferendi est impossibi|lis omnino per naturam aut alteri aut utrique, ut quod Abacuc deferretur per capillum et | per tantam terrarum spacia in tam parvo momento et sic de Philippo,¹¹ Helia et He|liseo,¹² qui in momento fuerunt ab angelo delati, quod non capit natura hominis. | Ex quo infero, quod tali modo non potest deferre diabolus, quia sue dela|tioni non concurrat gratia, gratum faciens, et ideo non potest esse testis | divine assumptionis in homine et tandem, quando divina vis movet id quod non est | aptum natum moveri et motus eius est immediate ad finem bonum, quia videlicet nullus ma|lus intercedit, sicut vidimus in exemplis ante datis, tunc illi motui non potest ades|se malus angelus, sed bonus dumtaxat. Ex his patet, quod angelus per naturam non potest por|tare hominem de loco ad locum nisi altero duorum modorum, aut per aliquod corpus, | quod est aptum natum, alias deferre illum per dispositionem naturalem repertam in homine aut per | dispositionem immediate divinam, quam invenit in eo. Primus modus est naturalis in | utroque, quia angelus habet per naturam suam, ut noverit talem artem exercere, ut dictum est. | Secundus modus est supernaturalis utrique, quia monstratur per hoc, quod et homo et angelus | recipiunt aliquid supernaturaliter a Deo, sive sit bonus uterque sive malus sive alter | bonus alter malus. Et cum hoc stat, quod in neutro hoc sit miraculum, quia cum homo | sit capax per naturam huius assumptionis ab angelo et angelus sit capax huius || effectus et gratie gratis date non erit miraculum, cum ille actus delationis sit an|geli, qui movet se de loco ad locum ex sui natura, licet non naturaliter. |

Ex his infero, quod, si nulla illarum dispositionum interveniret, esset penitus mira|culum, quod nisi a Deo simpliciter fieri potest, quia miracula non fiunt ad finem malum, | sed aut ad provehendos infirmos aut ad exercendos bonos. Si daretur, quod Deus | faceret miracula per malos contra bonos, quod tamen non sentio fieri, si modo hoc non obstat | veritati catholice. Infero etiam, quod occulto instinctu Deus permittit diabolum ali|quam formam talem in aliquo subiecto nedum altero tamen illorum modorum introdu|ci, sed passim alterutra aut ad finem semper mediate bonum; ut quando exercet bo|nos in se vel in aliis, ut fuit in nostro Salvatore, quem exercuit pro nobis et in no|bis, et quando iustitia Dei manifestatur in eo, qui est preparatus et dispositus ad actum natura|liter, ut de eo, qui propter repletionem humanorum iam est in proxima dispositione introducende | forme spermatis, qui ideo

¹⁰ Cf.: Mt 14, 29.

¹¹ It is about St. Philip the Deacon. See: Act 8, 39 - 40: *Cum autem ascendissent de aqua, Spiritus Domini rapuit Philippum, et amplius non vidit eum eunuchus. Ibat autem per viam suam gaudens. Philippus autem inventus est in Azoto, et pertransiens evangelizabat civitatibus cunctis, donec veniret Cæsaream.*

¹² Cf.: Re 2, 11: *Cumque pergerent, et incedentes sermocinarentur, ecce currus igneus, et equi ignei diviserunt utrumque: et ascendit Elias per turbinem in cælum.*

permittitur illudi, ut aut exerceatur aut humilietur aut, si | forte meruerit, per aliquod peccatum iterius provocetur ad ruinam. Exemplum etiam in inculbis et succubis. Diabolus enim non produceret actum libidinis in corpore hominis | propter applicationem corporis aerei, nisi invenerit corpus hominis ita naturaliter dispositum. Quando ergo est dispositum et cum hoc concurrit voluntatis assensus et appetitus, | tunc, quia divina iustitia vult, ut talis per id, quod habet iam naturaliter expletum, virtualiter | in causa possit exire in actum – alias esset illa potentia naturalis frustratoria - ideo permittit | diabolum applicare agentia passis, ut perfecte producat actus et sic, ut tandem | reluceat divina iustitia, que vult, quod ex eo, quod quis male utitur aut naturalibus aut | supernaturalibus, puniatur etiam in via. Peccatum enim est maxima penarum et est pena peccati. |

