

## JUDICIAL PROCESSES FOR AND AGAINST BISHOP REGINALD PECOCK: NEW PERSPECTIVES ON THE MECHANISMS OF HIS DOWNFALL

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**Abstract:** Reginald Pecock, who became bishop of St. Asaph's in 1444 and of Chichester in 1450, was the only bishop in the Middle Ages to be found guilty of heresy. But contrary to standard accounts that he was accused and convicted of heresy in 1457, this article asserts that he was initially treated mildly by the ecclesiastical authorities, and found guilty only of errors, not heresies. But immediately after his trial he was forced by lay and clerical pressure into calling himself a heretic. He succeeded in getting a mandate from Pope Calixtus III to uphold the restoration of reputation effected at his trial, to no avail. Under the new pope, Pius II, he lost his bishopric and then, in another trial, was finally convicted of relapse into heresy, with his previous conviction of heresy taken for granted. He was stripped of his episcopal status and all other Holy Orders, consigned to perpetual prison, and silenced.

The first judicial process in Pecock's favor occurred when he successfully applied to the archbishop of Canterbury's Court of Audience for protection against critics in a controversy about preaching in 1447. He succeeded similarly in the Court of Audience in October 1457, when he was once more being attacked as heterodox. Then the current archbishop, Thomas Bourchier, instituted a trial to hear charges against him. At the trial, probably on November 21, Pecock confessed to a handful of listed errors (mainly distortions of his positions) and was restored to full honors. The damning abjurations he made on December 3 and 4 were extra-judicial. The next judicial process came in March of 1458, when the Court of Audience issued searches for his allegedly heterodox books. His appeal to the pope for confirmation of his restoration was granted by Calixtus on June 13, 1458, and the pope also ordered his re-absolution from perjury. The counterefforts of the Crown resulted in Pius II's affirmation, on January 8, 1459, that Pecock's trial established that he had been a heretic when appointed bishop of Chichester. Further Crown efforts produced another bull, dated April 7, 1459, ordering the trial of relapse that sealed his fate.

**Keywords:** Pecock, heresy, error, inquisition, trial, abjuration, relapse.

What follows is a revisionist account of a unique event in medieval history: a bishop found guilty of heresy. The usual story is that Reginald Pecock was convicted of heresy in a sensational show trial in a Great Council assembly on November 28, 1457, culminating in public abjurations a week later. Then, in 1458, in spite of the intervention of Pope Calixtus III, he was forced to resign his bishopric, and in the following year he was sent into monastic isolation.<sup>1</sup> I will argue instead that he was at first protected by ecclesiastical authority. In the trial before Archbishop Thomas Bourchier, he confessed only to easily reparable

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<sup>1</sup> See, for instance, Alice M. Cooke, "Pecock, Reginald," in *Dictionary of National Biography*, ed. Leslie Stephen and Sidney Lee (London, 1895), 44:198–202, see <https://doi.org/10.1093/odnb/9780192683120.013.21749>; the details of this traditional account are much trimmed and modified by Wendy Scase, "Pecock, Reginald," in *Oxford Dictionary of National Biography online [ODNB]* (Oxford University Press, 2004; online ed., 2004), <https://doi.org/10.1093/ref:odnb/21749>. For Scase's biography of Pecock, see n. 6 below.

errors, and he was immediately restored to full reputation and status. Then, however, doubtless under government threat, he made abjurations of what he now called heresies and consented to the burning of his writings. It was only two years later, in 1459, after he had been deceived into resigning his see in return for a pension, that he was judicially convicted on a vague charge of heresy, in a fraudulent trial of relapse that the new pope, Pius II, had been manipulated into ordering. Pecock suffered formal degradation from his bishop's rank and other clerical orders and was consigned to solitary life imprisonment, deprived of means to make any further defense.

Reginald Pecock was an Oxford doctor of theology who thought of himself as an educational missionary with two goals. One was to formulate reasonable arguments to Lollards to convince them of the errors of their ways. The other was to present to the faithful at large a comprehensive set of instructions on the Christian faith, somewhat akin to the purpose of Cardinal Newman in his *Idea of a University*.<sup>2</sup> To those ends, he composed some fifty treatises in Latin and English, some very long.<sup>3</sup> His approach was in contrast to the usual methods of reliance on simple sermons and books of devotion.<sup>4</sup>

Pecock's writings would serve as the means of his destruction, for his opponents would allege that they were filled with heresies and supportive of sedition,

<sup>2</sup> John Henry Newman, *The Idea of a University Defined and Illustrated: In Nine Discourses Delivered to the Catholics of Dublin [and] in Occasional Lectures and Essays Addressed to the Members of the Catholic University* (London, 1873). See Ian Ker, "Newman, John Henry [St. John Henry Newman]," *ODNB* (Oxford University Press, 2004; online ed., 2020), <https://doi.org/10.1093/ref:odnb/20023>.

<sup>3</sup> Of Pecock's works, only five books, all in English, survived the systematic destruction of his writings. They are:

1. *The Rule of Christian Religion* (ca. 1443): *Pecock's "Reule of Crysten Religioun,"* ed. W. C. Greet, EETS o.s. 171 (London: Oxford University Press, 1927).
2. *The Donet or Key of God's Law* (ca. 1443–49): *Pecock's "The Donet,"* Collated with "*The Poore Mennis Myrroure*," ed. Elsie Vaughan Hitchcock, EETS o.s. 156 (London: Oxford University Press, 1921).
3. *The Repressor of Over-Much Witing of the Clergy* (ca. 1449): *The Repressor of Over Much Blaming of the Clergy*, ed. Churchill Babington, 2 vols., Rolls Series 19 (London, 1860).
4. *The Follower to the Donet* (ca. 1453–54): *Folewer to the Donet*, ed. Elsie Vaughan Hitchcock, EETS o.s. 164 (London: Oxford University Press, 1924).
5. *The Book of Faith* (ca. 1456–57): *The Book of Faith*, ed. J. L. Morison (Glasgow: Maclehose, 1909); and *The Book of Faith: A Modern English Translation*, trans. J. A. T. Smith (Los Angeles: UCLA Center for Medieval and Renaissance Studies, 2020).

<sup>4</sup> For the educational milieu from which Pecock emerged, see Jeremy Catto, "The King's Government and the Fall of Pecock, 1447–48," in *Rulers and Ruled in Late Medieval England: Essays Presented to Gerald Harriss*, ed. Rowena E. Archer and Simon Walker (London: Hambledon, 1995), 201–22, esp. 204–7 (cited below as "Catto"). Catto concludes that he was writing mainly for a London audience, where, after becoming bishop, he had no jurisdiction. Two other essays of Catto's are "Theology after Wycliffism" and "Scholars and Studies in Renaissance Oxford," in *The History of the University of Oxford*, vol. 2, *Late Medieval Oxford*, ed. J. I. Catto and T. A. R. Evans (Oxford: Oxford University Press, 1992), 263–80 and 769–83, respectively.

like the works of the Lollards whom he opposed. For the most part, these charges were malicious distortions; but, from the handful of his English books that survived the flames, one can see that his convoluted style and insistence on the primacy of reason, together with some historical conclusions in advance of his time, might have contributed to doubts about his orthodoxy. He also devised a syllabus based on a comprehensive set of virtues, rather than on the limited scope of the articles of the Apostles' Creed,<sup>5</sup> and his explanations in this regard would be taken by his critics as an attack on the creed itself and its authority and contents.

Rather than concentrating on the substance of charges against him, however, I will primarily be concerned with the nature and circumstances of the proceedings for and against him, which have not been well understood. One of my chief interests is trial procedure, and in fact this article began as a subchapter in a book that I am compiling on "Criminal/Inquisitorial Proceedings in English Church Courts."

The most thorough and accurate account of Pecock's life to date is Wendy Scase's *Reginald Pecock*, which includes an invaluable collection of original documents.<sup>6</sup> I will reference her work throughout, indicating both where I agree with and diverge from or expand upon her conclusions.<sup>7</sup> But I wish to express here my admiration and gratitude for her pioneering achievement. I will also frequently refer to the insightful essay of the late lamented Jeremy Catto, "The King's Government and the Fall of Pecock," which came out at the same time as Scase's monograph.<sup>8</sup>

#### PECOCK SEEKS REDRESS IN THE ARCHBISHOP OF CANTERBURY'S COURT OF AUDIENCE, CA. 1447

After completing his university studies, Pecock became master of a house of priests, Whittington College, in London, and even after being made bishop of St. Asaph in Wales in 1444, he seems to have continued to reside in London. In 1447, he gave a sermon at St. Paul's Cross on the duties of bishops, which, he claimed, did not include preaching to their subjects—this being the obligation of the local curates. His position was not really an innovation, since bishops were not known for their preaching activities, but his words were taken as an

<sup>5</sup> For a succinct statement of this approach, see J. A. T. Smith, introduction to *The Book of Faith*, by Reginald Pecock, 4–5.

<sup>6</sup> Wendy Scase, *Reginald Pecock* (Aldershot: Ashgate, 1996), first published in *Authors of the Middle Ages*, ed. M. C. Seymour (Aldershot: Ashgate, 1996), 3:71–146 (cited below as "Scase"). These page numbers appear along with the monograph's numbers, i–vi, 1–71. In my citations, I will use both sets, thus: Scase, 1/75.

<sup>7</sup> I will try to make the divergences clear. Agreements will be indicated by "see Scase," and different takes or expansions by "cf. Scase."

<sup>8</sup> See n. 4 above. Scase, 72/146, notes that Catto's essay came out while her study was in press.

attack on the value of sermons and preaching in general, and a controversy followed. The main opposition came not from his fellow bishops, but from what might be called a “union” of university-trained preachers. Some critics claimed that his views were logically invalid and others even that they were heretical.<sup>9</sup> Pecock responded by lodging a protest with the archbishop of Canterbury, John Stafford—or rather, it would seem, with the archbishop’s Court of Audience. His protest, which he probably called *Abbreviatio*,<sup>10</sup> took the form of a proposal or announcement of what might seem to be a new kind of judicial procedure involving a formal debate. Scase too suggests that the action was in the Court of Audience, but sees it as a threat to bring an action of defamation against his opponents.<sup>11</sup> Rather, he wished to use the court as a means to refute his opponents.

In addressing the archbishop, Pecock presented the seven propositions that he had preached at St. Paul’s and afterward published in writing. Because the propositions were contradicted, as is reported (*ut dicitur*), he now implores Stafford to issue a proclamation calling for “contradictors” to come forward and contest his views, and Pecock will immediately respond to each one in writing. If no one appears, Pecock says, he will proceed to prove each proposition before the archbishop, who will then declare them to be orthodox.<sup>12</sup> We see that he expresses great confidence that he will defeat any such challenger, and does not contemplate the consequences if he should be proven to have indeed championed a heretical position, or one lacking in right reason. He ends by reserving the right to seek at another time (*alias*) all legal means of redress against injuries and slanders before the archbishop, whether in his Court of Audience or elsewhere.<sup>13</sup>

<sup>9</sup> For details, see Scase, 21–22/95–96; and Catto, 207–8.

<sup>10</sup> Pecock, *Abbreviatio*, ed. Babington, in his edition of Pecock’s *Repressor*, 2:615–19. The text is preserved in the notebook of a Carthusian monk, with the inappropriate title, *Abrenunciatio Reginaldi Pecok*. It is edited as such by Scase, 56–58/130–32, and discussed on 21–22/95–96. Babington obviously concluded that *abrenunciatio* was a mistake for the more likely *abbreviatio*, meaning “epitome.” Scase notes that writers before him used *Allegatio*, which corresponds to Pecock’s initial statement, “I say and allege” (*dico et allego*), and his conclusion, “I propose and allege” (*propono et allego*).

<sup>11</sup> See Scase, 22/96. In contrast, Catto, “Theology after Wycliffism,” 276, judges the process to have been a disciplinary action *against* Pecock: “Though no formal censure followed, he was required by Archbishop Stafford to explain his views in a letter which circulated as his *Abbreviatio*.”

<sup>12</sup> Pecock, *Abbreviatio*, ed. Scase, 56/130.

<sup>13</sup> *Ibid.*, 58/132: “reservans mihi potestatem ad agendum et prosequendum et ad obtinendum alias coram vobis, aut in curia audiencie vestre aut alibi, prout mihi justum visum fuerit, remedia contra gravamina mihi a quibuscumque illata, et ad impugnandum falsa documenta nuper in pulpitis seminata” (reserving to myself the power to act and prosecute and to obtain at another time in your presence, whether in your court of audience or elsewhere as shall seem just to me,

In all probability, then, this current action of his was itself a formal complaint lodged in the archbishop's Court of Audience. This court specialized in such complaints, or *querelae*, in response to which the archbishop acted by his legatine authority.<sup>14</sup> The court was headed by the auditor of the Audience, who issued actions in the archbishop's name, so that one cannot tell if or when the archbishop was personally involved. It may be, however, that at least one disputation such as Pecocok projected did take place, before the archbishop and two bishops.<sup>15</sup>

Pecock went on to become bishop of Chichester in 1450, and some years later he did return to the Court of Audience, in much more serious circumstances.

#### PECOCK COMPLAINS TO THE COURT OF AUDIENCE ABOUT ACCUSATIONS OF HETERODOXY: OCTOBER 1457

The prosecution of Pecock on charges of heresy is very complicated, and the various historical testimonies confused and confusing. But there is one document that we can rely on, a general letter, beginning "Querelam venerabilis confratris nostri Reginaldi," dated October 22, 1457, which was sent by the new archbishop, Thomas Bourchier, to all of the clergy of the province of Canterbury, telling of a complaint lodged by Bishop Pecock.<sup>16</sup> The purport of this letter has often been mischaracterized or not fully understood. Scase rightly sees it as a response to a complaint by Pecock, but as yet there was no case against Pecock sub *judice*.<sup>17</sup> Catto obscures the procedure involved by seeing the letter primarily not as a remedy for Pecock's grievance but as a response to demands that action be taken against him.<sup>18</sup>

At least at its beginning, the letter was the usual sort of response by the Court of Audience to a complaint, rehearsing the circumstances of the alleged offenses. We gather from the narrative section of the letter that, even though Pecock had submitted ("exhibuerit") various English writings ("quosdam libros in anglicis") to be examined, corrected, revised, and approved by the

remedies against grievances imposed on me by whatever persons, and to impugn the false statements recently disseminated from pulpits). Note: all translations are mine, unless otherwise noted. It is interesting that William Lyndwood, *Provinciale, seu Constitutiones Angliae* (Oxford, 1679; repr. Farnborough: Gregg, 1968), has little to say about the duties of bishops; see the entries under *Episcopus* in his elaborate index, finished in 1434.

<sup>14</sup> See F. Donald Logan, "Archbishop Thomas Bourchier Revisited," in *The Church in Pre-Reformation Society: Essays in Honour of F. R. H. Du Boulay*, ed. Caroline M. Barron and Christopher Harper-Bill (Woodbridge: Boydell, 1985), 170–88, at 176–85.

<sup>15</sup> See below at n. 70.

<sup>16</sup> Thomas Bourchier, *Querelam venerabilis confratris nostri Reginaldi* [October, 22 1457], ed. Scase, 48–49/122–23, from John Foxe's Latin history, *Commentarii rerum in Ecclesia gestarum*, vol. 1 (Strasbourg, 1554), fols. 169–71.

<sup>17</sup> Scase, 31–32/106–7.

<sup>18</sup> Catto, 210–11.

archbishop's authority ("per nos et nostra auctoritate examinandos, corrigendos, reparandos, et approbandos"), nevertheless, while this task was proceeding ("pendente in discusso"), there were some who proclaimed at St. Paul's and elsewhere throughout the province that these writings contained conclusions against orthodox faith, by which Pecock's reputation ("bona fama") was much injured, and therefore he appealed to the archbishop for redress.<sup>19</sup>

The standard initial decree issued by the Court of Audience was a mandate to the persons complained about, prohibiting them from any further action against the plaintiff, and citing such persons to court to answer for their alleged past misdeeds. In the present case, the archbishop (or auditor) stipulates that anyone who spoke out against Bishop Pecock from that time forward was to be cited to appear in ten days.

But before this statement, there is a clause giving Pecock's detractors a suitable venue for their objections to him: all those who wish to oppose the bishop's books should freely appear before him (the archbishop) on the twentieth day from this admonition—therefore, on St. Martin's Day, November 11—to present written arguments about "anything heretical or erroneous" (quidquid hereticum seu erroneum) in his conclusions, and "to fully propose, say, and allege, and to do and receive what is just and in accord with the sacred institutes in such matters" (plene proposituri, dicturi, et allegaturi, facturique et recepturi quod est justum et sacris in hac parte convenit institutis).<sup>20</sup>

In Pecock's earlier appearance in the court, around 1447, he submitted the controversial texts himself, and a similar action on his part before the Court of Audience is implied now again in 1457, though the delivery of his books for examination may very well have been suggested or requested by the archbishop or the auditor of the Court, who at this time was John Stokes, Archdeacon of Ely (he was also a canon of Chichester, and, just months ago, in July 1457, he was appointed treasurer of Chichester).<sup>21</sup> It is important to note that the reason for the submission of Pecock's books was clearly stated in *Querelam* as having

<sup>19</sup> Bouchier, *Querelam*, in Scase, 48/122.

<sup>20</sup> *Ibid.*, 49/123. Foxe's description, which Scase reproduces, wrongly describes the letter as a summons of Pecock himself to appear in court, as well as his adversaries ("in qua Episcopum Pecokum et adversarios provocat ad comparendum").

<sup>21</sup> Stokes had been appointed as auditor in 1454, and held the position until he became the official of Canterbury at the Court of Arches in 1460. He was a doctor in civil law from Oxford (1428). See Logan, "Archbishop Bourghier," 179–80; and A. B. Emden, *A Biographical Register of the University of Oxford to 1500 [BRUO]* (Oxford: Clarendon, 1959), 3:1782. He was chancellor of Archbishop Stafford in 1449, and Catto, 211, has him in the same office under Thomas Bouchier, who became archbishop in 1454. He is not the same Stokes, canon of Wells, who served with Pecock as proctor of Bishop Bekynton in 1453 (misidentified in Scase, 27/101, 37/111); see Emden, *BRUO*, 3:1782. Scase does not deal with Stokes as auditor of the Audience, or with most of the details that I deduce about the trial in the next section.

them checked for errors, not in connection with any charges of wrong doctrine, but simply to correct and then approve them.

The invitation to appear on November 11 was the sort of announcement made by bishops in calling for opponents of a scheduled purgation to come forward and prevent it by proving the crime charged against the person to be purged: that is, to serve as “promotors of the judge’s office” or denouncers/witnesses in an inquisition against him.<sup>22</sup> Sometimes, instead, a “field inquisition” would be ordered, to discover objective facts behind the rumors from trustworthy witnesses, or at other times both methods would be used.<sup>23</sup> In Pecock’s case, the already appointed examination committee served as the field inquisition.

In summary, the examination of Pecock’s books may have been initiated by Bouchier in response to reports of his heterodoxy, or it may have been instigated by Pecock himself at the same time that he complained to the Court of Audience about attacks on him. Bouchier’s response penalized any further attacks but also invited his attackers to put their allegations into judicial form to be heard in court as promotors in a trial, beginning on November 11, 1457.

TRIAL BY BOURCHIER IN HIS COURT OF AUDIENCE, NOVEMBER 1457:  
CONFESSION AND ABJURATION OF ERRORS, AND IMMEDIATE RESTORATION  
TO GOOD STANDING

*The Trial Transcript and the Charges*

The scheduled date of November 11, then, was the preliminary of a trial held against Pecock on charges formulated from the submissions of his denouncers on that day. It was an inquisitorial trial, that is, he was charged *ex officio*, “by the office” of the judge himself, perhaps *ex officio promotus*, that is “by the office as prosecuted” by volunteer or appointed promotors. Inquisition was the standard procedure for criminal prosecutions for both secular and ecclesiastical trials on the Continent and for ecclesiastical trials in England.<sup>24</sup> Pecock’s trial was not some sort of unprecedented secular proceeding that historians have imagined, a

<sup>22</sup> See R. H. Helmholz, “Crime, Compurgation, and the Courts of the Medieval Church,” in *Canon Law and the Law of England* (London: Hambledon, 1987), 119–34, at 133. He is dealing with secular crimes here, but the procedure was used for ecclesiastical offenses as well.

<sup>23</sup> For examples, see Ralph Baldock, *Registrum Radulphi Baldock, [...] episcoporum Londoniensium*, ed. R. C. Fowler (London: Canterbury and York Society [CYS], 1911), 1–168, at 38; Adam Orleton, *Registrum Ade de Orleton, episcopi Herefordensis, A.D. 1317–1327*, ed. A. T. Bannister (London: CYS, 1908), 313; and Ralph Shrewsbury, *The Register of Ralph of Shrewsbury, Bishop of Bath and Wells, 1329–1363*, ed. Thomas Scott Holmes (London, 1896), 2:470–71.

<sup>24</sup> See Henry Ansgar Kelly, “Inquisition, Public Fame, and Confession: General Rules and English Practice,” in *The Culture of Inquisition in Medieval England*, ed. Mary Flannery and Katie Walter (Woodbridge: Boydell and Brewer, 2013), 8–29.

sort of “appeal of felony,”<sup>25</sup> or “a special tribunal” with both royal and ecclesiastical components.<sup>26</sup>

Once again, the venue for this court proceeding was the archbishop’s moveable Court of Audience, but this time it was definitely convened by the archbishop himself, not the auditor. We will see, however, that Auditor Stokes would have an important role to play at the end of the trial, in establishing Pecock as restored to good fame and confirming his full episcopal status.

A notarized copy of the actual trial that Pecock underwent was sent to Pope Calixtus III, who summarized it in a bull of June 13, 1458, *Apostolice sedis*, addressed to “the archbishop of Canterbury.”<sup>27</sup> The petition to which the pope is responding (“It has recently come to our attention that”) was sent by Pecock himself or someone favorable to him. Calixtus characterizes Pecock, following the *narratio* of the petition, as being solicitous concerning the well-being of the people committed to him, which led him to compile some books in English and Latin on Christian religion and the contemplative life; but unfortunately, he allowed some of them to go out of his hands before they were corrected, hoping

<sup>25</sup> Ralph A. Griffiths, *The Reign of King Henry VI* (Berkeley: University of California Press, 1981), 797, envisages a Great Council meeting on November 28, at which, in the presence of the king and the archbishop of Canterbury, Dr. William Goddard, Provincial of the English Franciscans, “read the appeal of heresy, after which Pecock agreed to recant.” Goddard had been involved in the preaching controversy against Pecock (Scase, 28/102). The *Chronicle of the Grey Friars of London*, ed. John Gough Nichols (London, 1852), after describing Pecock’s abjuration at Paul’s Cross, adds, “And Dr. William Goddard ... appeached him of his heresies” (20), probably only meaning that he was among his clerical accusers along the way.

