

## **What to Ask in Confession: A List of Sins from Thirteenth-Century England**

The thirteenth century saw the writing of many short treatises on pastoral care, written as part of a reform movement which aimed to improve the religious education of the clergy and, in this way, to raise the standard of pastoral care provided to the laity. One of the key moments in the process of pastoral care which the reformers focused on was confession. Educated clergy had long been interested in regulating both the frequency with which laypeople made confession and the quality of the guidance provided to them there, and in 1215 these concerns were given formal expression at the Fourth Lateran Council. The Council ruled that all adult laypeople should go to confession at least once a year and emphasised that the confessor was to act like a doctor, dispensing advice and penance which was appropriate to each penitent.<sup>1</sup> As with many of the Council's pronouncements, these ideas were not entirely new but they found a receptive audience among thirteenth-century bishops and ecclesiastical administrators in England, and so during the course of the thirteenth century numerous English diocesan statutes repeated the requirement for annual confession and sometimes extended it to three times a year.<sup>2</sup>

In addition to these formal pronouncements, a number of bishops, including Robert Grosseteste of Lincoln and Walter Cantilupe of Worcester, also wrote or circulated treatises on pastoral care to help less well educated clergy perform their roles as confessors. These

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<sup>1</sup> For an overview see Colin Morris, *The Papal Monarchy: the Western Church from 1050-1250* (Oxford: Clarendon Press, 1989), 489-96.

<sup>2</sup> Marion Gibbs and Jane Lang, *Bishops and Reform 1215-1272* (London: Oxford University Press, 1934), 123; Helen Birkett, "The Pastoral Application of the Lateran IV Reforms in the Northern Province 1215-1348," *Northern History* 43 (2006): 199-219 at p. 203.

bishops were not alone. As Leonard Boyle and other scholars have shown, many other educated clergy in England and across Europe were also writing works on confession, preaching and pastoral care.<sup>3</sup> These texts came in many shapes, but one common form was the list of questions for priests to ask in confession, structured around classificatory schemes such as the seven vices and sometimes accompanied by other information about how to hear confessions. Quite a few of these short confession treatises have been edited,<sup>4</sup> and they have also been studied for what they can tell us about a variety of other topics, including religious

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<sup>3</sup> See Leonard Boyle, 'Summae Confessorum', in *Les Genres littéraires dans les sources théologiques et philosophiques médiévales. Définition, critique et exploitation* (Louvain-la-Neuve: Université Catholique de Louvain, 1982), 227-37, and Pierre Michaud-Quantin, *Sommes de casuistique et manuels de confession au moyen âge (XII–XVI siècles)* (Louvain: Editions Nauwelaerts, 1962).

<sup>4</sup> See for example Siegfried Wenzel, ed., "Robert Grosseteste's Treatise on Confession, *Deus Est*," *Franciscan Studies* 30 (1970): 218-93; J. Goering and F. A. C. Mantello, "The 'Perambulavit Iudas...' (Speculum Confessionis) attributed to Robert Grosseteste," *Revue Bénédictine* 96 (1986): 125-68; J. Goering and F. A. C. Mantello, "The Early Penitential Writings of Robert Grosseteste," *Recherches de théologie ancienne et médiévale* 54 (1987): 52-112; J. Goering and F. A. C. Mantello, "*Notus in Iudea Deus*: Robert Grosseteste's Confessional Formula in Lambeth Palace MS 499," *Viator* 18 (1987): 253-73; J. Goering and P. Payer, "The 'Summa Penitentiae Fratrum Predicatorum': a Thirteenth-Century Confessional Formulary," *Mediaeval Studies* 55 (1993): 1-50; Catherine Rider, "*Sciendum est autem Sacerdotibus (Penitens Accedens ad Confessionem)*: a Short Thirteenth-Century Treatise on Hearing Confessions," *Mediaeval Studies* 73 (2011): 147-82.

life, the ways in which confessions were (or may have been) conducted, and sexuality.<sup>5</sup> Nevertheless, many remain unpublished and have attracted comparatively little attention. This chapter will present and translate one of these works: an unusual list of questions relating to the seven vices and their manifestations in thirteenth-century England. It is anonymous and begins with the words *Animetur primo confitens* ('First let the person confessing be encouraged...'). To my knowledge it has not been discussed by other scholars, except for the parts quoted in my earlier studies of lay religion and magic.<sup>6</sup>

*Animetur primo* is a particularly interesting text because many of the questions it lists do not have clear parallels in other contemporary lists of questions to ask in confession. One area where it is especially distinctive is in its treatment of magic and divination. It contains an unusually long list of questions relating to sins 'against the faith' which mentions many forms of magic and divination, occasionally glossed with English vernacular words. Some of the beliefs and practices mentioned in this list appear regularly in other pastoral treatises, such as the belief in omens and divination by dreams,<sup>7</sup> but others seem to be unique to this work: for example there are questions about whether the penitent has 'signed himself' with fire, or

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<sup>5</sup> Catherine Rider, "Lay Religion and Pastoral Care in Thirteenth-Century England: the Evidence of a Group of Short Confession Manuals," *Journal of Medieval History* 36 (2010): 327-40; William H. Campbell, *The Landscape of Pastoral Care in Thirteenth-Century England* (Cambridge: Cambridge University Press, 2018), 151-61; Pierre J. Payer, *Sex and the New Medieval Literature of Confession, 1150-1300* (Toronto: Pontifical Institute of Mediaeval Studies, 2009).

<sup>6</sup> Rider, "Lay Religion"; Catherine Rider, *Magic and Religion in Medieval England* (London: Reaktion Books, 2012), 92.

<sup>7</sup> On magic and divination in other pastoral treatises see Rider, *Magic and Religion*.

given gifts to sorceresses. Even when particular practices or beliefs are mentioned in other similar works, the number of these questions and the level of detail given by the author of *Animetur primo* seems to be unique in such a short treatise.