Infero etiam ex his, quod impossibile est diabolum ferre homines ad ludum, cum non sint | naturaliter neque supernaturaliter ad hoc dispositi. Naturaliter quidem non, quia nulla inest passio | homini, quod transferatur de loco ad locum motu tali, nisi per corpora, ut patuit et | est manifestum recte philosophantibus. Supernaturaliter etiam non, quia isti tales, ut supponitur ab inquisitoribus, negant Deum in principio et conculcant crucem, et sunt sepenumero quedam | ignobiles vetule aut persone idiote atque simplices, grosse et rurales, et illis | maxime fiunt hec prestigia. Et preterea, si essent supernaturaliter disposite, atque dato, | quod essent notabiles persone, hoc fieret a Deo ad aliquem finem bonum mediate | vel immediate consequendum. Ex delatione autem huiusmodi nullus sequitur talis finis; patet, quia non ut ipsi delati fiant meliores neque ut peccatum, quod antea incoatum fuerat, per voluntatem expleant in carne sua ad maiorem eorum ruinam, ut manifestetur iustitia Dei, quia illa delatio nihil facit ad hoc. Poterant enim etiam in loco, in | quo sunt sive morantur, peccata carnalia explere sive blasphemare Deum. Quod si dixeris: “Hoc est falsum, quia in illo ludo concumbunt simul licenter et ducunt choreas, | quod non posset fieri ubi sunt”, hoc nihil est, quia ducere choreas, non est simpliciter peccatum || nec est simpliciter dispositio nature, nisi secundum quod motus et ideo mala voluntas sufficiebat in loco in quo erant. Quod autem ibi concumbant licentius, hoc non est monstrare divinam iustitiam, quia tunc excedunt quodammodo penam peccati. Pena enim | peccati est, quod homo remordeat aliquo modo ad inchoationem remorsus¹³ sempiterni alibi perficiendum; sed relaxari ad licentiam, hoc non est iustitie Dei iudicium sed furoris, quia videlicet fit, ut non sentiant¹⁴ et sic longius fiunt a conversione¹⁵ ad | Deum. Preterea illam licentiam poterat unusquisque sibi in domo propria vendicare aliquo modo peccandi etiam actualiter, ut constat, interveniente¹⁶ opera | diaboli, et sic est blasfemia. Sed maior ratio concludens est hec, quod scilicet: videretur Deus preparare aliquem supernaturaliter simpliciter ad peccatum, | quod est impossibile. Quod autem ita esset, patet, quia isti ista agentes in hoc ludo non exercent aliquem virum bonum, cum non sit ibi disceptatio fidei aut cuius alterius virtutis, quemadmodum fuit tempore Simonis magi contra | apostolos, nec etiam invenitur aliquid dispositionis in natura, quod inclinet ad exercendum actum libidinis in tali loco. Dato enim, quod in natura hominis sit | proclivitas et dispositio ad libidinem, non tamen ut sic in tali loco faciendam. | Quod si dixeris: “Exercent inquisitores, qui deprehendunt eorum malitiam”, | hoc nihil est, quia ad illorum convincendam heresim satis est, quod credant diabolo | illudenti et fallenti eos in illis prophanis insomniis, et quod abnegaverint | Christum; et pene tota vis heresis eorum est, quod credunt istam portationem a demone, que est impossibilis, quia, ut supra, est solius potentie divine, quando scilicet nulla est dispositio naturalis neque supernaturalis, ut supra dictum est et ut probatum est nullam esse in | hoc casu.

Ex hoc infero primo, quod inquisitores, facientes capi eos, qui accusantur ab istis lamiis, eo quod viderint illos in ludo, peccant gravissime, | cum sit falsissimum et impossibile, quod

¹³ In the text *demorsus*.

¹⁴ In the text *sentient*.

¹⁵ In the text *fuit a commissione*.

¹⁶ In the text *interveniete*.

viderint eosdem sic accusatos in tali | ludo. Infero secundo, quod inquisitores sic credentes sunt heretici, si modo pro|terviter crediderint homines, ut prefertur, ad ludum huiusmodi deferri posse. In|fero tertio, quod accusantes et inquisitores tenentur ad restitutionem fame ac|cusatorum et restitutionem bonorum ablatorum. Infero quarto, quod accusatione | huiusmodi improbanda nullus potest dici fautor hereticorum, immo econverso consen|tiendo et favendo est fautor hereticorum, cum faveat heresi damnate per con|cilium 26, *questio 4, caput Episcopi*.¹⁷