<sup>26</sup> E. F. Jacob, “Reynald Pecock, Bishop of Chichester,” *Proceedings of the British Academy* 37 (1951): 121–53, reprinted in Jacob’s *Essays in Later Medieval History* (Manchester: Manchester University Press, 1968), 1–34, at 136/17: “The Council arranged with Archbishop Bourchier that an examination of Pecock’s works should be made by a special tribunal which was to hear and consider the opinion of a number of expert examiners, question Pecock himself, and report back. In other words, the Council controlled the proceedings, though the verdict of heresy, if it was to be given, lay with the authorities of the Church.”

<sup>27</sup> Calixtus III, *Apostolice sedis indefessa clementia* (June 13, 1458), Vatican City, Archivio Apostolico Vaticano, Reg. Vat. 453, fols. 251v–253v; registered again in Reg. Vat. 462, fols. 326v–328v; text and translation in appendix 2 below. Cf. *Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland: Papal Letters*, ed. W. H. Bliss et al., vol. 11, 1455–1464, ed. J. A. Twemlow [CPL, 11] (London: H. M. Stationary Office, 1921), 76–78, 178. Scase, 53–54/127–28, prints §§2–9 and §14, omitting §1, most of §§10–13 and §§15–16, and the concluding boilerplate, §§17–19. Brief excerpts (§§2–3, 13–14) are also given in Emmet A. Hannick, *Reginald Pecock, Churchman and Man of Letters* (Washington, DC: Catholic University of America, 1922), 18–20. In §9, the pope speaks of the “processus contra dictum Reginaldum Episcopum per te ... factus ac manu notarii publici subscriptus ac coram nobis productus” (the proceeding against the said Bishop Reginald made ... by you and signed by the hand of the notary public and produced before us). He says that what he has narrated above is more fully contained in it, and he wishes the contents (*tenores*) of it and of the pertinent books and articles to be taken as if expressed word for word in the present letter (“cujus necnon libellorum ac articulorum hujusmodi tenores ac si de verbo ad verbum insererentur presentibus pro expressis volumus”). This is a common formula, which Scase misinterprets by reading *uolumus* as *nolumus*.

that some good would come of them. His hope, however, was frustrated, for some persons alleged that there were errors in them. "You, therefore," Calixtus says to the archbishop, "had the bishop called before you to show the books that he had written over the past twenty-four years. . . . And the bishop, being a son of obedience, reverently showed and produced those books before you."<sup>28</sup>

The pope notes that Pecock delivered his books *sub certis protestionibus*—namely that, if there was anything in them against the Catholic faith, he would reject it and not defend it.<sup>29</sup> The archbishop turned them over to some theologians and jurists for examination. Certain "things contrary" (*aliqua contraria*) to the Catholic faith were found in them, and "those errors" (*illa erronea*) were repudiated by Pecock, along with certain articles objected to him dealing with the credal statement of Christ's Descent into Hell and the statement, "I believe in the Holy Spirit, the holy Catholic Church, the communion of saints," and also assertions that the Universal Church might err, and that determinations of general councils were not obligatory for salvation. He abjured them and submitted to penance and returned to the unity of the Church.<sup>30</sup> Archbishop Bouchier then ordered Archdeacon John Stokes (who, we recall, was the auditor of the Audience), to restore the bishop to his previous status, which he proceeded to do.<sup>31</sup>

As we shall see, the abjuration of *errors* in the transcript of the trial, as summarized by the pope, is very different in spirit and scope from the abjurations of *heresies* that Pecock would read a month later, on December 3 and 4. But the six articles stated in those December abjurations<sup>32</sup> were doubtless the same as those objected at the November trial, since they correspond to the topics listed in the papal letter. All of them could have been explained and mostly defused by Pecock before a sympathetic audience as misunderstandings of his positions. They seemed to be derived mainly from his most recent English work, the *Book of Faith*, the greater part of which has fortunately survived.<sup>33</sup>

I list the charges here, and in the notes indicate the sorts of responses Pecock might have offered to refute each. In theory, such trials were supposed to be only about past provable offenses, not inquiries into present beliefs (even though this rule was frequently violated). In the November trial, then, Pecock was probably charged with having held the following positions in his writings:

<sup>28</sup> Calixtus, *Apostolice*, §§2–3. Scase, 17/91, subtracts 24 from 1457 and comes up with 1433 as the beginning of Pecock's writing projects. Catto, 204, attributes the statement not to the trial but to Pecock's petition to the pope in 1458 and produces 1434.

<sup>29</sup> *Ibid.*, §3. This mention of his protests goes in the ellipsis of the sentence quoted in the previous note.

<sup>30</sup> *Ibid.*, §§4–5.

<sup>31</sup> *Ibid.*, §§6–8.

<sup>32</sup> For these December abjurations, treated below, see Scase, 58–60/132–34.

<sup>33</sup> See the edition of Morison and translation of Smith cited in n. 3 above.

1. It is not necessary for salvation to believe that Christ descended to hell.<sup>34</sup>
2. It is not necessary to believe in the Holy Ghost.<sup>35</sup>
3. It is not necessary to believe in the Holy Catholic Church.<sup>36</sup>
4. It is not necessary to believe in the communion of saints.<sup>37</sup>
5. The Universal Church can err in matters of faith.<sup>38</sup>
6. It is not necessary to hold what a general council decrees as true.<sup>39</sup>

*Sorting Sources: Thomas Gascoigne's Faulty Reports*

In attempting to reconstruct the details of the proceedings against Pecock, we must assess the comments purportedly describing them by Thomas Gascoigne. He is noted for the contemporary observations he inserted throughout the theological dictionary that he worked on for decades, which he called *The Book of Truths* (*Liber de veritatibus* or *Liber veritatum*).<sup>40</sup> He never managed to put it into definitive order, apart from alphabetizing his topics, which he did repetitively. For instance, he has five entries under the rubric of *Preceptum*, in one of which he gives a spurious account of Chaucer's death.<sup>41</sup> As Catto says, "it is essentially no more than a collected edition of his notes," and it "lacks coherence and clarity."<sup>42</sup> Gascoigne's remarks on Pecock in November and December of 1457<sup>43</sup> may have been his final additions to his incomplete opus before his death on March 13, 1458. His biographer suggests that at the end of 1457 or beginning

<sup>34</sup> Pecock's point in the *Book of Faith* was simply that the Descent was not in the original Apostles' Creed. See the discussion in Smith, *Book of Faith*, 198–200nn209–11. It was, however, in the Athanasian Creed. He could have legitimately confessed to being unclear or misleading, and offered to correct his explanation.

<sup>35</sup> Pecock affirmed the necessity of belief in the Holy Ghost in *The Donet* 2.1, 103–4.

<sup>36</sup> Pecock held that the Apostles' Creed called for belief only in the existence of the Church (see, e.g., *The Donet* 2.1, 103). But he often stressed the necessity of believing in what the Church taught.

<sup>37</sup> Pecock clearly affirmed the article of the communion of saints in *The Donet* 2.1, 103.

<sup>38</sup> Pecock stated that the Church could err, as a hypothetical in debating, not as something that he taught (*Book of Faith*, 111; see Smith's introduction to *Book of Faith*, 24–30).

<sup>39</sup> This is another hypothetical that he did not intend to teach. But he could have noted that other English bishops had recently affirmed the fallibility of councils, and that it was current papal doctrine, directed against the Council of Basel. See nn. 52 and 126 below.

<sup>40</sup> Thomas Gascoigne, *Liber de veritatibus*, Oxford, Bodleian Library, Lincoln College MSS lat. 117–18. Many of Gascoigne's comments were excerpted and published as *Loci e Libro veritatum* by James E. Thorold Rogers (Oxford, 1881), citing the page numbers rather than the foliation. For a description of the manuscripts, see Mícheál F. Vaughan, "Personal Politics and Thomas Gascoigne's Account of Chaucer's Death," *Medium Ævum* 75 (2006): 103–22, at 113.

<sup>41</sup> See Vaughan, "Personal Politics."

<sup>42</sup> Catto, "Scholars and Studies," 774.

<sup>43</sup> Gascoigne's comments on the proceedings against Pecock were inserted under the rubric of *Reges*, in vol. 2 of the *Liber*: the earlier set is on 593 (*Loci*, 208–12); the later and final remarks are on 596 (*Loci*, 212–18). They are all summarized in appendix 1 below.

of 1458 he set a group of scribes to work on making a revised copy, and that the result was the book later given to Lincoln College, which survives today.<sup>44</sup>

Gascoigne harbored a great animus against Pecock, for two main reasons. One was that when Pecock received his doctoral degree at Oxford in 1445, during Gascoigne's chancellorship, the regents waived the teaching requirements.<sup>45</sup> The other was Pecock's insistence that bishops had no obligation to preach in their dioceses.<sup>46</sup> Since Gascoigne lived at Oxford, most if not all of his remarks on Pecock would presumably be at second hand. Furthermore, even though as a trained theologian he would be expected to have a working knowledge of canon law, he manifests an ignorance of judicial procedure, mixing together ecclesiastical and secular fora.

One surprising thing that Gascoigne should have known about, but obviously did not, was Archbishop Bouchier's mandate *Querelam*, which had been sent throughout the province of Canterbury on October 22, 1457. It should have created a sensation in particular at Oxford. From it, Gascoigne would have learned that Pecock's writings were already under review by the archbishop—but for emendation, not condemnation. He would also have seen the opportunity that he himself would have of coming forward on November 11 to accuse Pecock, especially for his abominable doctrine about nonpreaching bishops.

Even more strikingly for a writer with his eyes and ears supposedly open to current events, and residing in Oriel College, he shows no awareness of the letter that Oxford University as a body sent to Archbishop Bouchier on that very citation day, November 11.<sup>47</sup> These assembled authorities likewise manifested themselves to be ignorant of the archbishop's mandate of October 22, and they also claimed not to be in possession of any of Pecock's books. They told of a *fama* flying through England about a reverend father, skilled in letters, a professor of sacred theology of their university, who supposedly had entrusted new doctrine to the people and invented a new faith; and, along with the *fama*, there

<sup>44</sup> Winifred A. Pronger, "Thomas Gascoigne," *English Historical Review* 53 (1938): 606–26; 54 (1939): 20–37, at 28–29. In his will, signed the day before he died, Gascoigne ordered a parchment copy made at Syon monastery from his paper autograph copy; but the Syon catalogue notes that its second volume begins at F, whereas the Lincoln College volume 2 starts at L (*ibid.*, 27).

<sup>45</sup> See Scase, 5/79.

<sup>46</sup> *Ibid.*, 21–25/95–99. See above on the preaching controversy.

<sup>47</sup> Oxford University to Archbishop Bouchier, November 11, 1457, in *Epistolae academicae Oxon.*, ed. Henry Anstey (Oxford, 1898), 2:337–39 (no. 233). Anstey's headnote on 337 completely falsifies the purport of the letter. Cf. Scase, 34/108. Catto, "Theology after Wycliffism," states that the archbishop had written to the university castigating its negligence in allowing Pecock's errors to fester there (277). But nothing in the university's letter indicates that this was the case, or that the letter was a reply to a letter of the archbishop. Catto also says that the university's request to the archbishop to send Pecock's writings to them for examination was "only a feeble attempt" to have the objections made against him referred to its judgment (*ibid.*, 263–64, cf. 278).

was a *rumor* that the university was seething with errors. Perhaps they had been negligent in informing the archbishop about their ignorance in the matter. If so, they asked pardon, stoutly affirming their determination to defend the faith of Christ to the death. “When his writings come to our view,” they say,

if they are true, sound, and useful, it is fitting that we take them to our care and patronage. But if, God forbid, they are less worthy of the truth, we shall, to the best of our virtue, knowledge, and strength, fully refute them and the foundations upon which they depend.

[Profecto, cum ejus scripta ad nostram venerint lucem, si vera, si sana, si utilia sint, apud patrocinium curamque suscipiamus decet. Si vero minus digna veritate reperiantur, quod absit, quantum in nobis virtus aut sciencia aut robur est, refellemus ad plenum, et fundamenta quibus innituntur.]<sup>48</sup>

They therefore supplicate the archbishop that the said works be sent to their hands, and, once received and discussed, they pray that they will grasp a full knowledge of the truth, in Our Lord Jesus Christ.<sup>49</sup> In other words, they seem rather skeptical of the *fama* about Pecock’s heterodoxy.

No Pecock books to be found at Oxford? According to Gascoigne’s final comment on Pecock, probably the last thing that he wrote in his *Liber*, after Pecock’s books were “seized and burned” (*reprehensi et combusti*) in London at St. Paul’s on December 4, his books were also burned in Oxford on December 17, in a general procession in the main crossroads in the presence of the chancellor, Thomas Chandler, warden of New College.<sup>50</sup> It would seem that either the university or Gascoigne was exaggerating.<sup>51</sup>

Gascoigne himself might have been able to contribute one of Pecock’s books to a pyre at Oxford, namely the *Book of Faith*, which would prove so fruitful for Pecock’s critics at the trial. At least, he had had access to it in the past. On his own, however, Gascoigne came up with only one of the trial objections, namely, Pecock’s alleged claim that Christ’s Descent was not an article of faith because it was not in the Apostles’ Creed at the time of St. Augustine. Gascoigne also complained about Pecock’s denial that the apostles made the creed, and he deplored the disrespect that he showed to Pope Gregory the Great.<sup>52</sup> In addition to

<sup>48</sup> Oxford to Bouchier, 339.

<sup>49</sup> *Ibid.*

<sup>50</sup> Gascoigne, *Loci*, 217–18; see appendix 1 below, 2.15.

<sup>51</sup> Catto, “Theology after Wycliffism,” 278, says that it is not clear from Gascoigne’s account whether any of Pecock’s books were found and burned. True enough, but it does seem clear that Gascoigne asserted that they were.

<sup>52</sup> Gascoigne, *Loci*, 209–10, citing *Book of Faith* 1.3 and 2.5 (appendix 1, 1.2). In his second set of comments, he objected also to Pecock’s concession that one could reject the Church’s determination if one had good arguments (*Loci*, 214; appendix 1, 2.7). Elsewhere in the *Liber* (502),

his old grievance about preaching, which others seem to have forgotten about by this time, Gascoigne seems to have been most outraged by Pecock's disrespect for the early Church Fathers.<sup>53</sup>

As for the works that Pecock turned in to Archbishop Bouchier for inspection, for some reason historians have been inclined to believe Gascoigne's claim about his submitting only his recent books. This seems unlikely, since it conflicts with the papal account. The truth could be that, since he was constantly updating his works, he turned in only those that he had sufficiently revised. His substantial treatise, *The Repressor of Overmuch Blaming of the Clergy*, which was begun while he was still at Whittington College, would presumably have been included in the October review. There is a note in the surviving copy of the work that it was exhibited before Archbishop Bouchier in his chapel at Lambeth on November 11, 1457.<sup>54</sup> According to *Querelam* this was the day set for opposers of Pecock to come forward with their written charges of heresy in Pecock's writings. It is remarkable that the copy in the archbishop's custody should be the only one that survived the search-and-destroy missions later ordered in the archbishop's and pope's names.

What Gascoigne reports about the events of mid-November 1457 in his first set of comments seems to be entirely wrong. He says that Pecock was present in the king's Great Council around the feast of St. Martin (that is, November 11), when the temporal lords insisted that he be expelled. Theologians who were there insisted to Archbishop Bouchier that they be given Pecock's books to examine, and Pecock agreed to turn over only his recent ones. Then he left the council. On the Saturday after St. Martin's Day (November 12), in response to a citation from the archbishop, Pecock produced nine extensively redacted books (a great feat of overnight self-censorship). He insisted that he be judged not by the bishops but by examiners who were his peers. The new creed that Pecock had composed was destroyed and prohibited, and on the Sunday after St. Martin's (November 13), a doctor of theology named Pinchbeck proclaimed

where he takes up the subject of *Fides*, Gascoigne cites *Book of Faith* 1.3 on the disparagement of Gregory (*Loci*, 99, 101), but for the Church-rejection point he cites a disciple of Pecock's who told him it was in the book; and at the same place, he says that it is written about Pecock that one does not have to believe in the determination of the Church, but only that it exists (*Loci*, 100). Elsewhere (*Loci*, 104), he cites Pecock as saying this year, 1457, in his *Provoker* (which has not survived), that the apostles did not write the creed, but it was a new invention. Earlier in the *Liber*, Gascoigne says that the English bishops changed their mind several times on whether pope or council was supreme, in the time of Pope Martin and before: *Loci*, 17. See n. 39 above and n. 126 below.

<sup>53</sup> R. M. Ball, "The Opponents of Bishop Pecok," *Journal of Ecclesiastical History* 48 (1997): 230–62, makes the case that Gascoigne was at the forefront of a new movement at Oxford that stressed the importance of the Fathers (see esp. 241–47).

<sup>54</sup> Babington in Pecock, *Repressor*, 1:lxii. The surviving copy of *Repressor* is in Cambridge, University Library, MS Kk.4.26.

at St. Paul's Cross that Archbishop Bouchier had expelled Pecock from the King's Council.<sup>55</sup>

Nothing of this sort could have happened at this time. Most obviously, as Scase points out, Pecock's works were already under review in October.<sup>56</sup> There is no mention in any of Pecock's surviving works of a new creed, although he may have rewritten and clarified the Apostles' Creed in the missing part of the *Book of Faith*, as he did in the *Donet*,<sup>57</sup> which may have struck his readers as his own new creed. If so, however, it is unrealistic to think that it would be condemned immediately, without due process. The archbishop would have had no authority to eject a bishop from the King's Council at the mere request of seculars, and, furthermore, it would have served no purpose to proclaim it to the faithful at large. (In his later set of comments, Gascoigne claimed that it was the condemnation of the false creed that Pinchbeck announced on November 13, and now said that it had been condemned not only by the archbishop of Canterbury, but by the archbishop of York and other bishops as well.)<sup>58</sup>

*Lead-Up to the Trial: Great Council Meeting, Early October*

In contrast to Gascoigne's questionable accounts of Great Council activity, a more plausible report is given by John Benet in his chronicle. He says:

After the feast of St. Michael [that is, September 29], the king held a Great Council at Westminster with both spiritual and temporal lords, where Master Reginald Pecock, Bishop of Chichester, was accused of heresy, because he composed many books explaining Holy Scripture in English, and made a new Lord's Prayer and a new Creed, in which Creed he dismissed the clause, "He descended into hell and on the third day He rose from the dead." And in all of his books great heresy was found. Therefore, the said heretic Reginald submitted himself to the correction of the archbishop of Canterbury, renouncing his wicked opinions.

[Et post festum Michaelis tenuit rex magnum consilium apud Westmonasterium cum proceribus tam de spiritualibus quam temporalibus, ubi Magister Reginaldus Pecok, episcopus Cicestrensis, accusatus [est] de heresi, qui[a] composuit multos libros exponendo sacram Scripturam per linguam Anglicanam, et faciens novum *Paternoster* et novum *Credo*, dimittendo in suum *Credo* istam rationem: "Descendit ad inferna, tercia die resurrexit a mortuis." Et [in] omnibus libris suis magna heresis inventa est,

<sup>55</sup> Gascoigne, *Loci*, 210–13 (appendix 1, 1.3–5). Scase, 35/109, assumes that he is speaking of Dr. John Pinchbeck, whom we will encounter later.

<sup>56</sup> Scase, 32/106.

<sup>57</sup> See nn. 35–37 above.

<sup>58</sup> Gascoigne, *Loci*, 214–15 (appendix 1, 2.4).

quapropter dictus Reginaldus hereticus submittebat se correccioni archiepiscopi Cantuariensis, renuncians suas iniquas opiniones.]<sup>59</sup>

Such a Great Council meeting taking place around the beginning of October could have triggered the review of Pecock's works spoken of in the *Querelam* mandate of October 22.

More in keeping with Gascoigne's reports is an unsympathetic account of accusations against Pecock in what looks like a meeting of a Great Council that appears in the register of the abbot of St. Albans, John Whethamstede. I paraphrase as follows:

Like a peacock with its bright plumage and terrible voice, this Pecock had misled the faithful. In his pride he had set himself above the Lord's Prayer, and, beyond the three official creeds (that is, Apostles', Nicene, and Athanasian), he composed one of his own in English, a short one, which omitted the Descent and set aside several other articles as deserving no faith or belief. Therefore, the stout defenders of the Church took up arms against him. They called upon Archbishop Bouchier to summon him to respond in a trial of the faith to what they had to object against him. Thereupon, Pecock appeared before the archbishop at Westminster in a room of the council. The king himself was there as well as many lords of the kingdom.<sup>60</sup>

The four specific charges in Whethamstede's account deal with the Descent into Hell, the authority of the Church, and general councils, and (a point not mentioned by Pope Calixtus or included in the abjuration texts) the sufficiency of the literal sense of scripture. These charges parallel those in Benet's account, but instead of a doctrine about the literal sense of scripture, Benet reports the accusation of explaining scripture in English. This resembles the report of another chronicle, that Pecock had labored many years translating the Holy Scripture into English before passing the bounds of divinity and Christian belief into heresy.<sup>61</sup> The idea of Pecock's connection with Bible translation will surface

<sup>59</sup> John Benet's *Chronicle*, in *Camden Miscellany*, ed. G. L. Harriss et al. (London: Royal Historical Society, 1972), 24:151–233, at 218–19. Benet goes on to tell of the abjuration of December 4, and to give a text of it (219–20), and he gives a different text after the end of the chronicle; see Harriss, 163. Harriss asserts that the Great Council meeting implicating Pecock took place on November 28; he is following the unsupported statements of Jacob, "Reynald Pecock," 137/18n3/1, and V. H. H. Green, *Bishop Reginald Pecock: A Study in Ecclesiastical History and Thought* (Cambridge: Cambridge University Press, 1945), 54 (treated in n. 96 below).

<sup>60</sup> John Whethamstede, *Registrum Abbatiae Johannis Whethamstede iterum susceptae*, in *Registra quorundam abbatum monasterii S. Albani*, ed. Henry Thomas Riley (London, 1872), 1:280–81. Because this account includes an actual trial, it has been taken by Jacob and others to have occurred late in November (usually the 28<sup>th</sup>, one of Gascoigne's dates).

<sup>61</sup> *An English Chronicle of the Reigns of Richard II, Henry IV, Henry V, and Henry VI Written before the Year 1471*, ed. John Sylvester Davies (London, 1856), 75; another edition is that of William Marx, *An English Chronicle: A New Edition* (Woodbridge: Boydell, 2003), of which see pp. 75–76.

later in mandates to search for Pecock's books. Unfounded rumors of translating the scriptures had also circulated in connection with John Wyclif in his time.<sup>62</sup>

"Great Council" is a fluid term. Peter Holmes distinguishes between "small" and "large" meetings, the small being the ordinary continuing council, but assembled for an important purpose, or with specially invited guests.<sup>63</sup> And whether the king was actually present at the meeting described is not certain. Benet tells of another Great Council that "the king held" in January of 1458, "with the king absent."<sup>64</sup>

When contemporaries wrote of "the king" in the Middle Ages, what was often meant was "the government," or "the Crown," with or without the personal involvement of the king himself.<sup>65</sup> This was particularly true of Henry VI, who first started his reign as an infant, and was often in fragile health throughout. From late 1456 onward, the royal policy-makers would have been Queen Margaret and her Lancastrian camp, with whom Pecock himself might be thought to have sympathized.<sup>66</sup> Archbishop Bouchier lost his post as chancellor of the realm in September or October of 1456, and he was replaced by William Waynflete, Bishop of Winchester, who appears to have been a political moderate and independent.<sup>67</sup> When the king was absent in the Midlands in the summer of 1457, Catto notes, the routine administration was carried on by Waynflete and the treasurer, John Talbot, Earl of Shrewsbury, with councilors and

<sup>62</sup> Henry Ansgar Kelly, *The Middle English Bible: A Reassessment* (Philadelphia: University of Pennsylvania Press, 2016), 61–62, 78–80.