The lists of questions relating to the sins of Sloth and Avarice are also unusually detailed and specific. The section on Avarice mentions by name some of the taxes and payments which existed at the time, such as pannage, a payment for the right to pasture pigs. It also contains questions aimed at people in a range of different occupations and roles, including lords and judges, various levels of clergy, medical practitioners, teachers, lawyers and farm workers. The section on Sloth likewise includes a set of detailed questions for farm labourers and others aimed at clergy. In itself this is not unique and other short confession treatises sometimes include similar questions directed at particular social groups: for example the treatise recorded in the diocesan statutes of Alexander Stavensby, bishop of Coventry, issued between 1224 and 1237, suggests that merchants should be asked about whether their weights and measures are fair, an issue also raised in in *Animetur primo*.<sup>8</sup> Several longer pastoral care treatises include similar, but more detailed, lists of questions, including the fourteenth-century *Memoriale Presbyterorum*.<sup>9</sup> Socially specific questions such as these have had some

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<sup>8</sup> F. M. Powicke and C. R. Cheney, *Councils and Synods with Other Documents Relating to the English Church A. D. 1205-1313* (Oxford: Clarendon Press, 1964), 221.

<sup>9</sup> Michael Haren, 'The Interrogatories for Officials, Lawyers and Secular Estates of the *Memoriale Presbyterorum*', in *Handling Sin: Confession in the Middle Ages*, ed. Peter Biller and A. J. Minnis (Woodbridge: York Medieval Press, 1998), 123-63; Michael Haren, *Sin and Society in Fourteenth-Century England* (Oxford: Clarendon Press, 2000). For other examples see Peter Biller, 'Intellectuals and the Masses: Oxen and She-asses in the Medieval Church',

attention from scholars, since they can shed light on the development of ethics associated with different professions, including physicians, lawyers and merchants.<sup>10</sup> However, most of this scholarship has focused on academic theology and on longer pastoral compendia rather than on shorter treatises for pastoral care. By contrast *Animetur primo* tells us about how the ideas in longer pastoral works might be communicated to a wider audience. The level of detail and the range of occupations discussed suggest that this anonymous author was particularly interested in the ways in which different social groups might sin and again the treatise offers a distinctive view of the sins one cleric thought were current in thirteenth-century England.

After a brief introduction which sets out how the priest should encourage the penitent to make a full confession, *Animetur primo* begins with a list of questions relating to the

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in *The Oxford Handbook of Medieval Christianity*, ed. John H. Arnold (Oxford: Oxford University Press, 2014), 333.

<sup>10</sup> See John W. Baldwin, *Masters, Princes and Merchants: the Social Views of Peter the Chanter and his Circle* (Princeton: Princeton University Press, 1970), 261-311; Darrel W. Amundsen, 'Casuistry and Professional Obligations: the Regulation of Physicians by the Court of Consistence in the Late Middle Ages', *Transactions and Studies of the College of Physicians of Philadelphia* n. s. 3 (1981), 22-39, 93-112, reprinted in Darrel W. Amundsen, *Medicine, Society and Faith in the Ancient and Medieval Worlds* (Baltimore: Johns Hopkins University Press, 1996), 248-88; James A. Brundage, *The Medieval Origins of the Legal Profession: Canonists, Civilians and Courts* (Chicago: University of Chicago Press, 2008), 182-8, 295-305, 308-28; Ian Wei, *Intellectual Culture in Medieval Paris: Theologians and the University, c.1100-1330* (Cambridge: Cambridge University Press, 2012), 296-323, 345-53.

penitent's religious faith: for example does he or she know the Lord's Prayer and the Creed? These questions are found in many other thirteenth-century confession manuals<sup>11</sup> but the next set of questions about sins 'against the faith' is far more unusual, as noted above. Questions relating to the seven vices follow, starting with Pride. Finally, the treatise concludes with a short list of questions about sins committed with the tongue, including lying, perjury, and complaining against God and the saints when misfortune occurs.

Although many of the questions in *Animetur primo* seem to be unique, there are nonetheless similarities to other works, particularly to another short treatise listing questions to ask in confession, Robert Grosseteste's *De Modo Confitendi*, which was probably written in the 1220s or early 1230s and was one of the earliest treatises of its kind.<sup>12</sup> For example under the sin of Pride both *Animetur primo* and Grosseteste ask whether the penitent has been disobedient to his or her parents and whether penitents have assumed the good things they have were given to them by God as a reward for their good deeds. Likewise under Anger both treatises ask whether the penitent has ever slandered anyone or willingly listened when others did so, hated anyone, or sought to harm them.<sup>13</sup> Grosseteste's question-list was widely copied so it would not be surprising if the anonymous author of *Animetur primo* was influenced by it when compiling his own list of questions.<sup>14</sup> However, *Animetur primo* is not simply a modified copy of Grosseteste's treatise and there are comparatively few direct

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<sup>11</sup> Thomas of Chobham, *Summa Confessorum*, ed. F. W. Broomfield (Louvain: Editions Nauwelaerts, 1968), 242; R. M. Haines, *Ecclesia Anglicana: Studies in the English Church of the Later Middle Ages* (Toronto: University of Toronto Press, 1989), 135-6.

<sup>12</sup> Goering and Mantello, "Early Penitential Writings," 54.

<sup>13</sup> Goering and Mantello, "Early Penitential Writings," 82-3

<sup>14</sup> Goering and Mantello, "Early Penitential Writings," 61, 65-6

parallels between the two texts. In addition to drawing on Grosseteste's work the anonymous author also seems to have borrowed a small amount of information from the *Summa de Casibus Poenitentiae* written by the Dominican canon lawyer Raymond of Peñafort in the 1220s: under the heading of Anger, he quotes the five forms of spiritual homicide listed by Raymond.<sup>15</sup>

The date and origin of *Animetur primo* are uncertain. The text survives in two thirteenth-century manuscripts, London, British Library MS Add. 30508, folios 169r-179v and British Library MS Add. 22570, folios 200v-203r. Neither manuscript names an author. In a study of MS Add. 30508, Leonard Boyle argued that this manuscript belonged to an English house of Dominican friars, which may suggest a Dominican provenance for *Animetur primo*.<sup>16</sup> MS Add. 22570 may also have a Dominican origin, since much of the manuscript is taken up with a copy of Raymond of Peñafort's *Summa*. However, there are few firm indications in the text of *Animetur primo* itself that it was intended specifically for an audience of friars.<sup>17</sup> It may have been designed to appeal to both friars and parish clergy: these two groups shared an

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<sup>15</sup> See Judith Shaw, 'Corporeal and Spiritual Homicide, the Sin of Wrath, and the "Parson's Tale",' *Traditio* 38 (1982): 281-300, at p. 287.