Ex his remanet probatum argumentum in oppositum, | et ex his, que dicta sunt, patet responsio ad argumenta principalia, quia primum | procedit, quando inveniunt corpora ad hoc disposita, cuiusmodi sunt orbes, | qui sunt dispositi naturaliter ad moveri, quia, ut communiter tenetur, sunt animati | anima quadam vivente, qua mediate sunt ita dispositi in potentia propin|qua; vel si hoc non recipiatur, sunt dispositi supernaturaliter a prima causa. || Secundum etiam procedit de dispositione supernaturali et similiter dicendum est | ad exempla. Et quia inquisitores grossi atque scioli nituntur se contutari quo|dam palliolo cuiusdam expositionis ipsorum, que est etiam nihilominus erronea | et contra mentem sacri concilii, ideo capitulum ipsum hic exponam inferius. |

Pro declaratione itaque huius capituli suppono rationes suprapositas esse | veras, ut experientia comprobabit, quia quanto magis fuerint ventilate, tanto | magis elucescet¹⁸ ipsarum veritas. Suppono item, quod in textu illius capituli | inveniuntur isti actus: equitare, pertransire, obedire, evocari. Quod igitur | istud capitulum intendat declarare, involutos esse errore damnatissimo cre|dentes huiusmodi, de quibus in corpore mee questionis, arguo sic, videlicet: neque cre|dere aliquem se obedire Diane atque evocari ad servitium eius,¹⁹ est hereticum, ergo | solum equitare et pertransire aliqua terrarum spacia. Probatio antecedentis, quia, ut patet, | quando quis facit peccatum, servus est peccati et servit peccato. Et ita dato, quod Dya|na sit nihil, quia idolum, tamen quia in idolo servitur diabolo, ideo cre|dere, hoc posse fieri, non est hereticum; quando etiam quis alicitur a | diabolo ad huiusmodi faciendum, dicitur evocari, immo etiam nihil obstat posse | sensibiliter evocari. Hec duo patent. Et primo primum, quia naturaliter su|mus filii ire et consequenter inclinati ad idolatriam sicut ad cetera pecca|ta. Secundum etiam patet, quia aer est in²⁰ potentia propinqua dispositus, ut sit | sonabilis a diabolo per artem suam occultam, quam novit ratione qua | supra, et aures nostre sunt etiam dispositae, ut ab aere suscipiant talem for|mam vocis, et sic patet antecedens. Consequentia nota, quia, cum ille textus dicat illos here|ticos, qui putant illos actus exercere, non intelligit de illis, quos palam | est, posse produci aliquo modo naturaliter, sed de illis, in quibus est an|nexus aliquid numinis, cuiusmodi sunt equitare, pertransire. Cum enim, | ut visum est superius, nullo modo sit naturaliter dispositus ad sic | ferri nec etiam supernaturaliter, quia, ut supra visum est, videretur Deus | disponere simpliciter ad peccatum nullo bono fine habito, constat, quod im|possibile sit diabolum ferre huiusmodi homines per hunc modum equitatio|nis et pertransitionis. Et dato, quod supernaturaliter disponentur a Deo, tunc | non haberet potestatem diabolus illos sic ferendi, quia iste actus dispo|sitionis et lationis, cum esset sine fine aliquo bono pertinente ad creatu|ram, sola tunc potestate divina miraculose ferrentur. Ex hoc sequitur cor|olarie,²¹ quod tunc attribuere hanc lationem alicui creature, esset etiam here|ticum. Nec obstat, si dicatur: ergo potest esse, quod ita sit, quod Deus illas deffe|rat hoc modo, quia hoc nihil valet. Cum supra constiterit, quod illi actus qui | non sunt divina lege premissi aut iussi, non sunt nisi a solo Deo rectifica|biles et quod ita rectificentur, non est credendum, nisi constet ex revellatione | divina, immo plus dixerim, quod potentia divina absoluta non posset hos sic | ferre ad hunc finem, ut blasphemarent Deum, etiam postea alio bono fine | per impossibile

¹⁷ Actually the reference is to *Decretum Gratiani*, C. 26, q. 5, c. 12.

¹⁸ In the text *elucescet*.

¹⁹ In the text *Deus*.

²⁰ In the text the “i” is no longer readable.

²¹ In the text *correlarie*.

subsecuto, cum Deus non possit contra primum mandatum prime tabule, quia alias negaret seipsum, quod est impossibile.