<sup>63</sup> Peter Holmes, "The Great Council in the Reign of Henry VII," *English Historical Review* 101 (1986): 840–62, at 841. He cites one of Henry VI's Great Councils as opening with only three people. More typical, he says, was the one of 1437, with twenty-three attendees, and that of 1471, with thirty-four present. On Pecock's attendance at Council meetings, see Scase, 26–27/100–101. Jacob, "Reynald Pecock," 136/16–17, says, on no evidence, that Viscount Beaumont's petition was "brought before the Council at one of its ordinary meetings, probably at the beginning of October." He is speaking of a vague letter of complaint against Pecock by John Beaumont addressed to the king dated June 24. It is edited in Scase, 46–48/120–22, and discussed on 29–31/103–5. Wolffe, *Henry VI*, 311, says that a Great Council was summoned for some date after October 12, and that it adjourned inconclusively after November 29. He has traced Henry VI as being at Westminster on September 25, at Chertsey October 8–12, and back at Westminster from October 17 to November 29 (371).

<sup>64</sup> Benet, *Chronicle*, 221: "Et eodem tempore Rex tenuit magnum concilium apud Westmonasterium, rege absente, set concilio laborante circa pacem inter dominos."

<sup>65</sup> See David Matthews, *Writing to the King: Nation, Kingship, and Literature in England, 1250–1350* (Cambridge: Cambridge University Press, 2010).

<sup>66</sup> When King Henry fell ill in 1453 and a large Great Council (fifty-two attendees) met on November 30, 1453, as a first step in bringing Richard Duke of York to leadership, Pecock was one of only three bishops absent, which Ralph Griffiths attributes to their close alliance to the king: "The King's Council and the First Protectorate of the Duke of York, 1453–1454," *English Historical Review* 99 (1984): 67–82, at 72. However, Pecock does seem to have voted for York's second protectorate at the end of 1455: Scase, 22/101.

<sup>67</sup> Virginia Davis, "William Waynflete and the Wars of the Roses," *Southern History* 18 (1989): 1–22, at 3–4.

advisors, like John Derby, prothonotary of Chancery, and perhaps Robert Stillington.<sup>68</sup> On September 25, we know, Henry was at Westminster, but on October 8–12 he was away at Chertsey,<sup>69</sup> and perhaps was already there earlier, when the Pecock business arose, and Waynflete and his entourage would have controlled the meeting. Although historians have often implicated Waynflete as a later opponent of Pecock, we will see that there is little evidence for it, though the opposite is true of Derby and Stillington.

As for earlier connections, Gascoigne associated Waynflete with Pecock in the preaching controversy in 1447: he says that Pecock stated his position before Archbishop Stafford, Bishop Adam Moleyns of Chichester, and Waynflete, whereupon a mere bachelor of arts confuted him and put him to shame. That part of the story is dubious, but it may reflect an actual event, the sort of disputational confrontation that Pecock called for in his *Abbreviatio*. It may be significant that Gascoigne also states that Stafford and Moleyns likewise insisted on their opposition to Pecock's view, but he says nothing of what Waynflete's position was.<sup>70</sup> If such an event did occur in 1447, it would have to have been after Waynflete was consecrated bishop, which happened on July 30 at Eton College, where he was provost. He was not enthroned at his cathedral until January 14, 1448.<sup>71</sup> He was known as the "schoolmaster bishop," but his interests went beyond the grammar-school level. He founded a house of study at Oxford later in 1448, Magdalen Hall, which he would transform into Magdalen College in 1458; being a bachelor of theology himself, he stressed the teaching of philosophy and theology there, and we can assume that debates about religious doubts and theological controversies were a regular feature.<sup>72</sup> He may therefore have found in Pecock a fellow bishop of great interest. There was also a recent family connection: in 1455, Pecock would have admitted his brother, John Waynflete, as dean of the cathedral chapter of Chichester.<sup>73</sup>

<sup>68</sup> Catto, 209–10. For information on these and other clerks of Henry's government, see Janice Gordon Richter, "Education and Association: The Bureaucrat in the Reign of Henry VI," *Journal of Medieval History* 12 (1986): 81–96.

<sup>69</sup> Bernard Wolfe, *Henry VI* (London: Eyre Methuen, 1981; repr. New Haven: Yale University Press, 2001), 371.

<sup>70</sup> Gascoigne, *Locis*, 31. The bachelor's decisive argument, as Gascoigne recounts it, likening "a bishop insofar as he is a bishop" to "horseness in itself" (*equinitas est tantum equinitas*), makes no sense.

<sup>71</sup> Emden, *BRUO*, 3:2002.

<sup>72</sup> Virginia Davis, "William Waynflete and the Educational Revolution of the Fifteenth Century," *People, Politics, and Community in the Later Middle Ages*, ed. Joel Rosenthal and Colin Richmond (Gloucester: A. Sutton, 1987), 40–59, at 47. In the statutes that Waynflete compiled in 1480, there were weekly disputations on matters of doubt, and a weekly discussion of theological controversies held in the nave of the chapel (50).

<sup>73</sup> Emden, *BRUO*, 3:2001.

*Trial, Abjuration of Errors, and Restoration of Reputation and Status*  
(November 21?)

It is reasonable to assume that some of Pecock's opponents did appear before the archbishop on November 11 with their written indictments, and that, upon their demand, they were appointed to serve as promotor in an inquisition against the bishop. As such, they would presumably have participated in formulating the charges against him, but the pope's summary would seem to indicate that the final articles came from the committee tasked with examining his works. Bouchier would then have issued a citation to Pecock to appear on a set date and answer the charges.

One plausible date is November 21, specified by Gascoigne in his next set of reflections as the day on which Pecock made a formal retraction. Gascoigne starts out by giving only the year:

In 1457, twenty-four doctors, before Archbishop Bouchier and his brother bishops and in the presence of Pecock himself, in London, proved that many of his writings were erroneous, and if they were obstinately defended by him they would be heretical; and they promised that they would prove it before King Henry VI, in their professorial caps.

[Et anno Christi 1457, doctores 24, in presencia archiepiscopi predicti Cantuariensis et fratrum suorum episcoporum, Londoniis, multa scripta Pecock probaverunt in presencia ipsius Pecok episcopi esse erronea, et ipsa scripta, per eum si essent defensata, esse heretica, et hoc se probaturos coram rege Henrico Sexto, suis pileis utentes, promiserunt.]<sup>74</sup>

After rehashing reasons for Pecock's unpopularity with the temporal lords,<sup>75</sup> Gascoigne continues with the exact date, that is, November 21:

<sup>74</sup> Gascoigne, *Loci*, 212 (cf. appendix 1, 2.2). I should note that Gascoigne's alleged twenty-four doctors have played a notable role in Pecock's historiography. His early biographer, John Lewis, in *The Life of the Learned and Right Reverend Reynold Pecock, S.T.P.* (London, 1744), 217–18, says that Bouchier around November 11 had Pecock submit his books to be examined by twenty-four doctors of Oxford and Cambridge, and they were to report back to the archbishop and three assessors or auditors, namely, Bishops William Wayneflete of Winchester, John Chedworth of Lincoln, and John Lowe of Rochester. This notion of the three assessors has often been repeated, for example, by Emden, *BRUO*, 3:2002 (citing Green, *Bishop Reginald Pecock*, 51–53) and Catto, 211 (neither Green nor Catto gives a source). Lewis came up with the idea that the doctors were from Oxford and Cambridge not only because of Gascoigne's reference to *pilea* but also because he believed that the archbishop was following one of the constitutions of the Canterbury Council at Oxford in 1407, ordering a committee of twelve from Oxford or Cambridge or from both to examine treatises by Wyclif and others: see Lyndwood, *Provinciale* 5.4.2: Arundel, *Quia insuper* (284–86). But Lewis does not give a source for saying that they were to report to three assessors.

<sup>75</sup> Notably, Gascoigne says that the lords were upset with his new creed. This is the point at which he says that what Dr. Pinchbeck announced on November 13 was the bishops' condemnation of the said creed (*Loci*, 213–14; appendix 1, 2.2–4). Before his statement about the twenty-

And, on the day after the feast of St. Edmund, King and Martyr, the said Bishop Pecock revoked various conclusions in his books and distanced himself from them, before the archbishop and other bishops, and many doctors of theology of both secular and religious garb.

[Et in crastino Sancti Edmundi, Regis et Martiris, idem Pecok episcopus revocavit diversas conclusiones per eum positas in libris suis, et ab eis recessit, coram archiepiscopo et aliis episcopis et doctoribus theologie, secularis habitus et religiosi.]<sup>76</sup>

This account looks very much like the trial rehearsed by Pope Calixtus from the transcript of the case, where only errors, not heresies, were spoken of, with the suggestion that they were inadvertent (due to the lack of a final revision of texts). According to Gascoigne, the errors would only be heresies if he refused to repudiate them, which Pecock proceeded to do. The pope summed up by saying,

In all of these [that is, the points specified, on the Apostles' Creed, and Church and council fallibility] he confessed that he had erred and had believed, held, written, preached, and dogmatized other than Holy Mother Church holds and believes, and spontaneously and freely revoked them, and, touching the holy Gospels, abjured them, and offered himself as prepared to undergo congruous satisfaction to be imposed upon him and judged appropriate by you [the archbishop of Canterbury], and he did so undergo it and repent.

[In quibus omnibus se errasse ac aliter credidisse, tenuisse, scripsisse, predicasse, et dogmatizasse quam sancta mater Ecclesia teneat et credat confessus est, sponte et libere revocavit, et, tactis sacrosanctis evangeliis, abjuravit, ac congruam satisfactionem sibi imponendam et per te arbitrandam subire se obtulit et paratus fuit, prout subiit et penituit.]<sup>77</sup>

There is no indication of how the trial was run, whether the archbishop leveled charges himself, or whether some doctors did so as promoters. If Pecock saw the charges beforehand, he could have submitted immediately, or asked for time to consider, and, if he thought fit, to offer a defense—say, by way of denial and clarification. At any rate, it is possible that Pecock at first confessed his errors in a highly qualified way, admitting to having made misstatements and misleading formulations, which he promised to correct. But he must have felt compelled to admit to more substantial failings, to judge by the pope's summary statement concerning all of the charges. Pecock's style is very ungainly, and it is often

four doctors, he said that a letter that Pecock sent to Mayor Canning of London in 1456 caused an uproar (*Loci*, 212, 213; appendix 1, 2.1); on this matter, see Scase, 29–31/103–5, 46–48/120–22; and Catto, 208–9.

<sup>76</sup> Gascoigne, *Loci*, 214. Appendix 1, 2.5. St. Edmund, King of East Anglia, was killed by the Viking invaders in 869; his feast day was November 20.

<sup>77</sup> Calixtus, *Apostolice*, §5.

difficult to understand what he means, which at his trial may have called into question his attempts to explain and clarify his positions.

According to Whethamstede's account of the trial, there were *replicationes* and *responiones* back and forth over a long period of time and great multiplication of words, and when they came to no result, the archbishop himself brought the case to a close.<sup>78</sup> He told Pecock that he abounded more in words than reason, and explained to him how he was wrong on the four charged positions, and he gave him the choice of abjuration or being turned over to the secular arm. Pecock hesitated, and then said that the choice was between fire on the one hand and disgrace on the other, so he would choose the latter.<sup>79</sup>

Whethamstede's speeches for the archbishop and Pecock do not inspire confidence that details of the trial came from an eyewitness. But the statement about the long time spent in discussion may reflect a reality, that Pecock made a genuine effort to refute the charges against him. Or he may have admitted the articles as stated, and rationalized his admission as acknowledging his confusing and misleading formulations.

Or, finally, he may have deliberately pleaded guilty as part of a plea bargain with the archbishop: in return for acquiescing without a fuss, he would be restored to full fame and status. Two centuries later in Rome, Galileo Galilei was induced to make a similar bargain: the commissioned judge informed the cardinal inquisitors that the case against him was weak, and received permission to promise leniency in return for a guilty plea; and Galileo fell for it. His plea, of favoring heliocentrism without heretical intention, had the unintended consequence of requiring an examination of his private beliefs under torture, and life-long confinement (mild though it was).<sup>80</sup> Similarly, in Pecock's case, unpleasant consequences followed.

Pope Calixtus sums up the proceedings in the transcript as a "trial" against Pecock "upon such errors/heresies contained in the books" (*processus super hujusmodi erroribus heresibus contentis in libris*).<sup>81</sup> We know that the trial was at

<sup>78</sup> Whethamstede, *Registrum*, 282: "Cumque, replicationibus et responionibus hinc inde factis, protraheretur tempus prolixius multiplicarenturque verba plurima, sed absque termino conclusionis, aperuit tandem dominus archiepiscopus os suum loquebaturque in hunc [ed. *nunc*] modum" (And when, with replications and responses made back and forth, the time was prolixly prolonged and many words were multiplied without a definite conclusion, the lord archbishop opened his mouth and spoke after this fashion).

<sup>79</sup> *Ibid.*, 282–84; translated by Babington, 1:xliv–xlvi, and Green, *Bishop Reginald Pecock*, 54–55. Whethamstede has the archbishop explain why the Descent is not in the Nicene or Athanasian Creeds—but it is in the latter.

<sup>80</sup> Henry Ansgar Kelly, "Galileo's Non-Trial (1616), Pre-Trial (1632–33), and Trial (May 10, 1633): A Review of Procedure, Featuring Routine Violations of the Forum of Conscience," *Church History* 85 (2016): 724–61, esp. 740. Galileo did not know that in his case he would not be tortured but that the process would stop at the threat of torture (see 749–54).

<sup>81</sup> Calixtus, *Apostolice*, §9.

least initiated with Archbishop Bourchier's call in *Querelam* for denunciations of heresy or error ("quidquid hereticum seu erroneum") in the bishop's writings; but whether the word "heresy" was named in the formal trial is not clear.

In the course of describing what happened at the end of the trial, the pope, still evidently drawing upon the trial transcript, says that Archdeacon Stokes absolved Pecock of any suspension or excommunication that might have been incurred "on the occasion of heresies and errors on which he was 'taken' or 'detected'" (occasione heresium et errorum in quibus deprehensus erat).<sup>82</sup> The specification of heresy here may have been placed in the archbishop's mandate to Stokes to reflect the initial denunciations against Pecock rather than the actual charges brought in the trial. Or it may have been included to forestall any objection that Pecock had been automatically excommunicated for being heretical. There is certainly no indication in the pope's letter that Pecock had been actively suspended or censured by Bourchier either before the trial or in his sentence. Or, finally, as I will suggest below, the mention of heresy may have been aimed at the extreme actions that would follow shortly after the trial.

ABRUPT REVERSAL, DECEMBER 1457: ADMISSION OF HERESY,  
RECANTATION, DESTRUCTION OF BOOKS, SUSPENSION AS BISHOP

*Pecock's Abjurations and the Burning of His Books, December 3–4*

All historians, including Scase and Catto, have assumed that the harsh abjurations of heresy that Pecock recited in early December were identical to the abjuration that he made in his November trial, and that the rehabilitation effected by Stokes occurred after his public disgrace.<sup>83</sup> We have seen, on the contrary, that the trial abjuration was a mild revocation of error, followed by full restoration to honors. Therefore, we must account for the change.

The texts, phrased in Pecock's first person, in his easily recognizable style (especially the piling up of synonyms), survive in a "formularly" or letterbook (a collection of documents to be used as models, with original dates usually deleted), which, as Catto shows, was compiled by Robert Stillington, a rising star among the king's councilors, who would soon play an important role in the

<sup>82</sup> Ibid., §7. For *heresium et errorum* Scase, 54/128, has *heresim et eorum* (*eorum* agrees with text A).

<sup>83</sup> Scase, 36–37/110–11; Catto, 211. Scase says that Bourchier "sent" Stokes to absolve and restore Pecock after his recantation, but that his rehabilitation was "rather less smooth" than it might appear in the papal bull. Catto characterizes the notarized document that Pecock sent to the pope not as the transcript of the trial (*processus*), but rather as a copy of Bourchier's commission to Stokes to restore Pecock after he abjured at St. Paul's; and he assumes that the commission was not acted upon, but rather that Pecock remained languishing in prison in Maidstone (see below).

further fall of Pecock. He added the government file on Pecock to his formulary around the time that he became keeper of the privy seal in 1460.<sup>84</sup>

As with most documents in formularies, the dates of the abjurations have been eliminated.<sup>85</sup> The first is the Latin “Abjuracio Pecok in foro judiciali,” and the second has similar content in English, followed by language related to the burning of his books: “Apud Pouls Crosse, In Anglicis an Abjuracion.” Some copies or shortened versions of the Paul’s Cross abjuration are recorded elsewhere,<sup>86</sup> but no other copy exists of the first. Three accounts say that there were two abjurations, one at Lambeth on December 3, and a public one at Paul’s Cross on December 4, while other reports speak only of the public abjuration and book burning on December 4.

According to Gascoigne, the writings and conclusions that Pecock abjured on December 4 at St. Paul’s—before Archbishop Bourchier, Bishop Thomas Kemp of London, Bishop John Lowe of Rochester, Bishop Lawrence Booth of Durham, and 20,000 people—were first abjured before twenty-four doctors of theology on December 3 at Lambeth in the manor of the archbishop of Canterbury.<sup>87</sup> The notary Robert Bale says:

Master Pecock, Bishop of Chichester, the Saturday the 3rd day of December, forsook and left all his points of heresy at Lambeth afore the bishops of Canterbury, Winchester [that is, Chancellor Waynfilet], and Rochester [John Lowe], and betook him to his open penance, which was done the morn after, at Paul’s Cross, in great audience and sight of people, and many of his books burned there.<sup>88</sup>

<sup>84</sup> Pecock, *Abjurations*, ed. Scase, 58–60/132–34, from the Stillington Formulary: Oxford, Bodleian Library, MS. Ashmole 789, fols. 147–359, at fols. 303v–304v. See Catto, 212–13 (cf. Scase, 38/112n239; and Jacob, “Reynold Pecock,” 138–40/19–21). For Stillington, see Emden, *BRUO*, 3:1777–79. A doctor of civil law from Oxford (1443), he was a noted pluralist, currently holding two archdeaconries (of Colchester and Taunton). He became bishop of Bath and Wells in 1465 and chancellor of the realm in 1467, and was identified as the author of the *Titulus regius*, which justified Richard III’s claim to the crown by ruling out the sons of Edward IV as illegitimate. The rest of the Pecock dossier in the Stillington Formulary is edited by Catto, 215–22, and also, with headnotes, by Scase, 60–66/134–40. Catto ties the formulary to Stillington because much of it comes from the chancery of Thomas Beckington, Bishop of Bath and Wells, and Stillington served as his chancellor.

<sup>85</sup> Scase’s statement that the first was “signed 3 December 1457” (58/132) is her historical conclusion (see 35/109), not part of the text.

<sup>86</sup> Scase, 35/109. One fairly complete version (missing articles 3 and 5) is in Benet’s *Chronicle*, 219–20 (see n. 59 above). See Harriss’s introduction, 163.

<sup>87</sup> Gascoigne, *Loci*, 216 (appendix 1, 2.10). (Scase, 36/110, mistakenly puts 2000 for 20,000.) Gascoigne has other accounts of the December 4 spectacle (*Loci*, 214–18; appendix 1, 2.8–13, 15–16). In his last entry (*Loci*, 217–18; appendix 1, 2.15), he says that Pecock’s books were burned in London at St. Paul’s on December 4, and also in Oxford on December 17. For the report on the Oxford burning, see above at n. 50.

<sup>88</sup> Robert Bale, *Chronicle*, in *Six Town Chronicles of England*, ed. Ralph Flenley (Oxford: Clarendon, 1911), 114–52, at 145.

One of the *Brut* continuations says that Pecock was found to be a heretic and was abjured at Lambeth on December 3 in the presence of the archbishop and many bishops and doctors and lords temporal; and his books were burned at Paul's Cross.<sup>89</sup>

In the first abjuration, which is in Latin, Pecock, "unworthy bishop of Chichester" (*indignus ecclesie Cicestrensis episcopus*), addressing the archbishop of Canterbury, "purely, spontaneously, simply, and absolutely" (*pure, sponte, simpliciter, et absolute*) confesses to having gone contrary to the teaching of the Church for the last twenty years by publishing pernicious books containing heresies and errors, especially the following heresies and errors (the six charges treated above); now, miserable sinner that he is, having long walked in darkness, returning to the unity of the Church, he publicly revokes, and abjures by the Holy Trinity and the Gospel, the above heresies and errors and all others contained in his books, swearing to accept condign penance and never to foster such errors and heresies or any others in the future.<sup>90</sup>

In the English version, addressing no one specifically, he confesses similarly about his heresies and heretical books (the six specific heresies are kept in Latin), saying that he had previously confessed and abjured before the archbishop of Canterbury. Furthermore, he exhorts all men that they not give credence to his said pernicious doctrine, heresies, and errors, and not keep any of his books, but turn them in to the archbishop "as suspect of heresy"; and he assents to the burning of his books as example and terror to all.<sup>91</sup>

In neither text does he refer to the trial in which he was charged with errors, or to the results summarized in the pope's letter, including his reinstatement to fame and office, which the pope ordered to be reaffirmed. We can safely assume that there was not a second trial held before the archbishop, in which he was convicted of pernicious heresies rather than easily revocable errors. If there had been, there would have been no point to Pecock's sending the transcript of the first trial with a request that it be enforced, since Bouchier could have declined by sending a transcript of the second trial. We will see that Calixtus's mandate (or at least rumor of it) caused consternation, not on the part of the archbishop, but on the part of "the king," who inquired how it should be responded to. The response would have been easy if there had been another judgment by the archbishop against Pecock: the king could simply cite that judgment, and the sweeping abjurations resulting from it.

<sup>89</sup> *The Brut; or, The Chronicles of England*, ed. Friedrich W. D. Brie (London, 1906–8), 575.

<sup>90</sup> Pecock, *Abjuration* 1, ed. Scase, 58–59/132/33.

<sup>91</sup> Pecock, *Abjuration* 2; Scase, 59–60/133/34.

The abjurations therefore must have been extra-judicial and not part of an official record, in spite of the notation that the first was “in the judicial forum” (in foro judiciali).