<sup>16</sup> Leonard Boyle, "Notes on the Education of the *Fratres Communes* in the Dominican Order in the Thirteenth Century," *Xenia Medii Aevi Historiam Illustrantia Oblata Thomae Kaeppli O. P.*, ed. R. Creytens and P. Künzle (Rome: Storia e Letteratura, 1978), reprinted in Leonard Boyle, *Pastoral Care, Clerical Education and Canon Law 1200-1400* (Aldershot: Variorum, 1981), essay VI, 249-67, at pp. 259-61.

<sup>17</sup> Rider, "Lay Religion," 331.

interest in pastoral care and Andrew Reeves has suggested that thirteenth-century English parish clergy sometimes attended Dominican schools to learn about pastoral care.<sup>18</sup>

There are also no firm indications of *Animetur primo*'s date. It must have been written in the 1220s at the earliest because a question about the study of secular law or medicine by priests, archdeacons, rural deans and beneficed clergy echoes the constitution *Super specula* promulgated by Pope Honorius III in 1219.<sup>19</sup> The parallels with Grosseteste's *De Modo Confitendi* and Raymond of Peñafort's *Summa* would again point to a date in the 1220s at the earliest. I have not found quotations from it in any later works which would help to establish a latest date for the text. Indeed, there is no evidence that *Animetur primo* was influential at all, at the time or since. As well as the absence of identifiable quotations from it in later works, it survives in fewer manuscripts than many other short confession treatises. Instead its interest lies in what its questions tell us about its author's perception of thirteenth-century England.

The versions of *Animetur primo* in the two manuscripts are not identical. Neither manuscript is a copy of the other, since both contain variants not found in the other manuscript. Many of these variants seem to be the result of deliberate modification rather than errors introduced during copying. This is not unusual in works on pastoral care, since scribes who knew about the subject were willing to modify the texts they found to suit their own purposes:

manuscripts of Robert Grosseteste's treatises on confession likewise show significant levels

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<sup>18</sup> Andrew Reeves, 'English Secular Clergy in the Early Dominican Schools: Evidence from Three Manuscripts', *Church History and Religious Culture* 92 (2012): 35-55 at pp. 47-8.

<sup>19</sup> Darrel W. Amundsen, 'Canon Law on Medical Practice by the Clergy', *Bulletin of the History of Medicine* 52 (1978): 22-44, reprinted in Amundsen, *Medicine*, 222-47 at p. 232.

of variation.<sup>20</sup> In the case of *Animetur primo* the version in MS Add. 22570 is shorter overall and more concise in its phrasing than the version in MS Add. 30508. The variations in this manuscript point consistently to a desire to convey the same message more briefly. Some of these changes are minor, as when MS Add. 22570 omits words such as ‘item’ at the start of a question. However, others are more significant. A number of sentences have been reworded to contain fewer words and details. Thus under the heading of Pride, where MS Add. 30508 asks ‘Si unquam elemosinas dederit. Si abstinentiam uel peregrinationem uel huiusmodi opera spiritualia propter ypocrisim uel uanam gloriam fecerit, uel de huiusmodi se iactauerit coram aliis, non propter aliorum edificationem et dei laudem sed propriam’ (If he has ever given alms. If he has performed abstinence or pilgrimage or spiritual works of this kind out of hypocrisy or vainglory, or has boasted about this kind of thing in front of others, not to edify others and praise God, but to praise himself), MS Add. 22570 asks ‘Si unquam elemosinam dederit aut aliqua opera spiritualia propter ypocrisim uel uanam gloriam fecerit, uel de huiusmodi se iactauerit, propriam laudem non dei uel proximi edificationem.’<sup>21</sup> (If he has ever given alms or done some spiritual works out of hypocrisy or vainglory, or has boasted about this kind of thing to praise himself, not God, or to edify a neighbour). Similarly under the heading of Avarice, when merchants are asked about using false weights and measures, MS Add. 30508 gives many details: ‘Si minoribus mensuris uel ponderibus usus fuerit uendendo aliis, et maioribus in sua empcone; uel si iusta pondera et iustas mensuras habuerit et tamen ille male mensurauerit uel ponderauit; uel si dolose procurauerit quod res ponderosior fieret quando ponderari debuit, ut faciunt illi qui lanam uendunt.’ (If he has used

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<sup>20</sup> Goering and Mantello, “Early Penitential Writings,” 59; for another example see David d’Avray, *Medieval Marriage Sermons: Mass Communication in a Culture without Print* (Oxford: Oxford University Press, 2001), 33-4.

<sup>21</sup> BL MS Add. 22570, fol. 200v.

smaller measures or weights when selling to others, and larger ones when buying for himself; or if he had fair weights and measures and yet measured or weighed badly; or if he arranged deceitfully that something would be heavier when it was due to be weighed, as people who sell wool do.) Again MS Add. 22570 covers the same points much more briefly: ‘Si falsas mensuras habuerit uel cum iustis male mensurauerit, uel fecerit rem ponderiosorem.’<sup>22</sup> (If he has had false measures or measured badly with fair ones, or has made a thing heavier.)