Confirmatur: nullus credens aliquid posse fieri, cui ex natura²² rei non repugnat posse fieri, censi potest hereticus; homo credens, se ipsum servire diabolo et evocari ad servitium eius, est credens aliquid posse fieri, cui ex natura rei non repugnat | posse fieri; ergo talis non est hereticus. Sed, cum textus involvat talem heresim, ergo per | illos duos primos actus. Probo nunc per impossibile sic. Nullus credens | aliquid posse fieri, cui ex natura rei non repugnat posse fieri, censi potest | esse hereticus. Lamia existimans, se deferri corporaliter a demone, prout | in textu continetur, credit aliquid fieri, cui ex natura rei non repugnat fieri, | ergo lamia non est heretica, consequens est falsum et hereticum; ergo et | antecedens. Probatio maioris: tum quia nullibi invenitur prohibitum huiusmodi posse credere, que de sui natura non repugnat posset fieri, quia | que a Deo sunt, ordinata sunt, ut inquit Paulus.²³ Tum, quia non est prohibitum scire, quicquid est vel potest esse, cum talia sint obiectum intellectus. Minor est adversarii, qui dicit, quod ad hoc, quod censeantur heretice, oportet concurrere omnes illos actus, videlicet equitare, pertransire, servire, evocari. Modo probatum est, quod servire et evocari non sunt actus prohibiti, | immo possibiles, ergo cum illos non sit prohibitum credere, ergo nec etiam | equitare et pertransire. Probatio falsitatis consequentis, quia tunc videretur | concilium errasse et consequenter Christum dixisse mendacium, qui dicit: | “Vobiscum sum usque ad consumationem seculi”.²⁴ Et quoniam aliqui fatui habent hanc fugam, quia dicunt illud concilium non fuisse canonice celebratum, oportet ipsos hoc probare, quia qua ratione dicunt illud non fuisse canonice celebratum, eadem ratione dicam et de ceteris. Constat enim | illud capitulum habere glossam nec computari inter palleas et esse solemniter | canonizatum inter decreta²⁵ pontificum et item, si considerentur rationes, que | supra tacte sunt, proculdubio teste consensu revocabit se omnis errandus seposita protervia, que maxime solet tenere captivos eos, qui miserime prolapsi sunt, qui, si resipiscunt,²⁶ ostendunt se non fuisse malignos | et proprio iudicio condemnatos.

Quod si tamen distingueretur de obedientia | et servitio, ad quod evocari videntur iste lamie, quia videlicet obedientia alia est, | que est affectio voluntatis coniuncte Deo, ut inquit Anselmus, alia est, que | est debita reverentia minoris ad maiorem. Et tunc argumenta superius facta concederentur de obedientia secundo modo dicta, non autem de obedientia primo | modo dicta, et sic oportet omnia illa simul concurrere, ut posset censi | quis esse hereticus. Hoc nihil valet, quia immo tunc hoc adjuvat argumenta | mea, quia evocare ad obedientiam talem nulli competit nisi soli Deo, et sic | illud etiam solum per se, si crederetur fieri a diabolo, faceret heresim, et | non minus, si putaretur, quod talis obedientia competat diabolo. Immo plus | dixerim, quod si etiam obedientia secundo modo dicta et proprie sumpta accipiatur pro ea obedientia, que est informata charitate, sic etiam soli Deo | competit nec alteri valet attribui. Quod enim, quis vere obediat superiori | suo, hoc est solius Dei et sicut supra. In argumentis²⁷ igitur intelligebam de obedientia in diabolum, que est inobedientia Dei, et illud idem intelligo de | servitio.

Et hec de questione dicta sufficiant, quam sacrosancte Romane | Ecclesie iudicandam submitto. Et interim, donec aliud ab eadem determinatum non fuerit, firmissime teneo, quod superius annotavi.

Editum a fratre Samuele de Cassinis Ordinis Minorum | Obedientie Regularis, die 6 may anno 1404.

²² In the text *nutura*.

²³ *Rm* 13, 1.

²⁴ *Mt* 28, 20.

²⁵ In the text *decerta*.

²⁶ In the text *rescipiscunt*.

²⁷ In the text *articulis*.

Errores in hoc libello. Et primo in secunda pagina, linea penultima, | et in tertia pagina, linea prima, per officium intelligas effectum.

In eadem pagina linea 4 per affectum, effectum.

In eadem pagina linea 44 per prohibere, prohibetur.

In 4 pagina linea 6 per fuit a commissione, fiunt a conversione.

In eadem pagina linea 48 per Deus, eius.

In ultima pagina linea 30 pro decerta, decreta.

In eadem pagina linea 47 pro articulis, argumentis.

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