*Previous Hearing on Pecock’s Books: November 28?*

Perhaps a clue to what happened can be seen in Gascoigne’s otherwise strange remark above that the doctors on November 21 promised that they would prove their case before the king. It may be that some of the theologians objected to the relatively mild treatment accorded to Pecock at his trial and appealed the case to the king. Such an appeal would be a highly irregular proceeding at this level.<sup>92</sup> It was, of course, a common practice to seek writs of prohibition in lower ecclesiastical actions.<sup>93</sup>

We may suppose that these doctors presented their case to the Great Council, which seems to have been in continual session at this time (though, we are told, with nothing substantial accomplished),<sup>94</sup> and insisted on a formula of abjuration that was much harsher than the one Pecock made at his trial.

The only event on record between November 21 and December 3 is a gathering described by Gascoigne on November 28, dealing with Pecock’s books:

And in the year of Our Lord 1457 at Lambeth, on November 28, in the presence of the lord of Canterbury and other bishops and many doctors of theology, he withdrew from his books that he had written, and from his conclusions, and abjured them in their presence, with two secular lords also there, namely Lord Thomas Stanley and Lord Scales, and many knights. That is, he then revoked all of his books, therefore including the one in which he wrote that a bishop *qua* bishop was not required to preach.

[Et anno Domini millesimo [quadringsesimo] quinquagesimo septimo, apud Lamhith, die Novembris 28, in presencia domini Cantuariensis et aliorum episcoporum et plurimorum doctorum theologie, recessit a libris suis quos scripserat, et a conclusionibus suis, et illas abjuravit ibidem, ipsis presentibus, et duobus dominis secularibus, scilicet domino Thoma Stanle et domino de Scalys, et multis militibus. Et omnes libros tunc revocavit, et sic revocavit illum librum suum proprium in quo scripsit quod episcopus, in eo quod episcopus est, non obligatur predicare.]<sup>95</sup>

<sup>92</sup> In 1391 there was an appeal from an episcopal inquisition to the king, not by promoters, but by the defendant, William Swinderby. See John Trefnant, *Registrum Johannis Trefnant, episcopi Herefordensis, A.D. 1389–1404*, ed. William W. Capes (London: CYS, 1916), 272; and Henry Ansgar Kelly, “Lollard Inquisitions: Due and Undue Process,” in *The Devil, Heresy and Witchcraft in the Middle Ages: Essays in Honor of Jeffrey B. Russell*, ed. Alberto Ferreiro (Leiden: Brill, 1998), 279–303; repr. In Henry Ansgar Kelly, *Inquisitions and Other Trial Procedures in the Medieval West* (Aldershot: Ashgate, 2001), article VI; see esp. 283.

<sup>93</sup> R. H. Helmholz, “Writs of Prohibition and Ecclesiastical Sanctions in the English Courts Christian,” *Minnesota Law Review* 60 (1975–76): 1011–33.

<sup>94</sup> Wolffe, *Henry VI*, 311; see n. 63 above.

<sup>95</sup> Gascoigne, *Loci*, 214. Cf. appendix 1, 2.6.

Since there is no mention of heresy here, this account is compatible with a simple concession on Pecock's part that he would correct his books insofar as they contained the errors that he admitted to in his trial. Perhaps the ceremony was a countermeasure undertaken by the archbishop against the sort of action initiated in the Great Council, as conjectured above, by having Pecock solemnly promise to remove all errors from his works.<sup>96</sup>

The texts of abjuration that Pecock recited contained outright falsities, which Bouchier and the other bishops would readily recognize. There must have been very strong incentives for Pecock to comply, throwing away his entire career as a religious and educational reformer, and declaring himself to have been a pernicious heretic. Would the prospect of deprivation of his bishopric have been sufficient? Perhaps there were threats of treason charges or imprisonment as well, or even burning at the stake, as Whethamstede reports, and perhaps the archbishop was also threatened.

*Suspension of Rights and Duties as Bishop of Chichester*

What happened to Pecock after his abjurations? From a statement made by Gascoigne, that he was ordered to Maidstone to await judgment,<sup>97</sup> Catto deduces the probability that he was kept in the archiepiscopal prison there.<sup>98</sup> But in the next breath Gascoigne says that Pecock was "demandated" to Canterbury after his abjuration.<sup>99</sup> In any case, it seems clear that he was not allowed to resume his episcopal privileges and functions. We find proof of this only much later, well into the following year. In a letter dated July 27, 1458, addressed to the dean (John Waynflete) and chapter of Chichester dealing with an exchange of canonries, Archbishop Bouchier explains his own right to perform what the bishop usually did, "[while] our co-brother Lord Reginald, Bishop of Chichester, for certain reasons [is] now ceasing from such administration and the aforesaid jurisdiction" (*confratre nostro domino Reginaldo Cicestrensi episcopo ab hujusmodi administratione et exercicio jurisdictionis predictae ex certis causis jam cessante*). Bouchier says that he acts *de jure* and by the prerogative of the Church of Canterbury, and "also with the consent of our said co-brother" (*tam*

<sup>96</sup> Gascoigne is the only source that mentions November 28 (except for a chronicle that puts the public burning at St. Paul's on that day: see Scase, 35/109), but there has been a strange agreement among historians that this was the day in which a large confrontation took place in a meeting of the Great Council, linking it especially with Whethamstede's account: for instance, Jacob, "Reynald Pecock," and Green, *Bishop Reginald Pecock*. See nn. 25–26 above. Scase, 35/109, mistakenly says (or seems to say) that the Great Council confrontation with Pecock on November 28 is confirmed by Benet's chronicle, but, as we saw, Benet gives the date as just after Michaelmas (September 29).

<sup>97</sup> Gascoigne, *Loci*, 216; appendix 1, 2.10.

<sup>98</sup> Catto, 211.

<sup>99</sup> Gascoigne, *Loci*, 217; appendix 1, 2.13.

de jure quam de prerogativa ecclesie nostre Cantuariensis, eciam de consensu dicti confratris nostri).<sup>100</sup> In the following month, Bouchier performed another action in the diocese of Chichester, instituting Baldwin Hyde to a chapel canonry and prebend. The entry authorizing it in Chancery addressed it “to Reginald, Bishop of Chichester, or to anyone else whomsoever having legitimate power in the matter.”<sup>101</sup>

*Declaration by the Court of Audience of Pecock as Dangerous Author:  
March 1458*

However, there is record of activity concerning Pecock earlier than July. Some months after his public abjuration, a “complaint of many persons” (*querela multorum*) who professed to be concerned about the effect on the faithful of Pecock’s English books and Bible translations (which, according to chronicle reports, he was thought to have made)<sup>102</sup> was lodged with Archbishop Bouchier or Auditor Stokes.<sup>103</sup> The complaint resulted in a mandate, *Ad extirpandum*, addressed in the archbishop’s name to the bishops of the province, dated March 9, 1458. It states that, according to the complaint and also on the basis of factual evidence, some men and women of the province possessed English books by “our co-brother Reginald, Bishop of Chichester,” and also other books by Pecock “and by other persons” produced against ecclesiastical prohibitions and canonical sanction: namely, translations of scripture. Some of these books were condemned before the archbishop’s tribunal after having been examined and found to contain heresies, and then ordered to be burned. The bishops are to command all such books to be turned in within fifteen days or else the owners will be automatically excommunicated.<sup>104</sup>

Another similar mandate, *Inter solitudines*, survives in a formulary and so is undated. Its editor, Donald Logan, associates it with the same time period as *Ad extirpandum*.<sup>105</sup> Less likely is Scase’s suggestion that it may have been

<sup>100</sup> Thomas Bouchier, *Registrum Thome Bourghier, Cantuariensis archiepiscopi, A.D. 1454–1486*, ed. F. R. H. Du Boulay (Oxford: Oxford University Press, 1957), 243–44: 27 July 1458, from Maidstone. Cf. Catto, 211; and Scase, 37/111. Scase, n235, cites a *monitio* referring to John Waynflete that must be even later, since it refers to Pecock as recently bishop (“Reginaldus nuper Episcopus Cicestrensis”).

<sup>101</sup> Scase, 37/111: “R. ... Episcopo Cicestrensi, aut alii cuicumque potestatem legitimam in hac parte habenti,” citing The National Archives, Public Record Office C66/485 m. 2. Catto, 212–13, citing just the Calendar of Patent Rolls, believes that it was addressed only to Pecock, who “may well ... have still been languishing in the archbishop’s prison.”

<sup>102</sup> See n. 61 above.

<sup>103</sup> See Logan, “Archbishop Thomas Bourghier Revisited,” 175–77.

<sup>104</sup> Bouchier, *Ad extirpandum*, ed. Scase, 49–50/123–24 (cf. 39–40/113–14). Scase, 40/114, notes a reply by Bishop William Grey of Ely, dated May 14, 1458, that no such books were found.

<sup>105</sup> Bouchier, *Inter soli[ci]tudines*, ed. Logan, “Archbishop Thomas Bourghier,” 187–88.

connected to a similar campaign in the following year,<sup>106</sup> since Bouchier still refers to him in the same way as his fellow bishop. This decree is directed to *all* of the clergy, against persons who possessed not only books by “our co-brother, Bishop Reginald,” which had been examined and condemned, but also other books of English translations of the scriptures. But instead of saying that such translations were prohibited, this letter says that persons using said books (i.e., all books by Pecock) were doing so against canonical sanctions and decrees. Such books were to be turned in within twenty days under pain of excommunication.

The mandates may have been referring to the constitution *Periculosa* of Archbishop Arundel in 1407, which required episcopal license for new Bible translations, even though as a bishop himself Pecock could authorize them.<sup>107</sup> But their main thrust was that, since they were by a convicted heretic, they would be automatically “suspect of heresy” (the phrase used by Pecock in his abjuration).

Let me sum up what I consider to be the most likely chain of events in late 1457 and early 1458:

1. ca. Oct. 1: Great Council meeting in which Pecock is denounced.
2. Oct. 22: Examination of Pecock's works under way.
3. Nov. 11: Charges against Pecock formulated; trial date set.
4. ca. Nov. 21: Pecock tried and restored to fame and status.
5. ca. Nov. 22–27: Pecock's enemies complain to Great Council.
6. ca. Nov. 28: Pecock agrees to purge his works before the archbishop at Lambeth.
7. ca. Nov. 29–Dec. 2: Pecock threatened; he agrees to make a radical abjuration.
8. Dec. 3: Pecock abjures heresy at Lambeth.
9. Dec. 4: Pecock abjures again at St. Paul's and assents to burning his books.
10. December and following months: Pecock suspended as bishop, and perhaps kept in custody.
11. March 1458: searches for Pecock's books ordered.

AT PECOCK'S PETITION, POPE CALIXTUS ORDERS THE ENFORCEMENT OF THE  
TRIAL SENTENCE AND ABSOLUTION FROM PERJURY AND HERESY:

JUNE 13, 1458

The bull of Pope Calixtus mentioned above was dated June 13, and therefore Pecock's petition must have been sent a good many weeks before then, in early April, perhaps, or maybe even around the time in the previous month when the

<sup>106</sup> See Scase, 41/115.

<sup>107</sup> For the provisions of *Periculosa* as explained by Lyndwood, *Provinciale* 5.4.3 (286), see Kelly, *Middle English Bible*, 96–101, 211–17. See 105–6 for an analysis of *Inter solitudines*, but without the context provided by *Ad extirpandum*. Pecock's views on the place of Bible translations are discussed on 103–5 (the statement that opposition to Pecock had nothing to do with translations of scripture needs to be modified).

hunt for Pecock's books was initiated. There may even have been a lull in the government's crusade against him, in the lead-up to the "Loveday" between Queen Margaret and the Duke of York on March 25,<sup>108</sup> said to have been organized by Chancellor Waynflete.<sup>109</sup> Apart from the question of constraints on his activities, it would have taken assistance from the Church authorities, perhaps from Auditor Stokes (with or without Bouchier's cooperation), to obtain a notarized copy of the trial and to formulate and dispatch his petition to the pope (Stokes of course would have been responsible for launching the call-in of his proscribed books in March).

Most petitions of this sort were formal appeals, requesting the pope to overturn an adverse verdict. But in Pecock's case, it was to affirm and enforce the verdict in question: he wished Pope Calixtus to order Archbishop Bouchier to confirm the terms of the sentence he had passed and restore Pecock to full honors, and see to it that he was free from molestation.

The suspension of his activities as bishop must have been a chief reason for Pecock's recourse to the pope, as well as the blows that his reputation had taken as a champion of orthodoxy and propagator of the Christian faith. But there are provisions in Calixtus's bull that point to other concerns that he must have had: primarily, the question of having committed perjury.

In the abjuration formulas that Pecock wrote out and recited on December 3 and 4, 1457, by a series of elaborate statements he solemnly declared himself a heretic, having held and published many perverse heresies, including a repudiation of belief in the Holy Ghost. These statements were false, lies. But since he was not at that point speaking under oath, they were not technically perjury. He went on to "revoke" the heresies, implying that they existed in the first place, but even then he was not quite yet under oath. He did definitely put himself under oath when he proceeded to abjure these false beliefs, invoking the Trinity and the Gospels, but he could sincerely reject them as wrong, without admitting that he had held and taught them. So, perhaps, still no perjury.<sup>110</sup>

Nevertheless, Pecock must have felt guilty of perjury as well as of mendacity. He may have considered himself similarly guilty because of admissions he made during his trial of nonexistent doctrinal deviations, whether by way of a plea

<sup>108</sup> Wolffe, *Henry VI*, 312; and Griffiths, *Reign*, 806–7.

<sup>109</sup> Virginia Davis, "Waynflete [Wainfleet, Patten], William," in *ODNB* (Oxford University Press, 2004; online ed., 2019), <https://doi.org/10.1093/ref:odnb/28907>; and Virginia Davis, "William Waynflete and the Wars of the Roses," 3.

<sup>110</sup> In a notable trial in the previous century, in 1382, William Swinderby may have resorted to this sort of rationalization: he made an abjuration of doctrines he was defamed of without having to admit that he actually held them. See the register of John Buckingham, Bishop of Lincoln: Lincoln, Lincolnshire Archives Office, Episcopal Register XII: Memoranda, 1363–98, fols. 1–468, fol. 243v. See also *Fasciculi zizaniorum magistri Johannis Wyclif cum tritico*, ed. Walter Waddington Shirley (London, 1858), 337. I referred to a later trial of Swinderby's in n. 92 above.

bargain or mental reservation. He could have been absolved of both sins by his own confessor, since, according to the law, the pope's intervention was not needed if one were not *convicted* of perjury and thereby made "infamous."<sup>111</sup> But Pecock had made himself infamous by his false assertions. He must have bitterly repented of it and sought to rehabilitate himself, not only by being restored to his bishopric, but also by repudiating his admissions of heresy. To do so, he would have to declare that he lied and was *de facto* if not *de jure* a perjurer, and would need apostolic absolution from the resulting infamy.

Pecock could have written separately to the Apostolic Penitentiary seeking absolution and dispensation,<sup>112</sup> but even if so, he probably also incorporated an explanation of his situation in the case that he made for the confirmation of his trial sentence. Such is indicated by Pope Calixtus's letter.

The pope first refers to a possible hesitation about reinstating Pecock because of a lack of jurisdiction, and to his own wish to honor the archbishop's role; then, noting the usual clemency granted to penitents who flee for help to the Holy See, and the pope's own powers of rehabilitation,<sup>113</sup> he commands the archbishop, in whom he has great confidence, to absolve Bishop Reginald *de novo*, "if he should request it" (*si hoc petierit*), "from all perjury, heresy, usury, and other crimes and excesses which he incurred on the occasion of the foregoing and of which he stands defamed" (*ab omni perjurio, heresi, usura, aliisque criminibus et excessibus que premissorum occasione incurrit ac de illis notatus existit*), and of any sentences he happened to incur, setting him whatever appropriate penance,<sup>114</sup> dispensing him of any irregularity and restoring him to the free occupation of his see, and removing any stain of infamy.<sup>115</sup> Furthermore, the pope himself absolves and rehabilitates Pecock directly.<sup>116</sup> He enjoins Bouchier to assist the bishop with efficacious means of defense, even invoking the secular arm, and to take stern action against all who oppose him, with full retrospective jurisdiction.<sup>117</sup>

The specification of "usury and other crimes" (*usura aliaque crimina*) is odd, perhaps only formulaic; but the order for absolution from perjury and heresy makes sense, in light of the crimes that Pecock committed in formulating and

<sup>111</sup> Lyndwood, *Provinciale* 2.6 (*De iurejurando*), cap. 3, *Presbyteri, v. canonicè dispensatum* (114nc). The marginal rubric reads: "Cum convicto de perjuria, solus papa dispensat."

<sup>112</sup> The records of the Penitentiary for the time of Pope Calixtus are particularly skimpy; see *Supplications from England and Wales in the Registers of the Apostolic Penitentiary, 1410–1503*, ed. Peter Clarke and Patrick N. R. Zutshi, 3 vols. (Woodbridge: Boydell, 2012–15), 1:179–212.

<sup>113</sup> Calixtus, *Apostolice*, §10 (this and the following paragraphs are mostly omitted by Scase, 54/128).

<sup>114</sup> *Ibid.*, §11.

<sup>115</sup> *Ibid.*, §12.

<sup>116</sup> *Ibid.*, §13.

<sup>117</sup> *Ibid.*, §§14–16.

pronouncing his scandalous abjurations. Perhaps usury was included in the pope's statement in order to conceal the true issues that were involved in the forum of conscience. Bouchier, to whom the bull is addressed ("the archbishop of Canterbury"), would have been well aware of what had transpired, especially if he had arranged a plea bargain at Pecock's trial.

GOVERNMENTAL REACTION TO CALIXTUS'S RUMORED MANDATE;  
PECOCK'S RESIGNATION AS BISHOP OF CHICHESTER

On September 17, 1458, a letter ostensibly from Henry VI at St. Albans spoke of learning that "certain bulls" had been illegally procured by Pecock from the pope mandating his restitution, after he had notoriously been convicted of certain errors and heresies, abjured them, and received penance. The letter was addressed, not to Archbishop Bouchier, but to Thomas Bird, the Dominican friar who succeeded Pecock as bishop of St. Asaph's, and to Robert Stillington. They were to advise the king on "the effect and continue [contents] of the said bulls as far as ye goodly may," and on what his lawful response should be.<sup>118</sup>

The king's letter seems to indicate that his advisors had not actually seen the pope's bull (nor, for that matter, is there any record that Bouchier himself had received the bull). Henry's letter was delivered by the Augustinian friar Thomas Hervy, doctor of divinity, and preserved in the response that Bird and Stillington made to the king. When Stillington reproduced the response in his formulary, he removed its date, but he preserved the date on the king's original letter.<sup>119</sup> Bird was noted for his overseas journeys to combat heresy. He was also an ally of Queen Margaret and the duke of Suffolk, having accompanied Suffolk in bringing Margaret to England in 1445.<sup>120</sup> He, like Hervy, was a doctor of theology, whereas Stillington was a doctor of civil law. Together they set up a committee of twenty persons. Their report, which must have been hastily drawn, stated that Pecock was the worst heretic ever: "The damnable doctrine and

<sup>118</sup> Henry VI to Bird and Stillington, September 17, 1458, incorporated into the letter of Bird-Stillington to Henry VI (see next note): Stillington Formulary, fol. 322r, ed. Scase, 60–61/134–35 (cf. 38/112), ed. Catto, 215–16. For the word "contenue/continue" as meaning "contents," see the *Middle English Dictionary*. The statement of the king's awareness of the pope's mandate is: "It is come into our knowledge by right credible persons how that the said Reynold hath surreptitiously purchased and obtained from our Holy Father the Pope certain bulls for his declaration and restitution, contrary to our laws and statutes provisory, and to the great contempt and derogation of our prerogative and estate royal." Henry was indeed at St. Alban's at this time (Wolffe, *Henry VI*, 371).

<sup>119</sup> Bird-Stillington to Henry VI: Stillington Formulary, fols. 322r–323r, ed. Scase, 60–63/134–37 (cf. 38/112), ed. Catto, 215–18. For Hervy, see Emden, *BRUO*, 2:920–21. His name here is given as "herby," which Scase mistakenly corrects to "Derby." She also misidentifies Thomas Bird as Thomas Lowe, and wrongly takes Bouchier to be the addressee of the king's letter.

<sup>120</sup> Emden, *BRUO*, 1:191.

pestified sect of Reynold Pecock exceedeth in malice and horribility all other heresies and sects of heretics to us herebefore known by hearing or writing.” They go on to say that Pecock impugns the Paternoster and the Old and New Testaments and the doctors of the Church, and the pope should be told of his heresies and depose him.<sup>121</sup>

If the committee did know the contents of Calixtus’s bull, they were guilty of extreme prevarication accompanied by foolish advice, since they would have seen that the pope had already been told what Pecock was convicted of, and he had approved Bouchier’s confirmation of his original status. But it is likely that they did not have the text of the pope’s mandate before them, and were speaking globally when they said that he should be deposed “notwithstanding any dispensation, grace, or indult apostolic to him before, by surreption or otherwise, per-adventure granted, whatsoever tenor it be of.”<sup>122</sup> It is likely too that they did not know the particulars of his trial, and perhaps not even the specific “heresies” listed in his abjurations. They do seem to refer to the headings of the abjurations (as they stand in Stillington’s formulary): his confession was “made in judgment” and also “at Paul’s Cross.” But they would appear to be only guessing when they tell of the sentence of the archbishop given at Lambeth “upon the damnation of his books and heresies.”

Their final point is that, by the notoriety of the fact itself, when Pecock was translated to Chichester he was a heretic, “and so damnably involved in the sentence of the more curse” (that is, major excommunication). As we saw, charges of this sort were anticipated in Calixtus’s bull, though not quite in this form. The argument here in the Bird-Stillington letter is that, because Pecock was in a state of automatic excommunication triggered by his notoriety as a heretic at the time of his translation to Chichester in 1450, the transfer was not valid and therefore the see was currently vacant.<sup>123</sup>

The king’s spokesmen clearly believed that the pope would not fall for such a blustery reply. They may or may not have realized that the papal curia had newly been made aware of the political machinations that Henry VI’s managers were capable of in the matter of Joan of Arc: Pope Calixtus proclaimed her exoneration on July 7, 1456.<sup>124</sup> In any case, “the king” wrote back to the committee

<sup>121</sup> Bird-Stillington to Henry VI, Scase, 61/135.

<sup>122</sup> *Ibid.*, 62/136.

<sup>123</sup> Of course, as Catto, 213n39 points out, that would call all of Pecock’s institutions to benefices into doubt, and so Stillington and other canons of Chichester on October 28 and shortly afterward sought to have their positions ratified in Chancery.

<sup>124</sup> The seven-month-long review of her conviction and burning at the stake in 1431 resulted in a resounding condemnation of the trial. See Pierre Duparc, ed., *Procès en nullité de la condamnation de Jeanne d’Arc*, 5 vols. (Paris: Klincksieck, 1977–88). The trial had been run by a bishop-for-hire on the English payroll, Pierre Cauchon, with English bishops participating as assessors,

and, after thanking them for their zeal, desired of them more specifics, asking that “ye will certify us articularly the principal points of heresies, blasphemies, and detestable doctrine that the said Raynold is convict of.” Furthermore, he was sending two of his clerics, John Pinchbeck and Gilbert Haydok (both recent doctors of theology), to discuss matters with them.<sup>125</sup> If the committee had been able to consult the text of Pecoock’s abjuration, they could easily have exaggerated the second charge, that it was not necessary to believe in the Holy Ghost. They could have construed it as “a sin against the Holy Ghost,” which Jesus said could not be forgiven in this world or the next (Mt 12:32).