Occasionally, however, MS Add. 22570 includes text not found in MS Add. 30508, such as a few English words glossing the Latin terms for sins against the faith, or makes changes that alter a question’s meaning. For example under the heading of Avarice, MS Add. 30508 asks about sins committed while the penitent was committing a crime: ‘Si aliquis in perpetracione horum dampnorum occisus fuerit, uel uulneratus aut ligatus, aut domus alicuius confracta, aut persona alicuius lesa.’ (If anyone was killed when these damages were committed, or wounded or tied up, or anyone’s house was smashed or anyone’s body was harmed.) The list of possible injuries in MS Add. 22570 is slightly different: ‘Si aliquis in perpetracione dampnorum occisus fuerit, uulneratus uel ligatus, aut domus alicuius fracta aut combusta.’ (If anyone was killed when damages were committed, wounded or tied up, or anyone’s house was smashed or burned.)<sup>23</sup>

These differences between the two manuscripts are most substantial in the final two sections on Lust and Sins of the Tongue. Here MS Add. 22570 omits many questions found in MS Add. 30508 and the remaining ones are highly abbreviated. Thus while MS Add. 30508 contains eleven questions relating to sins of the tongue, MS Add. 22570 includes only six.

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<sup>22</sup> BL MS Add. 22570, fol. 202r.

<sup>23</sup> BL MS Add. 22570, fol. 202r.

While it is possible that the scribe of MS Add. 30508 expanded his text from a shorter original version, it seems more likely that the scribe of MS Add. 22570 abridged a longer text which was closer to that of MS Add. 30508. This impression that the scribe of MS Add. 22570 was eager to save space is confirmed by its very small handwriting. The scribe seems to have wanted to fit the text into the smallest space possible and he seems to have felt this was increasingly necessary as he neared the end of the text, although it is not clear why he should do this, since the text does not finish at the end of a page or quire.

Because, for the reasons given above, it seems likely that MS Add. 30508 is closer to the original version of the text, in editing the text I have used this as the base manuscript (designated as MS 1). I have kept the spelling given in this manuscript but have modernised the punctuation. I have not noted all of the many variants and abbreviations in MS Add. 22570 (hereafter MS 2) because to do so would result in a very large and unwieldy apparatus, especially in the text's final sections. However, I have preferred the readings in MS 2 on the relatively small number of occasions when the reading in MS 1 is clearly inferior, or when MS 2 supplies words or phrases which have been omitted from MS 1. Since the scribe of MS 2 generally seems to have abridged rather than added material, where he does include extra sentences this may reflect material from an earlier version of the text which was omitted from MS 1. Where I have done this I have given the reading from MS 1 in the footnotes. I have also noted where the questions bear a strong similarity to those in Grosseteste's *De Modo Confitendi* as edited by Goering and Mantello (hereafter *DMC*) or other sources.<sup>24</sup> In most of the text the language implies that a male penitent is imagined, and I have translated these references as 'he'. In the section on Lust, however, several adjective and participle endings

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<sup>24</sup> Goering and Mantello, "Early Penitential Writings".

assume a female penitent and here I have translated as ‘she’; or, where both sexes are clearly implied in the text, I have used ‘they’.

## **Text**

Animetur primo confitens breui cohortacione ut peccata sua humiliter et pure confiteatur omni pudore preposito et timore. Cumque ipse prior dixerit omnia que in memoria habuerit, caute inquirat confessor et diligenter penitentem instruat, ut sic quasi obstetricante manu educatur coluber tortuosus.<sup>25</sup> Et quia sine fide impossibile est placere deo,<sup>26</sup> primo expedit tangere aliquid de fide, uidelicet utrum sciat symbolum et orationem dominicam. Postea si in deum credat, et omnia que sancta ecclesia credit.

Post hec si umquam credidit in aliquo quod sit contra fidem, uidelicet sternutacionibus; in pede et omine; in fato; in fontibus.<sup>27</sup>

Si seipsum<sup>28</sup> uel pueros uel pecora traduxerit per ignem, uel produxit<sup>29</sup> sub terra.

Si se uel alios cum igne signauerit in aliqua egritudine.

Si solem, lunam, stellas adorauerit.

Si sompnia obseruauerit.

Si in coniuracionibus crediderit.

Si dies et horas in agendis suis negociis obseruauerit.

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<sup>25</sup> Cf. Job 26,13.

<sup>26</sup> Cf. Hebrews 11,5. Cf. *DMC* 80.

<sup>27</sup> in fontibus] *add.* 2.

<sup>28</sup> Si seipsum] 2 Si in fontibus seipsum 1.

<sup>29</sup> produxit] 2 si 1.

Item si sal uel herbas coniuratas aut cartulas circa collum uel super se portauerit, preter symbolum et orationem dominicam uel aliqua de sacra scriptura.

Si sortilegas consuluit uel ad ipsas misit, uel munera dedit talibus ut per<sup>30</sup> ipsarum sortilegia melioraretur in aliquo uel grauaretur.

Si odium uel inimicicias inter aliquos iactauerit uel iactari procurauerit, uel unquam aliquid in cibo uel potu cuiusquam posuerit ut ipsum uel ipsam ad amorem illicitum alliceret, uel os suum cum aliqua re unxerit quando debuit quemquam osculari.

Item si dies qui dicuntur egipciaci scilicet ‘dismal’<sup>31</sup> obseruauerit, uel dona dederit uel ab aliis pecierit in kalendis ianuarii quasi in principio boni anni.

Si circa aratra ignem uel incensum portauerit.

Si crediderit aliquam rem infirmari uel deteriorari propter loquelam scilicet ‘forspekem,’<sup>32</sup> uel uisum aliorum scilicet ‘ouersene’.<sup>33</sup>

Si per inspeccionem peluis, ensis, unguium, intestinorum pecudum; reuolucionem psalterii uel alterius libri; uel per sortes quas false<sup>34</sup> apostolorum uocant; uel per aliquam inuocationem demonum ad ignem uel aquam uel alibi; aut per sanguinis effusionem, ut fit in nigromancia; aut per aliquam aliam supersticionem futura que solius dei sunt predicere uel adinuenire laborauerit, uel intenderit<sup>35</sup> per huiusmodi adimplere; uel si auguria uel auspicia que in gestu, uolatu et cantu<sup>36</sup> auium considerantur obseruauerit.

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<sup>30</sup> per] *add.* 2.

<sup>31</sup> scilicet dismal] *add.* 2.

<sup>32</sup> scilicet forspekem] *add.* 2.

<sup>33</sup> ouersene] owersem 2.

<sup>34</sup> My emendation; falso 1, 2.

<sup>35</sup> intenderit] 2 intendebat 1.

<sup>36</sup> volatu et cantu] *add.* 2

*De Superbia queratur:*

Si unquam fuerit superbus.

Si contra precepta diuina unquam scienter fecerit et suam uoluntatem diuine preposuerit.<sup>37</sup>

Si mandata ecclesie uel excommunicationes uel exhortaciones contempserit.

Si scienter communicauerit cum excommunicatis uel ipsos in peccatis suis fouerit uel defenderit, uel si ipse propter suam inobedientiam uel contumaciam permisit se excommunicari uel extra ecclesiam poni.

Si decimas uel oblationes debitas contumaciter detinuerit uel libertates ecclesie propter potenciam suam uiolauerit uel emunitatem ecclesie.

Si sollempnitates sanctorum et dies festos ab ecclesia statutos, tam in propria persona quam in seruis et iumentis seruare contempserit.

Item si parentibus suis carnalibus inobediens fuerit.<sup>38</sup>

Si ipsos exasperauerit uel gratis offenderit aut maledixerit aperte uel tacite.

Si in ipsos unquam manus uiolentas iniecerit uel ipsos debito modo non honorauerit.

Item si de diuitiis, honoribus, potentia, scientia, fortitudine, pulcritudine uel parentela, aut aliis donis sibi a deo concessis superbierit, aut se iactauerit de hiis, aut alios propter huiusmodi contempserit.

Si faciem suam fusco colore depinxerit uel pepla sua colorauerit.

Si crines suos crispauerit artificiose.

Si capillos suos subornauerit.

Si pilos superciliarum suorum propter superbiam deposuerit.

Si ad coreas uel alia spectacula propter ostentacionem suam ierit.

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<sup>37</sup> preposuerit] 2 preposuit 1

<sup>38</sup> Cf. *DMC*, 83: 'Si inoboediens parentibus fuerit.'

Si aperturas in uestibus suis gratis dimiserit ut candor cutis sue appareret.

Circa spiritualem superbiam queratur si unquam elemosinas dederit.

Si abstinentiam uel peregrinationem uel huiusmodi opera spiritualia propter ypocrisim uel uanam gloriam fecerit, uel de huiusmodi se iactauerit coram aliis, non propter aliorum edificacionem et dei laudem sed propriam.<sup>39</sup>

Si ab ecclesia uel dei officio se propter pudorem subtraxerit eo quod non habuit pulcra indumenta, uel alios sordide indutos propter eorum paupertatem contempserit et iuxta eos in ecclesia sedere.

Si de uictoria uiciorum se extulerit.

Si alios deriserit uel quod peius est, in usu habuerit.

Si turpia agnomina inposuerit.

Item si bona sibi a deo concessa ex se uel meritis suis uel ultra omnes alios se habere unquam credit, uel de peccatis perpetratis, uel de bonis non habitis se iactauerit.<sup>40</sup>

Si de seipso uel suis meritis presumpserit.

Si nimis singularis in suo sensu fuerit.

Si lesis a se satisfacere contempserit propter suam potenciam uel etiam tumorem cordis.

*De Superbia nascitur Inuidia, circa quam queri potest:*

Si unquam de prosperitate proximi uel rerum suarum doluit.<sup>41</sup>

Si de dampno eius gauisus est.

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<sup>39</sup> See Introduction.

<sup>40</sup> Cf. *DMC*, 82: ‘Si bona quae habuerit unquam sibi attribuerit. Si crediderit sibi a Deo datum, sed tamen pro meritis suis.’

<sup>41</sup> Cf. *DMC*, 83: ‘Si per inuidiam de proximi quacumque felicitate doluerit.’

Si proximo suo unquam<sup>42</sup> detraxerit uel detrahentibus consenserit, uel ipsos libenter audierit.<sup>43</sup>

Si bona proximi sui opera uel dicta minuere apud alios suis oblocucionibus laborauerit uel accusacionibus.

Si bona facta uel dicta proximi in malum interpretatus fuerit uel alienos<sup>44</sup> defectus non ad eorum correccionem recitauerit, uel ipsis recitantibus libenter auditum prebuerit.<sup>45</sup>

Si quemquam odio habuerit.<sup>46</sup>

Si mortem uel infortunium uel dampnum proximo aut rebus suis optauerit, uel per se uel per alios hec maliciose procurauerit.<sup>47</sup>

Si alicui inuidit eo quod superior uel par eius fuerit, uel quia ipsum aliquibus gratiis excesserit.

Si dileccionem aliorum et caritatem turbauerit uel discordias inter aliquos seminauerit.<sup>48</sup>

Si per libellos famosos uel per cantilenas unquam aliquem defamauerit, uel in eius defamacionem talia composuerit uel inuenta aliis ostenderit.<sup>49</sup>

#### *Queratur de Ira:*

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<sup>42</sup> unquam] 2 unquam gauisus est1.

<sup>43</sup> Cf. *DMC*, 83, under *Ira*: ‘Si detraxerit vel detrahentes libenter audierit.’

<sup>44</sup> alienos] 2 alenos 1

<sup>45</sup> prebuerit] 2 prebuit 1

<sup>46</sup> habuerit] 2 habuit 1 Cf. *DMC*, 83, under *Ira*: ‘Si proximum odio habuerit.’

<sup>47</sup> Cf. *DMC* 83, under *Ira*: ‘Si proximi mortem vel damnum desiderauerit. Si operando, consulendo, et suffragando, vel alio consimili illa procurauerit.’

<sup>48</sup> Cf. *DMC* 83: ‘Si discordiae seminator aliquando fuerit.’

<sup>49</sup> Si adulator fuerit uel bilinguis] *add.* 2. This is placed at the end of the treatise in 1.

Si fuerit iracundus.

Si iram in corde diu retinuerit: et loquor de ira que est cum deliberacione et consensu<sup>50</sup>

rationis que dampnabilis est, et non de ea que est sine deliberacione rationis et est uenialis.