This letter would have had to be written at least a week after his letter of September 17. Perhaps the news of Pope Calixtus’s death on August 6 had not yet arrived; or if it had, the English may not yet have heard of his replacement, Pius II, elected on August 19 and consecrated on September 3.<sup>126</sup> Once they did know of the new pope, they may have thought that he would be easier to manipulate than Calixtus. If so, they were right.

and the theology and canon-law faculties of the University of Paris, like the theologians and jurists of the Bird-Stillington Committee, also stooped to the occasion. For instance, the Paris theologians, responding to the article accusing Joan of wearing male clothes, said that she was blasphemous against God and contemptuous of God in His sacraments and a prevaricator of divine law and sacred doctrine and ecclesiastical sanctions, wrongly thinking and erring in faith, vainly exalting herself; she was to be judged vehemently suspect of idolatry and of foully “consecrating” herself and her clothes to demons, imitating the rites of the Gentiles. The canon lawyers chimed in, saying that she was an apostate, not only for taking on male clothes, but also for cutting her hair, which God gave to her as a veil: Pierre Tisset and Yvonne Lanhers, eds., *Procès de la condamnation de Jeanne d’Arc* (Paris: Kincksieck, 1960), 1:361, 363. See Henry Ansgar Kelly, “Questions of Due Process and Conviction in the Trial of Joan of Arc,” in *Religion, Power, and Resistance from the Eleventh to the Sixteenth Centuries*, ed. Karen Bollerman, Thomas M. Izbicki, and Cary J. Nederman (New York: Palgrave, 2014), 81–100, at 90.

<sup>125</sup> Henry VI to Robert Stillington and Hugh Damlet: Stillington Formulary, fol. 323r, ed. Scase, 63/137, ed. Catto, 218. Pinchbeck received his degree by 1456 from either Oxford or Cambridge: Emden, *BRUO*, 3:2208; cf. A. B. Emden, *A Biographical Register of the University of Cambridge to 1500 [BRUC]* (Cambridge: Cambridge University Press, 1963), 466; and Haydok in 1454: *BRUO*, 2:893–94. Pinchbeck became a Carthusian in 1459.

<sup>126</sup> The new pope was the famous humanist scholar Enea Silvio Piccolomini, bishop of his native Siena. Originally Piccolomini was a dedicated conciliarist, maintaining that a general council’s decrees were final, which is also what Pecoock’s pious prosecutors insisted on, as we saw above. The popes took a different view, especially after the Council of Basel deposed Pope Eugenius IV in 1439. Eugenius naturally responded that their decree was not valid, in his bull *Moses vir Dei*: Heinrich Denzinger, *Enchiridion symbolorum*, no. 1309; see the 43<sup>rd</sup> edition, Latin-English version, ed. Peter Hünermann et al. (San Francisco: Ignatius Press, 2012), 335–37. Eugenius made Alfonso Borgia, the future Calixtus III, a cardinal for his support against Basel. When Piccolomini became pope himself, he changed sides and followed suit, in his bull *Execrabilis*, of January 18, 1460 (*ibid.*, no. 1375, 351–52).

On September 27, 1458, instructions were sent in the king's name to the Chancery prothonotary John Derby and Haydok,<sup>127</sup> telling them to go to Bishop Pecock and offer him a pension if he would "resign his benefice." The first paragraph is worth quoting in full (spelling modernized):

It is to God acceptable, and to all Christian princes of high estate and renown full laudable, and also their duty, to protect and defend our universal mother Holy Church, and puissantly to suppress the repugnators of the same. And forasmuch as we be greatly moved in conscience and required in God's behalf, as well by prelates of the Church as by professors of divinity and doctors of the law and by other graduates and profound clerks in great number, to send our letters with sufficient instructions unto our Holy Father the Pope to remove Reynold Pecock from the see of Chichester, late detected and convicted of certain great and detestable crimes of heresy, the which intendeth to the final subversion of the faith of Christ's Church and to the great infamy and jeopardy of this our realm, without that he be put from the said see, or else renounce the pretense and title that he hath in the said see, under a certain form contained on a schedule herein closed.

The two emissaries are to sound him out, and if they find him "toward" in the matter, the king will see to it that he is provided with "a competent livelihood"; otherwise, "we shall sharply write to our said Holy Father by the advice of the prelates, as well archbishops as bishops, and of our universities and clergy of this our realm, for the uttermost rigor of the law to be executed upon him, as the case shall require."

Pecock could well have replied that the pope had already been told, by him, about what he was convicted of, and it was errors, not great crimes of heresy; and that he expected that Archbishop Bouchier would receive (if he did not know that he had already received) the pope's command to confirm the archbishop's restoration of him to his full previous status. Or he may simply have faced the music and resigned. Whether he did or not, the king wrote to Pope Pius that he did indeed resign, in a solemn ceremony before important witnesses; he added a variant of the Bird-Stillington claim that he was a heretic at the time when he was appointed bishop. We know this because the pope said so, in a bull that he sent on January 8, 1459, to John Arundel, Henry VI's physician and chaplain, appointing him to the see of Chichester.<sup>128</sup>

<sup>127</sup> Henry VI to John Derby and Gilbert Haydok: Stillington Formulary, fol. 323v, ed. Scase 63–64/137–38 (by exception, the date was preserved). Scase mistakes John Derby for the spurious Thomas Derby. Jacob, "Reynold Pecock," 140/21, also correctly identifies the prothonotary. He was a doctor of civil law from Cambridge; see Emden, *BRUC*, 184.

<sup>128</sup> Pius II, *Divina disponente clementia*, January 8, 1459, from AAV, Reg. Vat. 469, fols. 239r–240r, appendix 3 below, excerpts in Scase, 54–55/128–29 (some of §3, most of §4); copies were also sent with cover letters to (1) the cathedral chapter and the clergy of the city and diocese of Chichester, (2) the archbishop of Canterbury, and (3) King Henry VI; and another letter was

In this bull, Pius tells Arundel that during the time that Adam Moleyns was bishop of Chichester (that is, 1445–50), Pope Nicholas V reserved the bishopric to the Holy See. When it became vacant on Moleyns's death, he appointed Reginald Pecock, not knowing that he was besmirched with the stain of heresy throughout the universal Church, and therefore excommunicated. When, therefore, the said Reginald imposed himself as bishop of Chichester on the basis of the pope's provision, he did so rashly.<sup>129</sup>

Because of this (*propterea*), the pope continues, the said Reginald had been summoned to trial by Archbishop Bourchier, and he confessed several of his errors containing clear heresy, of which he had been guilty before becoming bishop of Chichester, and he accordingly abjured the heresy. Furthermore, "as if aware of his own wickedness" (*tanquam sibi male conscius*), he spontaneously and freely resigned all right to the said church, in the presence of the archbishop and other suffragan bishops and trustworthy religious persons. Therefore, the see was admittedly vacant.<sup>130</sup>

The idea that the mere *fama* of heresy would bring with it an automatic sentence of excommunication was bizarre, and so was the notion that something could be known to the universal Church and not to the pope; yet Pius's chancery obviously accepted the allegations, even though it was a remarkably unusual case for a bishop to be declared a heretic. There was, however, a reason why the pope was ready to be compliant with the English wishes. Just the day before the bull was finalized, Pius had authorized a nuncio, Francesco Coppini, Bishop of Terni, to negotiate with Henry VI about supporting the crusade against the Turks.<sup>131</sup> In any case, the papal chancery simply took the word of the English that Pecock's heresies were real and substantial, even though no specific heresies were named, and even though just a few months earlier the twice-registered bull of Calixtus III told a completely different story. Later on, at least, Pius himself would see through the Lancastrians. In his memoirs he called Henry "a dolt and a fool who is ruled instead of ruling. The royal power is in the hands of his wife and those who defile the king's chamber."<sup>132</sup>

On February 4, 1459, when Arundel would have been ready to take over as bishop, an entry in the archbishop's register said that the see of Chichester was vacant "through the free resignation of its last bishop, Lord Reginald" (per

sent to Arundel instructing him on how to go about being consecrated as a bishop: Reg. Vat., fol. 240. Cf. *CPL*, 11:377.

<sup>129</sup> Pius II, *Divina*, §§2–3.

<sup>130</sup> *Ibid.*, §4.

<sup>131</sup> Anna Imelde Galletti, "Coppini, Francesco," *Dizionario Biografico degli Italiani* (Rome: Istituto della Enciclopedia italiana, 1983), 28:620–24. Coppini was credentialled on January 7, 1459. Part of his mission was to negotiate a settlement of the civil disturbances in England in order to facilitate the king's backing of the crusade.

<sup>132</sup> Cited by Wolffe, *Henry VI*, 20–21.

liberam resignacionem domini Reginaldi, ultimi episcopi).<sup>133</sup> The temporalities were granted to Arundel on March 26, and he was consecrated on June 3.<sup>134</sup>

TRIAL FOR RELAPSE: CONVICTION, DEGRADATION FROM EPISCOPAL AND  
OTHER HOLY ORDERS, LIFE IMPRISONMENT, RESTRICTIONS ON  
READING AND WRITING

Pecock's resignation as bishop was not enough for his enemies. They wished to obliterate him completely by convicting him of relapse into heresy. Any plan of catching Pecock in reaffirming one of his supposed heresies was seemingly abandoned, replaced by the charge of merely hiding his heretical books. The request to the pope to commission a trial on this basis must have been sent around March of 1459, as can be deduced by the pope's response of April 7, 1459, in the bull *Licet graviter*. The bull is addressed to the archbishop of Canterbury, the bishop of London (Kemp), and the bishop of Winchester (Waynflete), commissioning them to try Pecock for relapse into heresy.<sup>135</sup> The choice of Chancellor Waynflete might be thought ominous, if he were part of the initial opposition to Pecock (which has long been assumed but not proved), or behind the reversal of the moderate sentence that Bourchier passed at his trial (one chronicler reported that he was present at Pecock's abjuration on December 4).

The pope says that he has received information about Pecock from Henry VI, Queen Margaret, and various prelates and noblemen of England.<sup>136</sup> It turns out that he is far worse than they had told him just a few months ago. He is a son of perdition and iniquity, who, after having damnably written against the Catholic Church in various English and Latin works, confessed it and abjured his heresies.<sup>137</sup> He vowed that he would not relapse into them again; and "he produced in court some of those books he had published in which—and in no others, he said—there was this material" (et quosdam ex eisdem libris, quos et non plures se in eadem materia edidisse concessit coram produxerit), and, "in case of falling again" (in eventum reincidentie), he submitted himself to the severity of the

<sup>133</sup> Scase, 41/115.

<sup>134</sup> Emden, *BRUO*, 1:49–50; *CPL*, 11:377.

<sup>135</sup> Pius II, *Licet graviter et moleste*, April 7, 1459, from Siena: AAV, Reg. Vat. 499, fols. 63v–64v, appendix 4 below. Cf. *CPL*, 11:529–30. A nearly complete text of the letter is given by Odorico Rainaldi in Cesare Baronio et al., *Annales ecclesiastici*, ed. Augustin Theiner (Bar-le-Duc, 1876), 29:190–92 (no. 29); excerpts are in Scase, 55/129 (treatment on 40–41/114–15). Catto shows no knowledge of this bull, or of Pius's previous bull replacing Pecock as bishop of Chichester.

<sup>136</sup> Pius, *Licet graviter*, §2 (Scase omits).

<sup>137</sup> *Ibid.*, §3.

sacred canons and laws.<sup>138</sup> Once again, no specific heresies were named, and the English claims were simply accepted.

The pope continues: Pecock, after seemingly repenting, and “after he had spontaneously and freely ceded all right” (*omni juri ... sponte et libere cesserat*) to his see of Chichester, considering himself unworthy of ruling it,<sup>139</sup> on the instigation of the nefarious spirit of evil and obsessed by the blindness of his original darkness, concealed some of the said books containing manifest heresy so that they could be preserved forever. Thus, only pretending to repent, “he did not fear to relapse into the original error that he had made a show of abjuring” (*in errorem pristinum, quem simulate abjuraverat, relabi ... minime formidavit*), and, like a nefarious and incorrigible servant, neither did he fear to machinate “other things” (*quedam alia*) against orthodox faith and Church teaching. Therefore, the realm of England stands in great danger.<sup>140</sup>

Accordingly, the pope mandates the three prelates, or else only the bishop of London, with one of his colleagues, and with the papal nuntio, Bishop Coppini, if he is available,<sup>141</sup> to proceed “in a manly way in this matter of faith” (*viriliter in fidei negotio*) and inquire into the truth of this report, after first summoning Pecock and making a diligent search for him and putting him under detention.<sup>142</sup> If they should find by such inquisition that after his abjuration he had “relapsed” (*relapsus*) by the concealment of such books, “whether it was by law or in some other way” (*si de jure fuerit, aut alias*), “or had only feigned repentance” (*aut fecte penitentem fuisse*), they are to send him to the Roman curia under secure guard to be punished, if feasible.<sup>143</sup>

Alternatively, Pius says, in order to set a suitable example against such a crime, they are to gather their fellow bishops in sufficient numbers and deprive him of his episcopal symbols and degrade him not only from the episcopal order but also from the priestly and all other ecclesiastical orders, and carry out in addition all that the sacred canons provide.<sup>144</sup>

The pope goes on to order the commissioners to instigate a thorough search for other books of his in the possession of any and all persons, even bishops and clerics of whatever standing or position, throughout the kingdom of England and elsewhere, as need might be, especially in the city and diocese of Chichester

<sup>138</sup> *Ibid.*, §4 (Scase omits).

<sup>139</sup> Pius’s informants wanted the pope to understand that, no matter how false he was in everything else, he was very sincere in resigning his bishopric.

<sup>140</sup> *Ibid.*, §5 (Scase omits the last part, after *relabi*).

<sup>141</sup> Coppini would land in England only on June 4, well after Pius’s bull of April 7 should have arrived. He was well received, but got nowhere in his mission. He later became a committed Yorkist. See Galletti, “Coppini, Francesco.”

<sup>142</sup> Pius, *Licet graviter*, §7 (Scase omits).

<sup>143</sup> *Ibid.*, §8 (Scase omits the quoted words).

<sup>144</sup> *Ibid.*, §9.

and in those places where the said Reginald spent most of his time, to be turned in by a set day.<sup>145</sup> They are to treat those that fail to do so either as equivalently guilty of suspicion of heresy, to be examined on the articles of faith and made to abjure heresy, or else [be found guilty and] “punished as if heretics” (*tanquam hereticos puniri*).<sup>146</sup>

The commissioners are thereby authorized to take steps well beyond anything provided for in the sacred canons, forcing persons on a mere suspicion of keeping an allegedly heretical book to be subjected to an interrogation on the articles of faith (with any unorthodox answers liable to be charged against them), and, whatever the outcome of the interrogation, to be forced to make a formal abjuration of heresy. Or the pope may be saying (or interpreted as saying) that they could be immediately charged and convicted of heresy on the basis of such book-possession.

When the pope speaks of what the canons provide upon conviction for relapse into heresy and degradation from orders, he undoubtedly means handing the miscreant over to the secular authorities to be burned to death. His meaning with regard to Pecock can be gathered from a final provision: any books of his that are turned in are to be publicly burned, “so that they may perish along with their condemned author” (*ut cum damnato auctore depereant*).<sup>147</sup>

The commissioners must have complied with the pope’s mandate. They were charged with determining if the story fed to the pope by the English government was true. It was not true, of course, but they seem to have found him guilty and carried out the English-side punishment outlined by the pope. Let us see if we can imagine the proceedings.

The trial itself would have begun by charging the Crown version of events in article form against Pecock. He could have responded that he was not convicted of any heresy, only of errors to be emended, and that his books were not condemned at all; he could offer proof by producing the trial record, if he still had a copy, and Bouchier himself could have confirmed it, if he were one of the judges. In response to the judges’ production of the abjuration formulas, he could have explained that he was intimidated into formulating its falsities. He could perhaps be held guilty of perjury for doing so, but he could also claim that he was absolved of any such crime, citing the bull of Pope Calixtus (if he ever saw the bull).

In response to the charge that he had concealed some of his books containing heresy, he could have denied once again that any of his books contained heresy,

<sup>145</sup> *Ibid.*, §10.

<sup>146</sup> *Ibid.*, §11(Scase omits).

<sup>147</sup> *Ibid.*, §12 (Scase omits the quoted phrase, which has Rainaldi’s emendations of the manuscript reading: “*ut condemnato actore depereant*”).

and also denied that he concealed any of his books. To prove the charge, the judges would have to produce books that he had concealed, but then he would have objected that there were no heresies in them. We do know that the Crown was searching for his books, from a letter sent in the king's name to authorities at Oxford concerning an alleged Pecock sympathizer, John Harlow, a doctoral candidate, ordering them to look for books of Pecock's that he was suspected of harboring.<sup>148</sup> A search at this time by the Crown (rather than by the Church authorities) would indicate, not "continuing anxiety concerning the circulation of writings by Pecock," as Scase suggests,<sup>149</sup> but an attempt to find evidence for their case for his relapse.

Proving that his books contained heresies would have been a problem for the commissioners, because of the blanket destruction of his writings that had been ordered and carried out. There was, however, one book of Pecock's that had survived because the court had preserved it, namely, the hefty *Repressor*, which he had written in defense of the clergy, after it had been exhibited before the archbishop on November 11, 1457, before his original trial.<sup>150</sup> One scenario is that Bouchier now, in the summer of 1459, asked the bishop of Rochester, John Lowe, an Oxford doctor of theology, to examine the work for any heresies that the archbishop's original panel of experts might have missed; and that Lowe, an Augustinian friar, passed on the assignment to a fellow friar, John Bury, who had a similar degree from Oxford, and sent him a copy of the first ten chapters; Bury may have made a preliminary report that he was not able to find any specific heresies, but would try to write a damning assessment nevertheless.

Bury's final report came in the form of a substantial treatise, which he called *Gladius Salamonis* (referring to Holy Scripture as the sword of Solomon).<sup>151</sup> He finished it sometime after August 5, 1459, the date on which he was appointed provincial of the English Augustinians,<sup>152</sup> since he identifies himself as such in the dedication. This new dating rules out previous speculations of earlier production and use, including Scase's conclusion that it was probably compiled before Pecock's condemnation in 1457.<sup>153</sup> Bury says that he did not choose to discuss "individual heresies," or to comment on "the many traces of errors" in

<sup>148</sup> Henry VI to the chancellor, regents, and non-regents of Oxford University (date deleted): Stillington Formulary, fol. 324v, ed. Scase, 64–65/139–40 (cf. 40/114), ed. Catto 220–21.

<sup>149</sup> Scase, 41/115.

<sup>150</sup> See n. 54 above.

<sup>151</sup> John Bury, *Gladius Salamonis*, Oxford, Bodleian Library, MS. Bodl. 108, 63 folios, excerpts in Pecock, *Repressor*, ed. Babington, 2:567–613. The dedication is on 571–74.

<sup>152</sup> Emden, *BRUO*, 1:323. For more on the date of Bury's treatise, see n. 159 below.

<sup>153</sup> Scase, 33–34/107–8.

the book, but rather “to put the ax to the root of all his evil,” which was to privilege reason over the Bible.<sup>154</sup>

Bury dedicates the treatise to Archbishop Bouchier, and hopes that his fellow Augustinian, John Lowe, Bishop of Rochester, whom he calls “my lord,” will take it in hand and correct it.<sup>155</sup> At the end, he hopes that “my lord” will deign to send him more *libelli* of “the adversary” so that he can finish the projected second book of his treatise.<sup>156</sup> He clearly did not realize that there were another seventy-three chapters remaining, some even bulkier than the ten that he had read.<sup>157</sup>

In spite of all of the holes in the case, the commissioners, whoever they turned out to be, must have found him guilty of hiding his books—perhaps even taking their inability to find his books as proof that he had hidden them—and therefore of relapsing into heresy. Or, conceivably, if they admitted that they could not prove it, they may have ordered purgation with a certain number of compurgators, and, on his not being able to meet the requirement (especially since he was under arrest), declared him guilty by default. This was the way in which the English bishops commissioned by Pope Clement V to prosecute Knights Templar in England succeeded in finding most of them guilty (three were tortured into confessing).

The commissioners would certainly not risk the alternative of sending Pecock to Rome for punishment, for he might inform the pope of the truth of the case, specifically by directing him to Calixtus’s bull and the trial transcript that he summarized. Instead, they punished him themselves, “mercifully” sparing him the death penalty and sentencing him to life imprisonment. They would be able to count on the “competent livelihood” of £40 a year that the king’s government had provided to him for giving up his bishopric. It would not, of course, be paid directly to him, but to the monastery of Thorney, where he was to be sent.

The last document in the Pecock file in the Stillington Formulary contains Archbishop Bouchier’s directions, “with the advice of our brethren of this land,” to the abbot of Thorney about “how Reynald Pecok, whom we have sent

<sup>154</sup> Bury, *Gladius*, 571–72: “Intuens ergo librum ejus, quem *Repressor* vocat, non singulas hereses discutere, non errorum que in eo multa sunt annotare vestigia curavi, sed ad totius (ut arbitrator) sui mali radicem, ubi rationis humane titulos in morum directione Scripturis Sanctis prefert, exquisiti studii libuit mittere securim” (Therefore, looking at his book, which he calls *The Repressor*, I did not take care to discuss the individual heresies, to annotate the vestiges of errors in it, of which there are many, but rather it pleased me to put the ax of painstaking study to what I believe to be the root of all of his evil: where he prefers the claims of human reason to Holy Scripture in teaching morals).

<sup>155</sup> Pecock, *Repressor*, ed. Babington, 2:571–73.

<sup>156</sup> *Ibid.*, 2:574. “Secundus [liber], duce Deo, postveniet, si Salomon meus, si dominus meus et pater . . . libellos adversarii mihi manifestare dignetur.”

<sup>157</sup> He commented on less than ten percent of the work: 53 out of the 565 pages of Babington’s edition.

unto him, shall be treated.” He is to be kept in a cell with no books except the Bible, a psalter, a missal, a breviary, and a book of the lives of the saints, with no writing materials.<sup>158</sup>

The fact that Bouchier (or someone acting for him) refers to him simply by his name and not by his rank of bishop must mean that they had carried through the degradation from Holy Orders commanded by the pope.<sup>159</sup> They would have solemnly set him on a cathedra, wearing his miter and holding his pastoral crozier, and stripped him of them, proceeding next to take away the insignia, one by one, of the priesthood, the diaconate, the subdiaconate, the acolytate, the exorcistate, the lectorate, the ostiariate, and then to obliterate his tonsure by shaving away his hair and putting a layman’s cap upon his head.<sup>160</sup> The whole process must have been done in comparative secrecy, since it left no record. This, of course violated the pope’s stipulation that the punishment should serve as an example to others.