Item si quemquam in furore ire sue percusserit uel occiderit (et hoc potest esse v. modus:

odiendo, detrahendo, consulendo malum, nocendo, uictum subtrahendo, quodlibet mortale)<sup>51</sup>

uel aliquod dampnum persone alicuius aut rebus irrogauerit, et maxime persone ecclesiastice.

Si rixatus fuerit cum aliquo.

Si ei obprobria dixerit sibi uel suis que ei in scandalum cesserunt, uel cedere possent.

Si per iram falso iurauerit, uel in uanum per nomen dei uel passionem eius, uel crucem, uel huiusmodi; uel per alios sanctos uel sanctuaria uel fidem suam dederit falso uel frustra.

Si proximo suo maledixerit et precipue sacerdotibus uel personis religiosis uel suis, uel mulier uiro suo, aut contra ipsum proterue et irreuerenter se habuerit.

Si uir uxorem suam per iram iniuste percusserit uel inhoneste tractauerit, et maxime si grauida fuerit uel si per hoc abortum fecerit.

Si per iracundiam unquam deum uel aliquem sanctum blasphemauerit uel contra ipsos notabiliter murmurauerit uel litigauerit.

Si alios ad iram et impacienciam prouocauerit uel ad contenciones.

Si aliquid uouerit per iram deo uel sanctis quod non persoluerit.

*De Accidia queratur:*

Si desidiosus fuerit.

Si ocium amauerit.<sup>52</sup>

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<sup>50</sup> consensu] 2 sensu 1

<sup>51</sup> This list derives from Raymond of Peñafort's *Summa de Casibus Poenitentiae*: see above, note 18.

Si quietem carnis et<sup>53</sup> sompnum nimis amauerit.

Si nimis molliter cubare et diu dormire, maxime in mane quando tempus esset laborandi uel orandi.

Si pauper fuerit queratur ab illo si maluit mendicare libencius quam operari, precipue propter pigriciam.

Si unquam propter hanc causam simulauit se infirmum uel inpotentem.

Si operarius fuerit, utrum aliquem in opere suo unquam defraudauerit, si cementarius, si carpentarius et huiusmodi fuerit.

Si operarius agrarius, utrum terram domini sui male excoluerit aut seminauerit.

Si segetem male messuerit uel triturauerit.

Si iumenta domini sui propter suam negligenciam deteriorauerit, mala pabula ministrando, purgando et huiusmodi.

Si negligenter in absentia superiorum suorum operatus fuerit et tepide.

Item si accidiosus fuerit in seruicio dei omittendo horas et missas temporibus debitis, uel tarde ad eas ueniendo.

Si in officio dei et orationibus suis uagus fuerit corde et indeuotus, aut tunc cura terrena intentus.

Si inuite ad sermones uenerit, aut ibi sompnolentus aut garrulus uel negligens auditor fuerit.

Si lapsus in peccato tardiauerit conuerti ad dominum et confiteri, et aliis malum exemplum prebuerit<sup>54</sup> sua mora uel peccandi audaciam.

Si penitentiam sibi iniunctam neglexerit omnino uel in parte.

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<sup>52</sup> Cf. *DMC*, 84: 'Si otium amaverit cum effectu.'

<sup>53</sup> et] 2 si 1

<sup>54</sup> prebuerit] 2 prebuit 1

Si unquam scienter in mortali existens ministraverit uel celebrauerit aut corpus Christi recepit,<sup>55</sup> uel finxit se confessum in quadragesima quando non fuit confessus, et sic transierit annum comedendo carnes et huiusmodi.

Si unquam propter amorem alicuius peccati in quo fuit, abstinerit<sup>56</sup> se a perceptione corporis Christi tempore debito.

Si subditos suos non instruxerit debito modo, uel filios suos carnales aut spirituales non corripuerit sicut debuit.

Si tempus sibi a deo concessum infructuose expenderit, et precipue si diebus festiuis bene et in seruicio dei se non occupauerit uel lusibus noxiis aut potacionibus superfluis et huiusmodi uacauerit, ut faciunt qui ad coreas uadunt et ad taxillos et aleas et huiusmodi ludunt. Et possunt eis exponi multiplicia peccata que ex huiusmodi lusibus proueniunt, et quoad seipsos et quoad alios circumstantes et intendentes talibus.

*De Avaricia queri potest a confitente:*

Si cupidus fuerit.

Si unquam amorem creature terrene amori dei preposuerit<sup>57</sup> quod patet per hoc, si unquam aliquod de preceptis decalogi scienter transgressus fuerit ut sic temporalia acquireret.

Si unquam aliquem exheredauerit iniuste.<sup>58</sup>

Si pecuniam alicuius rapuerit (et precipue ecclesie) uel furto subtraxerit; et si filii a parentibus, serui a dominis, ancille a dominabus suis, credentes hoc non esse peccatum.

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<sup>55</sup> Cf. *DMC*, 86, 'Si existens in mortali peccato communicauerit, uel si sacerdos confecerit, uel si minister in altari ministrauerit.'

<sup>56</sup> abstinerit] 2 abstinuit 1

<sup>57</sup> preposuerit] 2 preposuit 1

<sup>58</sup> iniuste] 2 om. 1

Si dominus subditos suos spoliauerit iniuste uel ad placita citauerit et iniustis tallagiis, exactionibus, forefactis, cauillationibus uexauerit.

Si pacta inter ipsum et subditos suos ac conuenciones eis non obseruauerit, uel amplius ab eis exegerit ipsis inuitis.

Si mercennariis suis mercedem non persoluerit.

Item si subditi a dominis suis firmas uel debita obsequia, uel multuram uel pannagium et huiusmodi occulte subtraxerint uel fraudulenter negauerint.

Item si uicinus terram uicini uel domini uicinam terre sue sibi attraxerit, uel terram uicini sui combinati male arauerit, uel iumenta eius auare oppresserit laboribus et suis propriis pepercerit.

Si segetes aliorum suis iumentis depauerit, et quod dampnum inde contigerit.

Si oua, acus, cultellos et huiusmodi in iuuentute sua furari consueuerit.

Si scienter<sup>59</sup> rem furtiuam causa sui commodi emerit uel domo admiserit.

Si prata depauerit aliorum et dampnum negauit.