#### AFTERMATH AND CONCLUSION

Pecock’s trial of relapse may have extended into the late summer or fall of 1459, if Bury’s treatise was part of it. There is no record when Pecock went to Thorney, or if he even arrived there,<sup>161</sup> or when he died. It is normally assumed that he did not last many months or years longer.

But if he survived into the Yorkist takeover two years later, in 1461, with the accession of Edward IV, he should not have expected the sort of reversal accorded to Joan of Arc when the Lancastrians were routed in France. Even though ideas of a Yorkist plot against him have been discounted,<sup>162</sup> he still would have been regarded as a Lancastrian, and there would be no reason for the Yorkists to come to his rescue just because the Lancastrians turned on him. Far from being vindicated under the Yorkists, he was denigrated further. In 1476, King Edward ordered searches for the books of Wyclif and Pecock at Oxford, and he

<sup>158</sup> Archbishop Bouchier, *Instruction to the Abbot of Thorney* (date deleted): Stillington Formulary, fol. 326r, ed. Scase 65–66/139–40 (cf. 41–42/115–16), ed. Catto, 221–22.

<sup>159</sup> We need not conclude that John Bury too was writing after Pecock was already stripped of the rank of bishop, just because he refers to him in *Gladius Salamonis* (Pecock, *Repressor*, ed. Babington, 2:571) simply as “that execrable Reynald Pecock” (nefandus ille Reynaldus Pecokke). Such disrespect would be in accord with Pius II’s reference to him as “a son of iniquity and perdition, once reputed to be the bishop of Chichester” (alumnus iniquitatis et perditionis, olim reputatus episcopus Cicestrensis) in *Licet graviter* (appendix 4, §3).

<sup>160</sup> Such a degradation from holy orders is described in detail for the priest William Sawtrey in 1401 before he was burned to death for heresy: *Records of Convocation*, ed. Gerald Bray (Woodbridge: Boydell, 2005), 4:224–26. In recording the degradation of Archbishop Thomas Cranmer in 1556, John Foxe, *The Acts and Monuments of John Foxe*, 4th ed., ed. Josiah Pratt (London, [1877]), 8:77–79, reproduces the ritual from the Roman Pontifical.

<sup>161</sup> In the instruction quoted above, Bouchier says only that “we have sent” him to the abbot.

<sup>162</sup> See Scase, 29–31/103–5; and Catto, 208–10.

wrote to Pope Sixtus IV for help in countering the great multiplication of Pecock's works that had occurred after his death.<sup>163</sup> In Cambridge, new statutes at King's and Queens' Colleges required all scholars to take an oath against the condemned errors and heresies of Wyclif and Pecock.<sup>164</sup>

In the next century, the Catholic historian Nicholas Harpsfield (d. 1575) judged that Pecock had fallen under Wyclif's influence, and, apart from espousing the Wycliffite dogmas, he had eliminated four articles from the creed.<sup>165</sup> On the other side, the Protestant martyrologist John Foxe, in accepting Pecock as a heretic in the eyes of the Roman Church, perpetuated the profile imposed upon him and even added a substantial heresy, denial of transubstantiation, to his credit.<sup>166</sup>

In the next century, Baronio's continuator Odorico Rainaldi (d. 1671) accepted Harpsfield's verdict,<sup>167</sup> and ignored the bull of Calixtus III restoring Pecock to his status, while publishing the bull of Pius II ordering his trial for relapse into heresy. Rainaldi calls him the "pseudo-bishop" of Chichester, who spread unspeakable heresies in England; after being convicted in a large gathering of bishops under the archbishop of Canterbury, he pretended to repent, turning over his books, but hiding some. Taking pity on him, "the Fathers" restored him to his see, but when King Henry and the bishops signified to the pope that he had started infecting others and was planting his impious doctrines in his books once more, Pope Pius ordered him to be deprived of his episcopal and priestly dignity and to be punished according to the sacred canons.<sup>168</sup>

Pecock was only rehabilitated and restored to his true character by Anglican scholars, notably John Lewis in his biography of 1744<sup>169</sup> and Churchill

<sup>163</sup> Green, *Bishop Reginald Pecock*, 66–67.

<sup>164</sup> *Ibid.*, 68–69. For King's College, see *Documents Relating to the University and Colleges of Cambridge* (London, 1852), 2:623–24: each scholar will swear that he will not favor the opinions, condemned errors, or heresies of John Wyclif or Reginald Pecock or any other heretic ("juret quod non favebit opinionibus, damnatis erroribus, aut heresibus Johannis Wyclifye, Reginaldi Peacocke, neque alicujus alterius heretici"). As Green points out, the present statutes originated in 1475, so it is difficult to see that there is any basis for the statement of I. S. Leadam, "Waynflete or Wainfleet, William of," *Dictionary of National Biography* (1899), 60:85–89, that Bishop Waynflete produced revised statutes for King's College in 1454—three years before opposition came to a head in 1457. According to Davis, "William Waynflete and the Educational Revolution," Waynflete's only connection with King's College was a linking with Eton in 1443 (45). Another William Waynflete was a fellow of King's Hall (a different institution) from 1428 to 1434 (56n9; cf. Emden, *BRUC*, 624).

<sup>165</sup> Cited by Baronio and Rainaldi, *Annales*, 29:138 (no. 92).

<sup>166</sup> See Scase, 37/111n232, citing Foxe, *Commentarii*, 1:172. Perhaps Foxe had seen the chronicle report of Pecock's wicked understanding of the eucharist: *A Brief Latin Chronicle*, in *Three Fifteenth-Century Chronicles*, ed. James Gairdner (London, 1880), 164–85, at 167: "De eukaristia divinissima protervissime sensit."

<sup>167</sup> Baronio and Rainaldi, *Annales*, 29:138 (no. 92).

<sup>168</sup> *Ibid.*, 29:190 (no. 28).

<sup>169</sup> Lewis, *Life of Reynold Pecock*.

Babington in his edition of the *Repressor* in 1860. Both consider him a great man, but lament his lack of courage and resolution at the end, when “he retracted errors which he had never uttered, and he retracted utterances which he knew to be truths.”<sup>170</sup>

Joan of Arc too made an untrue retraction (soon retracted), but out of fear for her life, whereas in Pecock’s case it may have been more a matter of a prudential tactic that backfired. Joan was more fortunate in her legacy because she was restored to her deserved reputation within a generation of her judicial execution, thanks to the testimony of over a hundred witnesses; it resulted in her exoneration by Calixtus III in 1456 and, 500 years later, in her canonization.<sup>171</sup>

Unlike Joan, Pecock would not stand much chance of success in the Roman Congregation for the Causes of Saints, given the lack of information about his personal and public life. He would, however, be a plausible candidate for inclusion in the ranks of “Saints and Heroes of the Christian Church in the Anglican Communion.”<sup>172</sup> A more practical approach to the Vatican would be to seek the revocation of the relapse mandate of Pius II as fraudulently obtained, and the reinstatement of Calixtus III’s bull. But even better would be a decree recognizing not only the invalidity of the trial of relapse but also the injustice of the original trial against Pecock before the archbishop of Canterbury. It was wrong for him to confess to the truth of the charges leveled, and to the claims that they were against the orthodox teaching of the Church. They were based on distortions of his teaching, and any disagreement with his conclusions would have been, and still would be, more properly taken up in academic settings.

We have seen that recourse to the judicial arm of the Church had some measure of success for Pecock in his first approach, as bishop of St. Asaph’s, when his troubles were still only a matter of Church politics. He received a favorable decree from the archbishop of Canterbury’s Court of Audience over opponents who were defaming him for his views on the duties of bishops, and an invitation was issued for his opponents to come forward and air their views before Pecock in person.

<sup>170</sup> *Ibid.*, 241, cited with approval by Babington in Pecock, *Repressor*, 1:l–li

<sup>171</sup> See Henry Ansgar Kelly, “Joan of Arc’s Last Trial: The Attack of the Devil’s Advocates,” in *Fresh Verdicts on Joan of Arc*, ed. Bonnie Wheeler and Charles T. Wood (New York: Garland, 1996), 205–38, repr. in Kelly, *Inquisitions*, article IV.

<sup>172</sup> Established at the Lambeth Conference of 1958; inclusion depends upon a method similar to the original way of saint-making: popular acclamation. The persons so honored are to be “those whose historical character and devotion are beyond doubt,” resulting “from a widespread desire expressed in the region concerned over a reasonable period of time.” See the Church of England’s official calendar, <https://www.churchofengland.org/prayer-and-worship/worship-texts-and-resources/common-worship/churchs-year/calendar>. An incipient cultus for him might be seen in the stained-glass window of Pecock installed in the Chichester Cathedral after the Second World War, in the course of restoring the bomb-damaged church; but I perceive that little is known about him there at the present time.

The same was true when he appealed to the same court ten years later, as bishop of Chichester. This time, however, the invitation to his adversaries was in the more usual form of their making official denunciations, which would be adjudicated in an inquisitorial trial. Pecoek must have expected the trial to go well for him, because of his confidence in his scholarly conclusions. Such trials “in matters of faith” would normally not have held the same dangers in England that they did on the Continent, where provisions of due process had been severely compromised: suspects were forced to incriminate themselves and the identities of witnesses were withheld from them. England’s adherence to the rule of law continued into the sixteenth century and remained even after allegiance to the pope was abandoned. The English Church obeyed papal law in this regard far better than did the popes themselves.<sup>173</sup>

Extra danger arose in Pecoek’s case from external pressures upon the judge, Archbishop Bouchier, not just from old and new clerical enemies but also and especially from laity who were influential in the government. In ordinary circumstances, if Pecoek had put up a defense, he could easily have disposed of the charges against him, with proof-backed denials for some articles and agreement to revise or explain away the others. But Catto is no doubt correct that Bouchier desired to put the matter to rest “with as little disturbance as possible,”<sup>174</sup> and he probably advised Pecoek to make a simple confession and recantation in return for an immediate return to normality.

In any event, whatever the explanation, Pecoek did give way, according to the official record of the trial that Pope Calixtus would later draw upon: Pecoek confessed to the false charges of “errors” and abjured them, and John Stokes, the auditor of the Court of Audience, absolved him of all penalties on the spot and confirmed him fully in his previous status. This is one point where my account differs importantly from previous analyses; and another, of course, is the need to explain why Pecoek subsequently confessed publicly to “pernicious doctrines, heresies, and errors” and agreed that all of his writings were “suspect of heresy” and should be burned. The most obvious explanation is that the government insisted on this public humiliating display as a condition for Pecoek’s resumption of his episcopal status.

When the fulfilled condition was not honored, Pecoek appealed to the pope for enforcement of Bouchier’s official sentence. In so doing, he must have been assisted by the archbishop or someone influential at his court, since he was able

<sup>173</sup> Henry Ansgar Kelly, “Thomas More on Inquisitorial Due Process,” *English Historical Review* 123 (2008): 847–94; Henry Ansgar Kelly, “Mixing Canon and Common Law in Religious Prosecutions under Henry VIII and Edward VI: Bishop Bonner, Anne Askew, and Beyond,” *Sixteenth-Century Journal* 46 (2015): 927–55.

<sup>174</sup> I apply this phrase of Catto, 211, to my revised sequence of events. For Catto’s scenario, see n. 83 above.

to obtain the trial transcript and to compose and dispatch his letter of appeal. At the same time that he was making this appeal, however, his enemies successfully complained to the Court of Audience for a province-wide sweep of his heterodox books that had supposedly been condemned.

Pecock's books would later become the keystone of a campaign to get Pecock tried for relapse into heresy, after he was once more deceived by a government promise: if he would resign his bishopric, he could live in comfortable retirement. This promise was part of the Crown's reaction to the news that Pope Calixtus had responded favorably to an appeal by Pecock. It followed up by approaching the new pope, Pius II, alleging that Pecock had not only resigned his see of Chichester but had also been in a state of excommunication when he was appointed to it in 1450, because he was widely reputed to be a heretic—a spurious and legally invalid charge that the pope accepted. After Pecock was replaced as bishop by John Arundel, the government continued its persecution by writing to Pope Pius that Pecock had relapsed into heresy in preserving some of his books containing manifest heresy and resuming his vicious teaching. The pope responded by ordering a trial of relapse to be carried out.

No record of the trial has survived, but the results have: Pecock must have been convicted and systematically degraded from orders and sentenced to life imprisonment in the monastery of Thorney in the fens, because Archbishop Bouchier, in instructing the abbot of Thorney on the conditions of his confinement, refers to Pecock without title, whereas before he always referred to him as his “co-brother bishop.”

This penultimate disgrace, a trial of relapse into heresy and degradation from orders, has not been detailed before, and it only adds to the mystery of why Pecock was treated so viciously. The considerations put forward about lay opposition to Pecock, especially as elaborated by Wendy Scase and Jeremy Catto, connecting his activities to the danger of sedition, seem fully adequate to account for the persecutions of 1457, up to the reversal of Bouchier's sentence confirming him in the exercise of his episcopal functions. And the next step, depriving him of his see, might seem sufficiently motivated by the desire to reward Dr. John Arundel for his services. But why go to the further trouble of building a false case against him of relapse into his nonexistent heresies, defrocking him, and consigning him to a living death?

I suggest that the government, including the higher clergy involved, or consenting, were not concerned about any heresies that he could espouse, and were not being simply spiteful or cruel, but were fearful about the possibility that he could reveal the truth of what they had done to him. As an inveterate author, he could be expected to compose not only the *Retractationes* that he must have promised at his original trial but also an *Apologia pro vita sua*, which might indeed prove seditious, and justly so.

## APPENDIX I

## Summary of Thomas Gascoigne's last judgments on Reginald Pecock.

In the text above, I often refer to specific statements in the long series of comments that Thomas Gascoigne made about Pecock concerning events in November and December of 1457. Here I give a synopsis of all of the comments, in order to put the cited passages into context. In the footnotes I indicate where the Latin for some passages is given, and where other passages are discussed.

I. *Liber veritatum*, 2:593, excerpted in *Loci e Libro veritatum*, ed. James E. Thorold Rogers (Oxford, 1881), 208–12.

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1. There were troubles in England after Reginald Pecock of Wales, Bishop of Chichester, preached on bishops not needing to preach to their people. Bishops favored him, but various theologians of Oxford and Cambridge opposed him in preaching and writing, including Peter Hirford, William Millington, Thomas Eborall, John Burbach, and Hugh Damlet, who preached against him in the presence of Archbishop Stafford of Canterbury, and later before Archbishop Bouchier, and also before Archbishop Kemp of York: they judged [*iudicaverat*, corr. from *indicaverat*] him to be heretical in various English and Latin books, because he very much denigrated the Patristic doctors,

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relying on his own genius. As Saint Jerome says, this is what pagans and heretics do. I have written about this here in my book, *De veritatibus*—I, the wretched Thomas Gascoigne by name, doctor of theology, of the York diocese. What reason has this bishop, Reginald Pecock, found that escaped the holy fathers? Bernard of Clairvaux asked the same thing of Peter Abelard.

2. Alas, alas, that a new bishop should say that the apostles did not make the Apostles' Creed, against the testimony of St. Athanasius, St. Leo, and St. Jerome. In his *Book of Faith* 1.3 he finds fault with Gregory the Great.

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In 2.5 he says that Christ's descent into hell should not be called an article of faith because of its presence in the Apostles' Creed, since (he says) it was not in the creed in Augustine's time, going against the testimony of the Fathers.<sup>175</sup>

3. In 1457, around November 11, Pecock was expelled from the king's Great Council. Archbishop Bouchier told him to leave, because no temporal lord wished to speak while he was present.

<sup>175</sup> See n. 53 above.

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Many great theologians there present insisted to the archbishop that they wanted to see Pecock's books, and the archbishop said that he would provide them for examination. Pecock then told him that he would give him only books from the last three years, because earlier ones were not properly corrected, and, accordingly, he produced nine books with many erasures and new writing. Thereupon Pecock, who considered the law of nature to be superior to scripture and the sacraments, left the council.

4. In 1457, on November 12, Pecock, having been cited by the archbishop, produced nine of his books, to be given by the archbishop to outstanding doctors, who were daily objecting against him, to examine. Pecock, who that year had been expelled from the council, said he wanted to be judged not by them but by his peers, though not the English bishops (who, some persons believed, were less than capable),

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but rather such examiners whom he considered to be his equals in scholastic disputation, favored by his young adherents, who were known to be of bad faith.

5. The new creed that Pecock had produced was destroyed and revoked, and Archbishop Bouchier, along with his fellow bishops, forbade it to be accepted as a creed by anyone. The archbishop also had a doctor of theology, Pinchbeck by name, make this proclamation at St. Paul's Cross on Sunday, November 13, 1457: "Archbishop Thomas Bouchier, consulting King Henry VI, and at the will of all the temporal lords present, expelled Bishop Pecock of Chichester from the King's Council."<sup>176</sup>

II. *Liber veritatum*, 2:596, excerpted in *Loci*, 212–18.

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1. The kingdom of England was much disturbed by a Welshman, Reginald Pecock, Bishop of Chichester, who first preached at St. Paul's Cross that bishops were not obliged to preach, and later he fell from this abyss of evils into a much greater one, reprehending the sayings of saints. And in the year 1456 he sent a letter to Mayor Canning of London, and the mayor, seeing it as undermining faith and arousing insurrection in the kingdom, sent it to King Henry, and it provoked much hatred against the bishop on the part of the king and his lords.<sup>177</sup>

<sup>176</sup> See nn. 55, 75 above.

<sup>177</sup> See n. 75 above.

2. In 1457, twenty-four doctors before the archbishop in London, in Pecock's presence, proved that many of his writings were erroneous, and, if held obstinately, heretical; and they promised to prove it before the king.<sup>178</sup>

Master George Neville, bishop-elect

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of Exeter, son of the earl of Salisbury, was moved to wrath against Pecock, and told him that God wished great opprobrium to fall upon him because he denied the truth of the writings of Jerome and Gregory and Augustine. Pecock thereupon apologized, saying that he had not given them sufficient study.

3. All the temporal lords who were there in London with the king wished him expelled from the council, and it was so done. They were upset by his having written about such profound matters in English, which was likely to mislead readers rather than profit them, and also by a letter that he had written to Mayor Canning, which was shown to the king, making for change of faith in the kingdom and perturbation of the people, and causing scandal to great lords, because Pecock claimed in his letter that they approved his English writings.

4. He especially provoked the lords to hate him because he had changed the creed written by the apostles and denied various articles in it. He had composed a great long creed of his own in English, which was condemned by the archbishops of Canterbury and York and many other bishops, a condemnation that was read in London by Dr. Pinchbeck at St Paul's Cross

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in the year 1457 on Sunday, November 13.<sup>179</sup>

5. On November 21, Pecock revoked various conclusions in his books and receded from them, before the archbishop and other bishops and many theologians, both secular and religious.<sup>180</sup>

6. And on November 28 at Lambeth, before the archbishop and other bishops and doctors of theology, he receded from his books and from their conclusions and he abjured the conclusions, with Lords Stanley and Scales and many knights present.<sup>181</sup>

7. And great reasons moved the clergy and temporal lords against him. First, that he had written in English, tending to make the laity stray from good. Second, he had denigrated the Fathers of the Church unless they proved what they said by natural reason. Third, he denied that the Apostles' Creed was by the apostles. Fourth, he composed a long new creed in English, in which he omitted certain things in the Apostles' Creed, and he wrote that a person must believe that the Catholic Church existed, but was not bound to hold by the determination of the Church if he had sufficient cause to go against it.

<sup>178</sup> See p. 376 above for Latin text.

<sup>179</sup> See n. 58 above.

<sup>180</sup> See p. 377 for Latin text.

<sup>181</sup> See p. 382 for Latin text.

8. And that same year of Our Lord 1457, on December 4, Pecock withdrew from his books in the presence of Archbishop Bouchier and the bishops of Rochester and London, and

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there abjured them in writing.<sup>182</sup> And there, before St. Paul's Cross, there were burned the books of that same Reginald Pecock, Welsh by origin, and then bishop of Chichester, who before that had been bishop of St. Asaph in Wales, and one-time fellow of Oriel College in Oxford, where he had obtained his doctorate in theology, but without teaching—by the dispensation or rather dissipation of the regents. I, Thomas Gascoigne of the diocese of York, know this, because I was chancellor of the university around the year 1445.

9. And when Pecock's books were burned in London on that day, he was there present, sitting at the feet of the bishops. And so that same bishop, who had preached there earlier that bishops were not bound to preach, revoked that evil doctrine in the same place where he had preached it. He saw his books burned in the presence of the bishops and the clergy and a great crowd of people, in the year 1457, on the second Sunday of Advent, which was the 4th of December. And the reason for his downfall was that he vilified the writings of the Fathers. In the hearing of Thomas Eborall, he said "Bosh!" to the words of Jerome and Augustine, whence he fell into great ruin. May God now in His mercy illuminate us and him. Many of his adherents called him the most knowledgeable person [*maximus scientificus*] in the world, but, as God says through Isaiah,

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those who call you blessed deceive you.

10. This Pecock, bishop of Chichister, on December 4, 1457, in the presence of 20,000 people, in his episcopal robes, before Archbishop Bouchier and Bishop Kemp of London, and Bishop Lowe of Rochester (an Oxford doctor of theology), and the bishop of Durham, abjured his books and the conclusions written there, as he had done the day before in the manor of the archbishop of Canterbury at Lambeth in the presence of twenty-four doctors of theology.<sup>183</sup> And he handed three great tomes of his erroneous books, along with eleven quires of his other writings, into a great fire blazing there. Thus was this done in the churchyard of St. Paul's. And Bishop Pecock said there aloud, "My pride and my presumption led me to this shameful end." And then the archbishop ordered him to Maidstone to await judgment.<sup>184</sup>

11. This Bishop Pecock, who was of Welsh origin, a one-time fellow at Oriel College, referred to public preachers in his writings as "shouters in pulpits" [*clamatores in pulpitis*]. For he himself did not often preach after he became a bishop. When he revoked his erroneous and heretical conclusions

<sup>182</sup> See n. 87 above.

<sup>183</sup> See n. 79 above.

<sup>184</sup> See n. 97 above.

at St. Paul's Cross, the report is that if he had gone down to the fire where his books were burning, the people would have thrown him into it. O Lord God, you know how this Bishop Pecock vituperated and disdained the works of the holy doctors St. Jerome, St. Ambrose, St. Augustine, Pope St. Gregory, and other saints and doctors, whence this vituperator of saints was vituperated by thousands of men.

12. And I, named Master Thomas Gascoigne, doctor of theology, chancellor of Oxford, believe firmly that this Bishop Pecock,

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who thus belittled the works of the saints, was deservedly shamed in the presence of thousands of men. Foolish is that man who shoots an arrow at the sun to destroy it. The arrows that he shot against the holy doctors came back to strike him, when by the just judgment of God he abjured his errors and heresies and books and consented to have his books burned before St. Paul's Cross on the 4th of December, 1457.

13. Thus, in that place where Bishop Pecock had preached that bishops did not need to preach to the people of their dioceses, he abjured the books in which that great error was written. And, being sent to Canterbury [*demandatus ad Cantariam*] after his abjuration,<sup>185</sup> he said:

Wit has wonder that reason not tell can,  
How a mother is maid and God is man.  
Leave reason, believe ye wonder;  
Belief hath mastery and reason is under.

[Gascoigne signals his approval of the last two lines.]

14. The said Pecock, bishop of Chichester, in the time of Archbishop Stafford, when doctors of Oxford and Cambridge lectured in his presence before the archbishop at Lambeth against what he had preached, that bishops were not obliged to preach, and urged the sanctions of the holy fathers against him, he cried out, "Bosh!" He also said, "Why not cite yourselves, since you are doctors like Jerome and Augustine?" And thus, he took no notice of the writings of the holy doctors.

15. And by the just judgment of God, his books were reprehended and burned in London before the Cross at St. Paul's, and also in the general procession at the University of Oxford in

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the Crossroads (Carfax), on Saturday, December 17, 1457, in the presence of the current chancellor, Thomas Chandler, warden of New College.<sup>186</sup>

16. For Pecock put many heresies and errors in his English books, of which some great heresies against the Apostles' Creed appear in his act of

<sup>185</sup> See n. 99 above.

<sup>186</sup> See n. 87 above.

abjuration, which he read before the Cross at St. Paul's in the foresaid year, when his books were burned before 20,000 people and more.

17. The law of England is that when a member of parliament is accused of a great crime, he is judged by twelve of his peers, and either excused or found guilty. But this bishop, of Welsh origin, accused the great holy Fathers of falsity or defect in their writings. Pecoek, however, proved to be their equal neither in holiness of life nor in their great knowledge nor in their miracles. Therefore, in reproving them, he shot his arrow at the sun, and by God's just judgment it came back and struck his own head, the head of Reginald Pecoek, Bishop of Chichester.

## APPENDIX 2

Pope Calixtus III to Archbishop Bouchier of Canterbury, June 13, 1458, rehearsing the trial of Reginald Pecock and his restoration to his previous status, mandating implementation of the sentence.

AAV, Reg. Vat. 453, fols. 251v–253v [orig. 261v–263v] (A); AAV, Reg. Vat. 462, fols. 326v–328v (B); *CPL*, 11:76–78. Cf. Scase, 53–54/127–28.

Calistus, etc., Venerabili fratri Archiepiscopo Cantuariensi, Salutem, etc.

1. Apostolice sedis indefessa clementia ad ea libenter intendit per que statui prelatorum cathedralium ecclesiarum, quos in partem solitudinis evocavit Altissimus, valeat salubriter provideri.

2. Sane pervenit nuper ad notitiam nostram quod venerabilis frater noster Reginaldus Episcopus Cicestrensis, dudum circa salutem populi sibi commissi sollicitus, quosdam Christiane religionis et nonnullos alios [252r] contemplativam vitam concernentes, tam in vulgari Anglico quam in lingua Latina, libellos seu tractatus aut quinternos compilavit; et deinde, eis accurate ut conveniebat nec correctis neque emendatis, diversis personis tam clericis quam laicis tradidit, sperans ut exinde salutaris fructus eisdem personis prof[327r]venirent. Verum dictus episcopus spe sua frustratus remansit, nam, cum a quibusdam assereretur, libellos sive tractatus aut quinternos hujusmodi plura continere que fidei Catholice adversa et contraria existebant, prefatum episcopum coram te evocari fecisti, libellos, tractatus, et quinternos ipsos jam viginti quatuor annis elapsis per eum editos, exhibiturum.

3. Qui quidem<sup>187</sup> episcopus, obedientie filius, libellos ipsos<sup>188</sup> sub certis protestationibus—videlicet, quod si aliqua in eis continerentur que prelibate fidei

Calixtus, etc., to our venerable brother, Archbishop of Canterbury, Greetings.

1. The untiring clemency of the Apostolic See willingly favors all that can salubriously provide for the estate of prelates of cathedral churches, whom the Most High has summoned to receive His solicitude.

2. Now it has recently come to our attention that our venerable brother Reginald, Bishop of Chichester, who has long been solicitous for the good of the people committed to him, compiled certain booklets or treatises or pamphlets on the Christian religion and various others on the contemplative life, both in the English vernacular and in the Latin tongue; and then, without their having been accurately corrected and emended as was expedient, he gave them to various persons, both clergy and laity, hoping thereby that salutary profit would come to them. But the bishop was frustrated in his hope; for, after it was asserted by some that these booklets, treatises, and pamphlets contained many things adverse and contrary to Catholic faith, you summoned the said bishop before you to present the said booklets, treatises, and pamphlets produced by him over the previous twenty-four years.

3. The bishop, being an obedient son, reverently brought and displayed the said booklets before you, protesting that, if any matters in them were contrary to

<sup>187</sup> Scase: qui quid.

<sup>188</sup> Scase: nonnullos libellos.

Catholice contraria forent, illa tenere non volebat nec pertinaciter defendere, sed ea pro nullis et infectis habebat—coram te reverenter exhibuit atque produxit, tuque<sup>189</sup> libellos ipsos certis in theologia magistris et in utraque jure doctoribus examinandos commisisti.

4. Et subsequenter, cum per te ac magistros et doctores hujusmodi aliqua in dictis libellis reperta fuissent que eidem fidei Catholice et determinationi sancte matris ecclesie contraria existebant, idem episcopus illa erronea sic reperta necnon certis alios articulos sibi in tui ac aliorum fratrum nostrorum presentia objectos, quorum aliqui in symbolis continentur, videlicet: in hoc articulo “descendit ad inferos.” Item, in articulis “credo in Spiritum Sanctum, sanctam Ecclesiam Catholicam, sanctorum communionem.” Item, in articulis quod universalis Ecclesia potest errare in hiis que sunt fidei, et quod non est de necessitate salutis adhibere fidem et credere hiis que concilium generale determinat in materia fidei,

5. In quibus omnibus se errasse ac aliter credidisse, tenuisse, scripsisse, predicasse, et dogmatizasse quam sancta mater Ecclesia teneat et credat confessus est, sponte et libere revocavit, et tactis sacrosanctis evangeliiis abjuravit, ac congruam satisfactionem sibi imponendam et per te arbitrandam subire se obtulit et paratus fuit, prout subiit et penituit.

6. Postmodum vero,<sup>190</sup> dicto episcopo penitente et ad unitatem ecclesie redeunte, tu dilecto filio Johanni Stokes<sup>191</sup> Archidiacono ecclesie Elien-

the said Catholic faith, he had no wish to hold them or obstinately defend them, but considered them null and tainted. And you committed the booklets to certain masters of theology and doctors of both laws for examination.

4. Subsequently, after some matters were found in the booklets by you and the masters and doctors which were contrary to the said Catholic faith and the determination of Holy Mother Church, the said bishop [confessed] those erroneous matters that were found, and also certain articles that were objected against him in the presence of you and others of our brothers, some of which were contained in the creeds, namely, in the article “he descended into hell,” and in the articles “I believe in the Holy Spirit, the Holy Catholic Church, the communion of saints,” and also in articles that the universal Church can err in matters of faith, and that it is not necessary for salvation to have faith and to believe in what a general council determines in matters of faith:

5. In all of which he confessed that he had erred, and had believed, held, written, preached, and dogmatized in ways other than Holy Mother Church holds and believes. He spontaneously and freely revoked them, and, touching the holy Gospels, abjured them, and offered and was prepared to submit himself to condign satisfaction to be imposed upon him as thought fit by you. And he accordingly did so submit and repent.

6. After this, with the said bishop repenting and returning to the unity of the Church, you commissioned our beloved son John Stokes, archdeacon of the church of Ely, to absolve the bishop and

<sup>189</sup> Scase: tamenque.

<sup>190</sup> Scase: nostro.

<sup>191</sup> A: Stockes.

sis<sup>192</sup> commisisti ut ipsum episcopum absolveret et alias<sup>193</sup> statui suo in premissis oportune provideret.

7. Qui quidem archidiaconus eundem episcopum, penitentem et redeuntem<sup>194</sup> ad Ecclesie gremium, ab omnibus sententiis suspensionis et excommunicacionis quas occasione heresium<sup>195</sup> et errorum<sup>196</sup> in quibus deprehensus erat, ut prefertur, incurrerat, de mandato<sup>197</sup> tuo ac ex<sup>198</sup> speciali<sup>199</sup> tua commissione absolvit, ac unitati et sacramentis Ecclesie restituit.

8. Necnon secum [252v] super irregularitate quam excommunicatus celebrando et se divinis immiscendo incurrerat dispensavit, ac infamie et inhabilitatis maculam sive notam quam ea occasione contraxerat abolevit, ipsumque Reginaldum Episcopum ad suum [327v] statum pristinum tam quoad famam et honores quam quoad administracionem in beneficio suo restituit et reposuit.

9. Prout in processu contra dictum Reginaldum Episcopum per te super hujusmodi erroribus heresibus contentis in libris, libellis, tractatibus, et quinternis, necnon articulis per eundem confessatis, facto, ac manu notarii publici subscripto, ac coram nobis producto, cujus necnon libellorum ac articulorum hujusmodi tenores ac si de verbo ad verbum inserebantur presentibus pro expressis hujusmodi volumus,<sup>200</sup> plenius continentur.

10. Nos, igitur, ne de absolutionis, dispensationis, rehabilitationis, restitu-

make opportune provision in other ways for his state.

7. The archdeacon by your mandate and your special commission absolved the said bishop, who was repenting and returning to the bosom of the Church, from all sentences of suspension and excommunication which he had incurred on the occasion of heresies and errors in which he was taken, as foresaid, and restored him to the unity and the sacraments of the Church.

8. In addition, he dispensed him from the irregularity which he had incurred as an excommunicate by celebrating and partaking in the divine services, and abolished the stain or mark of infamy and disability that he had contracted on that occasion, and restored and reinstated the said Bishop Reginald to his pristine state in his benefice with regard both to fame and honors and to administration.

9. Just as [the above] is more fully contained in the record of the trial conducted by you against the said Bishop Reginald upon such errors/heresies contained in books, booklets, treatises, and pamphlets, and the articles confessed by him, signed by the hand of a notary public, and produced before us—the contents of which, and of the booklets and articles, we wish to be taken as if inserted word for word in this present letter.

10. We, therefore, lest it might be possible in the future to hesitate to pro-

<sup>192</sup> AScase: *om.* Eliensis.

<sup>193</sup> AB: *als*; Scase: *aliis*.

<sup>194</sup> A: *redeundem*.

<sup>195</sup> Scase: *heresim*.

<sup>196</sup> AScase: *eorum*.

<sup>197</sup> Scase: *magistro*.

<sup>198</sup> AScase: *om.*

<sup>199</sup> Scase: *spirituali*.

<sup>200</sup> Scase: *nolumus*.

tionis, et aliarum<sup>201</sup> per te et archdiaconum hujusmodi ut premittitur factarum<sup>202</sup> viribus, ob defectum jurisdictionis, ac quod dictus Reginaldus Episcopus non legitime ac<sup>203</sup> debite absolutus, restitutus, nec rehabilitatus fuerit, in futurum posset hesitari statui prefati Reginaldi Episcopi Cicestrensis providere, tuamque personam in premissis honorare cupientes, et attendentes quod prefate sedis clementia confugientibus ad ecclesiam, et penitentibus, gremium non claudere sed aperire consuevit, absolutiones, dispensationes, restitutiones, repositiones, et abolutiones, tam quoad statutum pristinum, famam, [et] ordines quam quoad administrationem tam in spiritualibus quam temporalibus rehabilitationem hujusmodi et inde secuta quecumque, ex certa scientia rata et grata habentes,

11. Fraternitati tue, de qua in hiis et aliis plurimum in Domino confidimus, per apostolica scripta mandamus, quatenus eundem Reginaldum Episcopum, si hoc petierit, de novo, ab omni perjurio, heresi, usura, aliisque criminibus et excessibus que premissorum occasione incurrit ac de illis notatus existit, necnon a quibuscumque sententiis, censuris, et penis a jure vel ab homine seu apostolicis, necnon bone memorie Ottonis et Ottoboni olim in Regno Anglie apostolice sedis legatorum aut in provincialibus et synodalibus conciliis editis, generalibus vel specialibus constitutionibus et ordinationibus latis, inflictis, et promulgatis, si quas premissorum occasione incurrit, auctoritate nostra hac vice absolvas in forma Ecclesie consueta, injunctis inde sibi pro modo culpe penitentia salutaris et aliis que de jure sibi fuerint

vide for the state of the said Reginald, Bishop of Chichester, concerning the validity of the absolution, dispensation, rehabilitation, restitution, and other things done thus through you and the archdeacon, as stated, because of a defect of jurisdiction, such that he was not legitimately and properly absolved, restored, nor rehabilitated, and wishing to honor your person in the foregoing, and also bearing in mind that the clemency of the aforesaid see is accustomed not to close but to open its bosom to those fleeing to the Church and repenting, having by certain knowledge, ratified and confirmed, such absolutions, dispensations, restitutions, reinstatements, and abolutions concerning not only his pristine state, fame, and orders, but also administration in spiritual and temporal matters—such rehabilitation and whatever follows from it,

11. Through this apostolic script we mandate Your Fraternity, in whom we have great confidence in the Lord concerning this and other things, to absolve in the usual form of the Church, by our apostolic authority this one time, the said Bishop Reginald *de novo*, if he should request it, from all perjury, heresy, usury, and other crimes and excesses which he incurred on the occasion of the foregoing and of which he stands defamed, and also from all sentences, censures, and penalties enacted, inflicted, and promulgated by law or by man, or by apostolic constitutions and ordinations, whether general or special, including those of Otto and Ottobono of happy memory, formerly legates of the Apostolic See in the Kingdom of England, or those issued in in provincial or synodal councils, if he incurred any such on the

<sup>201</sup> ABScase: aliis.

<sup>202</sup> Scase: factorum.

<sup>203</sup> B: nec.

injungenda,

12. Necnon secum super irregularitate si quam eadem occasione seu celebrando divina vel illis se immiscendo contraxit,<sup>204</sup> quodque in susceptis ordinibus et in altaris [253r] officio ministrare, ac eidem et cuicunque alteri<sup>205</sup> etiam metropolitane Ecclesie ad quam ipsum forsitan transferri contigerit prefici et preesse, illamque in spiritualibus et temporalibus regere et gubernare, necnon omnia et singula que sunt ordinis et jurisdictionis gerere et exercere libere et licite valeat, [377v] eadem auctoritate dispenses, ipsumque Reginaldum Episcopum in pristinum et in illum statum in quo ante premissa existebat restituas et reponas, ac libertate pristina gaudere facias, omnemque inhabilitatis et infamie maculam sive notam per eum dicta occasione contractam penitus aboleas,

13. Quem etiam nostra auctoritate apostolica et simili scientia absolvimus et cum eo dispensamus, eumque restituimus, reponimus, et rehabilitamus, et infamie maculam abolemus per presentes, supplendo etiam omnes defectus tam juris quam facti, si qui forsitan in absolutione, dispensatione, rehabilitatione, et restitutione archidiaconi hujusmodi intervenissent.

14. Et insuper eidem Reginaldo Episcopo Ciestrensis efficacis<sup>206</sup> defensionis subsidio assistens, facias eum pacifica dicte ecclesie Ciestrensis possessione gaudere, et non permittas ipsum premissorum occasione, in iudicio vel

occasion of the foregoing, enjoining therewith upon him salutary penance according to the measure of guilt, and whatever else is to be enjoined in accord with law.

12. You are also to dispense him by the same authority from irregularity, if he contracted any such upon the same occasion by celebrating or partaking in divine services, and that he may freely and licitly minister in the orders that he has received and in the office of the altar, and have charge of and preside over his said church and any other church, even metropolitan, to which he might happen to be transferred, and to rule and govern it in spiritual and temporal matters and carry out and exercise all and singular affairs of order and jurisdiction. You are also to restore and reinstitute the said Bishop Reginald to his pristine state and to that in which he existed before the foregoing, seeing to it that he rejoices in his original freedom, and fully abolish every blemish or mark of disability and infamy contracted by him on the said occasion.

13. We also absolve him by our apostolic authority, and with similar knowledge, and dispense him, and we restore, reinstate, and rehabilitate him, and abolish all stain of infamy by this present letter, also making up for all deficiencies both of law and deed, if by chance any such were present in the archdeacon's absolution, dispensation, rehabilitation, and restitution.

14. Moreover, you are to see to it that the said Reginald Bishop of Chichester enjoy peaceful possession of the said church of Chichester, assisting him with means of efficacious defense, and not allow him to be molested because of the

<sup>204</sup> B: contraxerit.

<sup>205</sup> Scase: alterii.

<sup>206</sup> Scase: efficacis.

extra, publice vel occulte, directe vel indirecte, aut quovis alio quesito colore quolibet molestari, aut ei injurias vel offensas irrogari.

15. Contradictores necnon molestatores ac injuriatores quoslibet et rebelles cujuscunque dignitatis, status, gradus, ordinis, presertim mendicantium, preheminentie, officii, etiam inquisitorum heretice pravitatis, vel conditionis fuerint, per censuras ecclesiasticas, necnon privationis officiorum, dignitatum, et beneficiorum, ac perpetue inhabilitationis ad illa aut alia similia vel dissimilia obtinenda aliasque formidabiliores de quibus tibi videbitur penas, omni appellatione remota, compescendo; necnon processus per te desuper habendos quotiens expedierit, aggravando et reaggravando, invocato etiam ad hoc si opus fuerit auxilio brachii secularis; super quibus omnibus et singulis tibi plenam et liberam tenore presentium concedimus facultatem.

16. Ceterum volumus et auctoritate ac scientia similibus decernimus quod a datis presentium sit tibi in premissis omnibus et singulis ceptis et non ceptis, presentibus et futuris, perpetua<sup>207</sup> potestas et jurisdictio attributa,<sup>208</sup> ut eo vigore eaque firmitate possis in premissis omnibus ceptis et non ceptis, presentibus et futuris, procedere ac si omnia et singula coram te cepta fuissent, ac jurisdictio per citationem vel modum alium legitimum perpetuata extitisset.

17. Non obstantibus felicis reordinationis Bonifacii pape VIII predecessoris nostri illa presertim que incipit *Statutum quod circa iudices*,<sup>209</sup> ac de

foregoing, whether in or out of court, publicly or secretly, or under any other alleged excuse, or to be subjected to injuries or offenses.

15. You are to compel all opposers, molesters, injurers, and rebels of whatever dignity, status, degree, order (especially mendicants), preeminence, office (even inquisitors of heretical depravity), or condition they may be, by means of ecclesiastical censures as well as privation of office, dignity, and benefice, and also perpetual inability to obtain those or similar or dissimilar positions, and by other more formidable penalties as shall seem good to you, with all manner of appeal removed. As often as necessary you shall severely impose and reimpose the judicial proceedings instituted by you in this matter, even invoking the assistance of the secular arm. For all and each of these matters we grant you full and free facilities by the import of this letter.

16. In addition we desire, and with similar authority and knowledge decree, that from the date of this present letter, you have perpetual power and designated jurisdiction over all and singular of the aforesaid matters, both initiated and not yet initiated, present and future, so that you can proceed in all the foregoing, begun and not begun, now and later, with such vigor and firmness as if all and singular had already been initiated in your presence, and jurisdiction of citation and all other method of law had perpetually existed.

17. Notwithstanding whatever contrary constitutions of Pope Boniface VIII of happy memory, our predecessor, especially that beginning *Statutum quod*

<sup>207</sup> B: perpetuata.

<sup>208</sup> B: tributa.

<sup>209</sup> Boniface VIII, *Statutum*, AD 1298 (*Liber Sextus* 1.3.11, §1): cases held outside a diocese for fear of entry should not be more than a day's journey away.

duabus dietis in concilio generali, necnon de personis [253v] ultra certum numerum ad iudicium non trahendis, et<sup>210</sup> aliis apostolicis ac predictorum legatorum necnon in eisdem provincialibus et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, statutisque et consuetudinibus predictae Cicestrensis et alterius ecclesiarum hujusmodi juramento, confirmatione apostolica, vel quamvis alia firmitate roboratis contrariis quibuscumque.

18. Aut si aliquibus conjunctim vel divisim ab eadem sit indultum quod interdici, suspendi, vel excommunicari, aut extra vel intra certa loca ad iudicium trahi<sup>211</sup> non possint [328v] per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto hujusmodi mentionem.

19. Et quibuslibet aliis privilegiis, indulgentiis, et litteris apostolicis generalibus vel specialibus quorumcumque tenorum existant, per que presentibus non expressa vel totaliter non inserta, tue jurisdictionis explicatio in hac parte valeat quomodolibet impediri, et que quoad hoc eis nolumus aliquatenus suffragari.

Datis Rome apud Sanctum Petrum, anno Incarnationis Dominice millesimo quadringentesimo quinquagesimo octavo, Idibus Junii, pontificatus nostri anno quarto.

*circa iudices*, or regarding two-day journeys in general councils, or concerning the taking of persons beyond a certain number to court, or whatever other contrary constitutions and ordinations of the Apostolic See or of the aforesaid legates or those passed in the same provincial and synodal councils, whether general or particular, as well as statutes and customs of the said church of Chichester or another, whether strengthened by oath, apostolic confirmation, or any other reinforcement.

18. Notwithstanding also any indult received by persons jointly or singly from the said see by apostolic letters, to the effect that they cannot be interdicted, suspended, excommunicated or taken to court outside or inside certain places, unless the letters make full and express mention word for word of such indult.

19. And we are unwilling to countenance in any way whatsoever other privileges, indulgences, and apostolic letters, general or particular, of whatever import, which are not expressed or completely inserted in this present letter, through which the scope of your jurisdiction in this matter could be impeded in any way with regard to the foregoing.

Given in Rome at St. Peter's, in the year of the Lord's Incarnation 1458 on the Ides of June, the fourth year of our pontificate.

<sup>210</sup> B: ac.

<sup>211</sup> A: *om.* aut extra vel intra certa loca ad iudicium trahi.

## APPENDIX 3

Pope Pius II to John Arundel, appointing him bishop of Chichester, January 8, 1459.

AAV, Reg. Vat. 469, fols. 239r–240v; *CPL*, 11:377. Cf. Scase, 54–55/128–29.

Pius, etc., dilecto filio Johanni, Electo Cicastrensi, Salutem, etc.

1. Divina disponente clementia, cujus inscrutabili altitudine ordinationem<sup>212</sup> suscipiunt universa in apostolice sedis specula licet immerito constituti ad universas orbis ecclesias aciem<sup>213</sup> nostre considerationis extendimus, et pro earum statu salubriter dirigendo, apostolici favoris auxilium adhibemus; sed de illis propensius cogitare nos convenit quas propriis carent pastoribus intuemur, ut eis juxta cor nostrum pastores preficiantur idonei, qui commissos sibi populos per suam circumspectionem providam et providentiam<sup>214</sup> circumspectam salubriter dirigant et informant ac bona ecclesiarum ipsarum non solum gubernent utiliter sed etiam multimodis effèrent incrementis.