Si ecclesia eum<sup>60</sup> propter huiusmodi dampna excommunicauerit.

Si ortos aliorum furtiue intrauerit uel sepes eorum diripuerit et quod dampnum exinde contigerit.

Si cum furibus aut raptoribus ierit ad scelus suum perpetrandum uel si eis consilium, auxilium uel fauorem inpenderit.

Si ipsos ad hoc instigauerit, uel magister eorum extiterit, uel socius fuerit, uel si ipsos in domo uel protectione receperit, uel alimoniam eis ministrauerit, aut ipsos occultauerit; et quot dampna et quibus personis uel locis illa intulerunt.

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<sup>59</sup> scienter] *add.* 2

<sup>60</sup> My emendation; *om.* 1 and 2.

Si aliquis in perpetracione horum dampnorum occisus fuerit, uel uulneratus aut ligatus, aut domus alicuius confracta, aut persona alicuius lesa.<sup>61</sup>

Si rem inuentam celauerit et non propalauerit sicut debuit.<sup>62</sup>

De negociatoribus: Si usuras unquam exegerit uel receperit, aut aliquod munus uel obsequium propter mutuuum, uel propter spem talium proximo suo mutuauerit.<sup>63</sup>

Si re inignorata usus fuerit uel rem locatam ultra terminum detinuerit, ut equum, bouem et huiusmodi, uel illos multum deteriorauerit<sup>64</sup> uel eis alimenta non tribuerit.

Si in negociacione fraudem fecerit.<sup>65</sup>

Si rem uiciosam pro bona uendiderit et uicium occultauerit menciendo uel periurando.

Si minoribus mensuris uel ponderibus usus fuerit uendendo aliis, et maioribus in sua empcione; uel si iusta pondera et iustas mensuras habuerit et tamen ille male mensurauerit uel ponderauit; uel si dolose procurauerit quod res ponderosior fieret quando ponderari debuit, ut faciunt illi qui lanam uendunt.<sup>66</sup>

Si pannos<sup>67</sup> a tineis comestos consuierit et uicium palliauerit aut obscuritatem in uendicione fecerit, ut res melior appareret et uicium occultaretur.

Si carius pro termino uendiderit, aut uilius pre manibus emerit.

Si animalia ferrea aliis locauerit, ut uaccas, oues et huiusmodi.

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<sup>61</sup> See Introduction.

<sup>62</sup> Cf. *DMC*, 84: 'Si quid inventum celauerit vel in usus proprios converterit.'

<sup>63</sup> mutuauerit] 2 mutauerit 1

<sup>64</sup> deteriorauerit] 2 deteriorauit 1

<sup>65</sup> fecerit] 2 aliquam 1

<sup>66</sup> See Introduction.

<sup>67</sup> pannos] 2 pannis 1

Si aliquid fraudis apposuerit in blado, farina, braseo et huiusmodi, uel aliud emptori uendiderit uel persoluerit quam primo ostenderat.

A dominis et patronis: Si aliquod beneficium symoniace contulerit, uel personis indignis propter consanguinitatem uel fauorem uel similem causam.

Si ius patronatus uiolenter uel fraudulenter sibi usurpauerit, uel contra constitutionem ecclesie alicui uendiderit.

Si ecclesiam conferre ultra terminum debitum distulerit uel in manu sua tenuerit, ut sic interim fructus et prouentus exinde prouenientes habere possit.

Si quemquam uiolenter in beneficium ecclesiasticum intruserit, aut seipsum.

A beneficiatis: Si est beneficiatus, qua intencione beneficium recepit, uidelicet utrum propter cupiditatem uel caritatem.

Si prece carnali uel precio, uel propter inhonestum obsequium, uel propter honestum tamen condicione apposita, uel per aliquam speciem symonie ingressum habuerit.

Si plura habeat beneficia, maxime sine necessitate et utilitate et dispensacione sedis apostolice.

Si forte pater illius immediate illam ecclesiam tenuerit uel si iste in illa uicarius fuerit, quod non licet sine dispensacione.

Si de manu laici sine consensu episcopi ecclesiam receperit.

Qualiter subditos suos rexit: Si ipsos debito modo instruxit, predicacionibus, exhortacionibus et confessionibus et aliis modis, ut debuit.

Si peccantes rebelles corripuit ut debuit uel non.

Si iniustas exacciones uel abusiones in decimas prediales uel personales exigendo aut aliqua huiusmodi fecerit uel adinuenerit propter cupiditatem, uel iura ecclesiastica propter huiusmodi negauerit parochianis suis, uel aliquod pro sepultura, exequiis aut nupciis uel huiusmodi ad que tenetur ex officio et debito extorserit.

Si aliquem de suis parochianis sine penitentia et uiatico uel extrema unccione per suam negligenciam unquam mori contigerit, uel infirmatos inuite uisitauerit.

Si bona ecclesiastica sibi auare retinuerit; uel si per ea superflue expenderit in propriis usibus, deliciis, ornamentis, aut familia superflua uel inordinata; uel si ea in diuitibus et potentibus propter pompam seculi aut uanam gloriam, immo propter caritatem nutriendam et excitandam (et hoc moderate) expenderit; uel aliqua histrionibus, focariis aut huiusmodi inhonestis personis propter uanam gloriam, aut aliquam turpem causam et non solum causa elemosine (et hoc in necessitate) dederit.

Si consanguineos suos de bonis ecclesie ditauerit et maxime indignos.

Si residenciam in sua parochia fecerit.

Si pauperibus et maxime in sua parochia commorantibus de bonis ecclesie subuenit prout debuit et potuit uel non.

Si aliquis propter penuriam et defectum sui mortuus fuerit cum posset subuenire.<sup>68</sup>

Item si caste uixerit, si sobrie, si modeste et ordinate quoad se et quoad familiam suam.

Si clericus: Si ordines suscepit uidelicet a proprio episcopo uel ab alio de eius licencia speciali.

Si legitimus, si legitime etatis, si temporibus ab ecclesia constitutis, si scienter ab aliquo symoniaci uel excommunicato uel suspenso.