2. Dudum siquidem bone memorie Ada episcopo Cicastrense regimini Cicastrensis ecclesie [239v] presidente, felicis recordationis Nicolaus papa V, predecessor noster, cupiens eidem ecclesie, cum ipsam vacare contingeret, per apostolice sedis providentiam utilem presidere personam, provisionem ipsius ecclesie ordinationi et dispositioni sue et sedis predicte duxerit ea vice specialiter reservandam, decernentes ex tunc irritum et inane si secus super hiis per quoscunque quavis auctoritate scienter vel ignoranter contingeret attemptari.

Pius, etc., to our beloved son John, bishop-elect of Chichester, Greetings, etc.

1. By the disposition of the divine clemency, by whose inscrutable loftiness all things receive their order, we, constituted however unworthily in the watchtower of the apostolic see, extend the scope of our consideration to all of the churches of the world, and, in arranging for the good of their estate, employ the aid of apostolic favor. But it is fitting for us to think more especially of those who we see have lost their shepherds, so that suitable shepherds after our heart may be put over them, who should salubriously direct and inform the people committed to them through their provident circumspection and circumspect providence, and not only usefully govern the goods of these churches but also increase them in manifold ways.

2. Some time ago, when Adam, Bishop of Chichester, of happy memory, had the rule of the church of Chichester, our predecessor of like good memory, Pope Nicholas V, desiring for this church when it should become vacant to put a person in charge through the helpful providence of the apostolic see, thought it good at that time to specially reserve the provision of the church to the ordination and disposition of himself and the aforesaid see, and he decreed that from that time forward any contrary attempt in the matter by whomever, on whatever authority, knowingly or

<sup>212</sup> Reg. Vat. 469: ordinatione.

<sup>213</sup> Reg. Vat. 469: etiam.

<sup>214</sup> Reg. Vat. 469: providentie.

3. Postmodum vero prefata ecclesia per obitum ejusdem Ade Episcopi, qui extra Romanam Curiam diem clausit extremam, pastoris regimine destituta, idem predecessor, ignarus quod Reginaldus Pecok in universali ecclesia episcopus esset heretica labe respersus, et propterea excommunicationis sententia innodatus, de persona ipsius Reginaldi prefate ecclesie providit, preficiendo eum illi in Episcopum et pastorem, ac curam, regimen, et administrationem dicte ecclesie sibi in spiritualibus et temporalibus plenarie committendo, quamvis de facto temere ipse Reginaldus earundem provisionis et perfectionis pretextu regimini et administrationi ecclesie hujusmodi se ingressit.

4. Successive vero, cum dictus Reginaldus propterea a venerabili fratre nostro Thoma Archiepiscopo Cantuariense dicte ecclesie Metropolitano legitime evocatus, in presentia ipsius archiepiscopi pro tribunali sedentis, nonnullos tunc expressos errores suos in fide manifestam heresim continentes, et quod in illis diu, etiam ante suam promotionem predictam, perstiterat,<sup>215</sup> in iudicio confessus fuisset, ac suam hujusmodi heresim abjurasset, necnon omni juri sibi in eisdem regimine et administratione quomodolibet competenti, tanquam sibi male conscius, coram ipso Archiepiscopo et nonnullis aliis Episcopis suffraganeis suis ac religiosis fidedignis personis extra dictam Curiam sponte et libere cessisset, dictaque ecclesia<sup>216</sup> adhuc, ut prefertur, vacare noscitur,

5. Nos ad provisionem ipsius ecclesie celerem et felicem de qua nullus preter

unknowingly, would be null and void.

3. But after the said church became destitute of the rule of a shepherd by the death of the same Bishop Adam, who ended his days outside of the Roman Curia, our same predecessor, not knowing that Reginald Pecock was a bishop besmirched with the taint of heresy in the universal Church, and therefore bound by a sentence of excommunication, provided the said church with the person of that very Reginald, placing him over it as bishop and shepherd, and fully committing to him the care, rule, and administration of the said church in spiritual and temporal matters, although in fact the said Reginald thus imposed himself rashly upon the rule and administration of the church on the pretext of this provision and placement.

4. In due course, however, when the said Reginald, having for this reason been lawfully summoned by our venerable brother Thomas, Archbishop of Canterbury and Metropolitan of the said church, in the presence of the said archbishop sitting in tribunal, had confessed, in trial, several errors of his containing manifest heresies, and also confessed that he had long stood in them, even before his said promotion, and had abjured such heresy, and also when he had spontaneously and freely resigned from all right pertaining in any way to the same rule and administration, as conscious of his guilt, in the presence of the said archbishop and several other bishops, his suffragans, and trustworthy religious persons, outside the said Roman Curia, and the said church up to this time, as related, is acknowledged to be vacant,

5. We, for the rapid and pleasing provision of the said church, concerning

<sup>215</sup> Scase: prestiterat.

<sup>216</sup> Scase: dictamque ecclesiam.

Romanum pontificem hic jure se intermittere potuit sive potest, reservatione et decreto obsistentibus supradictis; ne ecclesia ipsa longe vacationis exponeretur incommodis, paternis et sollicitis studiis intendentes, post deliberationem quam de preficiendo eidem ecclesie personam utilem et etiam fructuosam cum fratribus nostris habuimus diligentem, demum ad te, Archidiaconum Richemundie in ecclesia Eboricensis, cui de litterarum solertia, vite munditia, honestate morum, spiritualium providentia, et temporalium circumspectione, aliisque multiplicibus virtutum donis apud nos fidedigna testimonia perhibentur, direximus oculos nostre mentis; quibus omnibus debita meditatione pensatis, de persona tua, nobis et eisdem fratribus nostris ob dictorum tuorum exigentiam meritorum accepta, eidem ecclesie Cicestrensi, de ipsorum fratrum consilio, auctoritate apostolica providemus, teque illi preficimus in episcopum et pastorem, curam et administrationem ipsius ecclesie Cicestrensis tibi in spiritualibus et temporalibus plenarie committendo, in illo qui dat gratias et largitur premia confidentes, quod eadem ecclesia Cicestrensis per tue circumspectionis industriam et providentiam circumspectam sub tuo regimine, dextera Domini tibi assistente propitia, salubriter et prospere dirigente, ac grata in eisdem spiritualibus et temporalibus suscipiet incrementa.

6. Jugum igitur Domini impositum tuis humeris prompta devotione suscipiens, curam et administrationem predicas sic exercere studeas solcite, fideliter, et prudenter, quod ecclesia ipsa gubernatori provideo et fructuoso administratori gaudeat se commissum, tuque prefer

which no one besides the Roman pontiff could or can here rightly interpose himself, by reason of the aforesaid reservation and decree standing in the way; lest the church be exposed to inconveniences because of a long vacancy, proceeding with paternal and solicitous intention and efforts, after a diligent deliberation which we had with our brothers about putting a useful and also fruitful person in charge of the said church, we finally directed the eyes of our mind toward you, Archdeacon of Richmond in the Church of York, about whom there is trustworthy testimony concerning your skill in letters, your purity of life, honesty of morals, providence in spiritual matters, and circumspection in temporal affairs, and other multiple virtuous gifts; all of which being pondered with due meditation, we make provision concerning your person, found acceptable to us and our said brothers because of the compelling nature of your merits, to the said church of Chichester, on the advice of the same brothers, by apostolic authority, and we put you in charge of it as bishop and shepherd, fully committing to you the care and administration of the church of Chichester in spiritual and temporal matters, being confident in Him who gives grace and grants rewards, that the said church of Chichester by your industry of circumspection and circumspect providence under your rule, with the Lord's propitious right hand assisting you, salubriously and prosperously directing you, and that you will receive pleasing increases in the same spiritual and temporal affairs.

6. Therefore, taking upon your shoulders the yoke of the Lord with eager devotion, strive to exercise the said care and administration solicitously, faithfully, and prudently, such that the said church may rejoice that it has been entrusted to a provident and fruitful

aterne retributionis premium, nostram et dicte sedis benedictionem et gratiam exinde uberius consequi merearis.

Datis Rome apud sanctam Petrum, anno etc., Mcccclviii, sexto Iduum Januarii, Pontificatus nostri anno primo.

governor, and that you will more fully merit to receive, beyond the reward of eternal vindication, the blessing and grace of us and the said apostolic see.

Given in Rome at St. Peter's, the year [of the Lord's incarnation], 1458 [=1459], the sixth day before the Ides of January, the first year of our pontificate.

## APPENDIX 4

Pope Pius II to the archbishop of Canterbury and the bishops of London and Winchester, ordering a trial of relapse against Reginald Pecock, April 7, 1459.

AAV, Reg. Vat. 499, fols. 63v–64v; *CPL*, 11:529–30. Cf. Rainaldi (Baronio and Rainaldi, *Annales*, 29:190–92); and Scase, 55/129.

Pius, etc. Venerabilibus fratribus Archiepiscopo Cantuariensi et Londoniensi ac Wintoniensi Episcopis, Salutem et apostolicam benedictionem.

1. Licet graviter et moleste feramus quarumvis personarum ecclesiasticarum nobis denunciatos excessus, illorum tamen [presertim] errores et crimina quos apostolica sedes statuerat per altitudinem dignitatis in specula ut, quasi lucerna super candelabrum positi, aliis doctrine lumine viam veritatis ostenderent, ipsosque eorum exemplo ad salutem laudabilium operum deducerent: si eos prolabi contigerit in errorem demum, tanto turbamur acerbius quanto periculosior esse dignoscitur lapsus eorum, et in aliorum vergit perniciem et exemplum.

2. Sane significatio carissimi in Christo filii nostri Henrici Regis et carissime in Christo filie nostre Margarete Regine Anglie illustrium, necnon venerabilium fratrum nostrorum prelatorum ac dilectorum filiorum nobilium virorum procerum regni Anglie, nostrum nuper majorem in modum perturbavit auditum, amaricavit et mentem,

3. Quod, licet iniquitatis et perditionis alumnus Reginaldus Pecok,<sup>217</sup> olim reputatus episcopus Cicestrensis, qui in plerisque articulis de fide catholica damnablem sentiebat, et contra eandem fidem quosdam codices seu opuscula in idiomate Anglico et Latino conscripserat, et per illos ac [64r] cum illis plures simplices in profundum errorem

Pius, etc. to his venerable brothers, Archbishop of Canterbury, and Bishops of London and Winchester, Health and apostolic blessing.

1. Although we bear heavily and grievously the reported excesses of all ecclesiastical persons, the errors and crimes [in particular] however of those whom the apostolic see had placed through high dignity on a watchtower, so that, placed like a lamp on a stand, they might show to others the way of truth by the light of teaching, and lead them by their example to the well-being of praiseworthy works: if finally they happen to fall into error, we are the more bitterly disturbed the more dangerous their fall is seen to be, and their example leads toward the destruction of others.

2. Indeed the intelligence received from our beloved son in Christ Henry and beloved daughter in Christ Margaret, illustrious king and queen of England, and from our venerable brother prelates and nobility of the kingdom of England, has recently perturbed our hearing to a great degree and embittered our mind:

3. Namely that, even though that son of iniquity and perdition, Reginald Pecock, once reputed to be the bishop of Chichester, who held reprehensible beliefs concerning several articles of the Catholic faith and who had written certain books or works both in English and Latin against the same faith, and through them and by them had led many simple

<sup>217</sup> Reg. Vat. 499: Pecoli.

secum perduxerat, illaque etiam publice et palam astruere interdum presumpserat; et [licet] coram te, fratre archiepiscopo, et pluribus aliis episcopis canonum et personis ecclesiasticis, se in prefatis erroribus pro viginti annos prestitisse et premissa perpetrasse confessus fuerat, penitens, ut videbatur, de excessibus antedictis coram te et eisdem episcopis et personis, hereses suas huiusmodi publice abjuraverit;

4. Et [licet] quod in easdem de cetero minime relaberetur, et de illis penitentiam agere voverit et promiserit, et quosdam ex eisdem libris, quos, et non plures, se in eadem materia edidisse concessit, coram produxerit, ac in eventum reincidentie, se sanctorum canonum ac legum severitati subjererit;

5. Tamen, idem Reginaldus, protervo et nephario spiritu instigatus et pristinam tenebrarum cecitate obsessus, etiam postquam ipse, penitens, ut videbatur, et indignus, regimini et administrationi dicte ecclesie Cicesterensis seu omni juri sibi in illis vel ad ea quomodolibet competenti, sponte et libere cesserat, nonnullos ex predictis libris manifestam heresim continentes in Latino ac etiam in dicto idiomate a se compositos et per eum minime tunc patefactos, ut perpetuo extare possent, occultare, ac sic, fecte penitens, in errorem pristinum quem simulate abjuraverat, relabi, et tamquam nefarius et incorrigibilis servus, quedam alia que contra orthodoxam fidem sunt, et contra ea que sacrosancta tenet Ecclesia, machinari minime formidavit, propter que omnia maximum imminet periculum ne dicte hereses, taliter in dicto regno disseminate, magnorum pariant fomenta scandalorum, et plurimum ingenia subvertant, et animarum pericula generent.

souls along with him into profound error, and had at times presumed to strew such things even publicly and openly; and although before you, Brother Archbishop, and many other bishops and ecclesiastical persons, having confessed that he had stood in the foresaid errors for twenty years, repenting, as it seemed, of the said excesses before you and the said bishops and persons, he had publicly abjured these heresies of his;

4. And though he promised that he would not relapse into them thenceforward, and vowed and promised to do penance for them, and produced before you several of those books, which he admitted he had written in the same material—these and no others—and, in the event of falling again, he subjected himself to the severity of the canons and laws;

5. Nevertheless, the said Reginald, instigated by the impudent and nefarious spirit, and beset by the blindness of his original darkness, even after repenting, as it seemed, and after spontaneously and freely resigning, as unworthy, the rule and administration of the said church of Chichester, that is to say all right in them and in that church that pertained to him, he did not fear to hide several of the said books containing manifest heresy composed by him in Latin and in the vernacular, which at that time were not revealed, so that they might survive forever; and thus, pretending to repent, to relapse into the original error which he had pretended to abjure, and, like a nefarious and incorrigible servant, to machinate certain other things against the orthodox faith and against those things that the Church holds as sacrosanct. Because of all this, a very great danger looms lest the said heresies, thus disseminated in the said reign, will give rise to turmoils of scandals, and subvert the minds of many and beget dangers to

6. Nos igitur, attendantes quod morbus iste contagiosus et discrimine plenus existit, et quod antiquus et versutus humani generis hostis, querens quem devoret, hujusmodi laqueis sepe numero simplicium corda contaminat, ac recensentes sani esse consilii ut morbida bestia ovile non inficiat, congruam celeriter huic morbo adhibere medelam,

7. Fraternitati vestre per apostolica scripta mandamus quatenus, viriliter in fidei negotio, ubi presertim hec ex toto regno querela perducitur, procedentes, vos vel tu, frater Londoniensi Episcopo, cum altero collegarum tuorum, et si venerabilis frater noster Franciscus episcopus Interamnensis tunc in regno Anglie se comperiret et premissis de facili poterit interesse etiam cum ipsis fratribus episcopis, vocato et diligenter perquisito atque detento dicto Reginaldo, super premissis inquiratis auctoritate nostra diligentius veritatem.

8. Et si, per inquisitionem hujusmodi, reppereritis ipsum Reginaldum post eandem<sup>218</sup> abjuratorem heresis antedictae illam per occultationem dictorum librorum, vel alicujus eorum, si de jure fuerit aut alias, relapsus, aut fecte penitentem fuisse, ut prefertur, illum, si commode mitti possit, ad nos et Romanam curiam sub bona et certa custodia, juxta ejus demerita puniendum et corrigendum, transmittatis.<sup>219</sup>

9. Alioquin vos illum, ut ceteris tali labe respersis exemplo sit, adhibitis vobiscum aliis coepiscopis vestris usque ad sufficientem numerum, infula pontificali

souls.

6. We, therefore, being attentive that this contagious disease exists, which is full of peril, and that the old and wily enemy of the human race, seeking whom he may devour, time and again contaminates the hearts of the simple with such snares, and reflecting that it is wise counsel, lest the morbid beast not infect the sheepfold, to quickly apply a suitable medicine for this disease,

7. By apostolic script command Your Brotherhoods to act in manly fashion in this proceeding of faith, especially in a place where this complaint is produced on behalf of the entire realm, so that all three of you, or just you, venerable brother Bishop of London, with another of your colleagues, and, if our venerable brother Francis, bishop of Terni, finds himself in the realm of England, and if he can conveniently take part in the foregoing along with the said brother bishops, are to summon the said Reginald and diligently seek for him and detain him, and even more diligently make inquisition, by our authority, into the truth of the foregoing.

8. And if, by such inquisition, you should find the said Reginald to be relapsed after that abjuration of the aforesaid heresy, by law or otherwise, through the concealment of the said books or any one of them, or in pretending to repent, as explained above, you are to transfer him, if he can conveniently be sent, under good and strong custody to us and the Roman Curia, to be punished and corrected according to his demerits.

9. Otherwise, in order that he might be an example to others tainted with similar stain, summoning others of your cobishops in the number you deem

<sup>218</sup> Scase; Reg. Vat. 499: unclear; Rainaldi: *om.*

<sup>219</sup> Scase: transmittatur.

ac reliquis episcopalibus<sup>220</sup> insigniis privetis, illumque tam ab episcopali quam sacerdotali ac reliquis [64v] ecclesiasticis ordinibus deponatis et degradetis ac aliter de eo statuatis et decernatis, prout secundum sacrorum canonum statuta fuerit faciendum.

10. Et nichilominus omnes et singulos incolas regni Anglie et alias quoscunque qui aliquos ex predictis codicibus vel illorum<sup>221</sup> copias aut transumpta habent, cujuscunque fuerint preeminencie, nobilitatis, ac status, etiam si pontificali aut alia quavis ecclesiastica vel mundana prefulgeant dignitate, per vos, vel alium seu alios, ubicunque per totum dictum regnum et alibi ubi opus<sup>222</sup> fuerit, et presertim in civitate et diocesi Cicestrensi, et in illis locis in quibus dictus Reginaldus per amplius conversabatur, sub excommunicationis, suspensionis, et interdicti, et sub heretici erroris declarationibus, aliisque gravioribus penis, sententiis, et censuris, de quibus vobis videbitur, moneatis et moneri faciatis, ut<sup>223</sup> eosdem libros et codices seu opuscula, copias, vel transumpta infra certum competentem eis per vos prefigendum terminum, vobis vel personis ad hoc deputandis presentare, tradere, et assignare debeant.

11. Alioquin, si id infra eundem terminum non adimpleverint, ex tunc vos in eos sententias, censuras, et penas hujusmodi proferatis, necnon excommunicatos, et aliis sententiis, censuris, et penis hujusmodi obvolutos et irretitos, eadem auctoritate declaretis et declarari faciatis; et eos apud quos codices seu

sufficient, and, with him garbed in pontifical robes and other episcopal insignia, you are to deprive him, deposing and degrading him both from the episcopal order as well as the priestly and the other ecclesiastical orders, and to pronounce and decree further concerning him as should be done according to the statutes of the sacred canons.

10. Furthermore, you yourselves, or another or others, are to admonish and see to the admonishment of every and all inhabitants of the realm of England, and elsewhere, who possess any of the said volumes, or copies or transcripts of them, no matter of what eminence they may be, or nobility or stature, even if they enjoy episcopal or any other ecclesiastical or worldly dignity, everywhere throughout the whole of the said realm and elsewhere as need shall require, especially in the city and diocese of Chichester, and in those places where the said Reginald most frequently held converse, with declarations of excommunication, suspension, and interdict, and also of heretical error, and any other graver penalties, sentences, and censures that you may see fit, that they must present, deliver, and commit the said books and volumes or works, copies, or transcripts, to you or persons deputed by you, within a certain term suitable to them, to be fixed by you.

11. Otherwise, if they do not comply within the said term, you are to pass such sentences, censures, and penalties against them from that time; and by the same authority decree them, and see them decreed, as excommunicated and bound by and subjected to other like sentences, censures, and penalties. And you

<sup>220</sup> Scase: episcopalis.

<sup>221</sup> Reg. Vat. 499: illos.

<sup>222</sup> Scase: episcopus.

<sup>223</sup> Scase: *om*.

opuscula aut copia vel transsumpta hujusmodi post lapsum dicti termini reperta fuerint, tanquam de heresi suspectos super articulis fidei examinari, et heresim abjurare, vel tanquam hereticos puniri faciatis, prout in eo casu fuerit faciendum.

12. Illa vero ex eisdem codicibus seu opusculis, copiis, vel transsumptis que ad manus vestras pervenerint, ut cum damnato auctore<sup>224</sup> depereant, publico iudicio coram populo concremetis, aut concremari et comburi faciatis.

13. Contradictores per censuram ecclesiasticam, appellatione postposita, compescendo; non obstantibus felicis recordationis Bonifacii pape VIII predecessoris nostri quibus cavetur ne quis extra suam civitatem et diocesim nisi in certis exceptis casibus et in illis ultra unam dietam a fine sue diocesis ad iudicium evocetur; seu ne iudices a sede deputati predicta extra civitatem et diocesim in quibus deputati fuerint contra quoscumque procedere aut alii vel aliis vices suas committere; seu aliquos ultra unam dietam a fine diocesis eorundem trahere presumant, ac de duabus dietis in concilio generali; et personis ultra certum numerum ad iudicium non vocandis; et aliis apostolicis constitutionibus contrariis quibuscumque; aut si aliquibus conjunctim vel divisim ab eadem sit sede indultum quod interdici, suspendi, vel excommunicari non possint per litteras apostolicas non facientes plenam et expressam ac de verbo ad verbum de indulto hujusmodi mentionem.

Datis Senis anno incarnationis dominice millesimo quadringentesimo quinquagesimo nono, septimo Iduum Aprilis, pontificatus nostri anno primo.

are to have those persons, among whom are found such volumes or works or copies or transcripts, after the lapse of the said term, examined as suspect of heresy on the articles of faith; and you are to make them abjure heresy, or be punished as heretics, as the case shall require.

12. But whatever comes to your hands of those volumes or works, copies or transcripts, you are to burn or see to it that they are burned and consumed by flames, by a public judgment, in the sight of the people, so that they may perish along with their condemned author.

13. You are to compel opponents by ecclesiastical censure, without any appeal; notwithstanding constitutions of Pope Boniface VIII of happy memory, our predecessor, which warn against summoning anyone to judgment outside of his city and diocese, except in certain cases, and in those, not beyond a one-day journey outside the bounds of the diocese; or against judges deputed by the said see to proceed against anyone outside of the city and diocese in which they are deputed, or to commit their powers to another or others; or to presume to summon persons over a day's journey from the boundary their diocese, or a two-day journey in a general council; and against calling more than a certain number of persons to judgment; or any other apostolic constitutions to the contrary; or, if there is a collective or individual indult from the said see against being interdicted, suspended, or excommunicated, on the basis of an apostolic letter in which there is not an express word-for-word mention of said indult.

Given in Siena in the year of the Lord's incarnation 1459 on the seventh day before the Ides of April, in the first year of our pontificate.

<sup>224</sup> Rainaldi; Reg. Vat. 499: ut damnato actore; Scase: *ellip.*

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