Si quattuor minores ordines et unum sacrum uno die uel duos sacros eodem die suscepit, uel aliquem ordinem pretermiserit, uel in ordine non suscepto, uel omnino non ordinatus ministrauerit.

Si per falsos testes uel per falsum titulum uel presentationem falsam, uel non examinatus uel contra prohibitionem et sine consciencia episcopi uel examinatorum suorum ordinem

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<sup>68</sup> Si aliquis...subuenire] *add.* 2

receperit, uel collateralibus episcopi, uel hostiario, uel scriptori, aut aliis huiusmodi personis aliquid dederit uel promiserit ut sic furtiue posset admitti ad ordines.

Si in aliqua excommunicatione uel suspensione uel mortali peccato ordinatus fuerit, uel diuina celebrauerit, uel in loco interdicto.

Si unquam uinum uel aqua defuit in missa quam ipse celebrauit uel<sup>69</sup> in qua ipse minister fuerit; uel etiam uestimenta necessaria, ut palle uel lumen; uel si in altari non consecrato uel altari cuius mensa post conseccionem a stipite mota fuit antequam rectum esset consecratum; uel cum hostiis corruptis uel uino putrido celebrauerit.

Si hostias consecratas nimis diu in pixide retinuerit uel permiserit<sup>70</sup> donec species panis esset corruptus; uel a uermibus eas permisit sua negligencia comedi uel in terram cadere, uel aliter inhoneste eucaristiam tractauerit.

Si duas missas in uno die nisi in casu concesso et propter necessitatem celebrauerit.

Si rinzuram prime misse antequam secundam celebrauerit assumpserit.

Si stilla sanguinis negligencia sua super pallas ceciderit.

Si libros, uestimenta et cetera ornamenta necessaria habuerit in ecclesia sua, uel si aliqua de hiis alienauerit ab ecclesia, uel etiam ceram, candelas, aut pannos crismales, uel si crisma uel corpus dominicum negligenter custodierit, uel aliquid de huiusmodi personis indignis prece uel precio aut fauore<sup>71</sup> contulerit.

Item si ministrum honestum et ordinatum in ecclesia sua habuerit sicut decuit, uel si aque benedictae beneficium alicui indigno propter huiusmodi ministerium contulerit, ut auaricie sue parceret.

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<sup>69</sup> in loco interdicto...celebrauit uel] *add.* 2

<sup>70</sup> permiserit] 2 permisit 1

<sup>71</sup> fauore] 2 fauare 1

Item si executor alicuius defuncti extiterit et testamentum fideliter non sit prosecutus; et si bona legata non distribuerit<sup>72</sup> prout uidebatur sibi utile et anime defuncti expedire; uel si de bonis defunctorum sine ipsorum uoluntate aliquid sibi usurpauerit, uel testamentum legitime factum unquam impedierit.

Item si iudex fuerit: Si unquam falsam sententiam tulit scienter uel propter cupiditatem, amorem, timorem, aut odium, aut aliquam aliam causam, uel si pecuniam accepit ut uel bene, uel male iudicaret.

Si unquam iudicium uerum distulit, uel sententiam iustam ferre propter pecuniam, amorem, timorem, odium, in dispendium aliquorum; uel per cauillationes suas ueritatem suppeditauit, uel aliquem innocentem iudicio condempnauit; uel reum absoluit; uel aliquam legem iniustam statuit, uel secundum leges iniustas patrie immo corruptelas iudicauit, uel eas obseruari fecerit in dispendium alicuius; et maxime contra libertatem ecclesie.

Item iudex ordinarius pecuniam quam pro merciamentiis recepit in usus proprios expendit.

Si peccata aliquorum propter dona uel amorem dissimulauerit, et maxime in scandalum uel exemplum aliorum.

Item si testis unquam fuerit queri potest si unquam falsum testimonium in aliqua causa prebuit<sup>73</sup> et in quali.

Si unquam ueritatem substituit uel falsitatem ampliauit in dispendium uel infamiam alicuius.

Si amore, odio uel timore se subtraxit maliciose quando debuit uerum<sup>74</sup> testimonium perhibere.

Si unquam pecuniam accepit pro testimonio ab aliquo preter expensas suas.

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<sup>72</sup> distribuerit] 2 destrubuit 1

<sup>73</sup> prebuit] my emendation; prohibuit 1 *om.* 2

<sup>74</sup> uerum] my emendation; ueritatem 1, 2

Item ab officialibus: Si unquam induxit iudicem ad ferendam aliquam sententiam iniquam; uel quemquam iniuste accusauit uel citauit; uel pecuniam aut bonam famam perdere fecit, aut aliter iniuste dampnificauit.

Si pecuniam ab aliquibus per uim uel improbitatem suam extorserit, uel ut ipsos in quiete sineret, uel non grauaret iniuste.

Ab assessoribus, consiliariis et huiusmodi queri potest si unquam per illorum falsam suggestionem uel ignoranciam uel impericiam aliquis dampnificatus fuit.

Circa aduocatos queri potest si postquam fuit presbiter, decanus, archidiaconus,<sup>75</sup> uel regularis, aut postquam personatum habuerit leges seculares audierit uel phisicam.

Item si aliquam causam iniustam scienter assumpsit uel si primo ignoranter, postea cognouit eam esse iniustam non dimisit eam.

Si unquam falsa instrumenta uel falsos testes aut corruptos produxit, aut litteras falsificauit (et maxime pape) uel sigilla aliquorum uel cartas, aut falsas leges uel alias iuris uel facti probationes induxit.

Si dilaciones non necessarias in grauamen partium quesierit.

Si clientulum suum in quantum iusticia permisit fideliter non iuuit.

Si postquam infra sacros ordines fuit, aduocauit nisi propria causa, pro coniunctis sibi, aut miserabilibus personis propter pecuniam coram iudice seculari.

Item si moderatum salarium accepit secundum quantitatem cause et laborem aduocacionis.

Si miserabilibus personis de sciencia sua non subuenit.

A phisicis et medicis queri potest utrum intromiserunt unquam se de arte illa nisi essent eruditi et experti.

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<sup>75</sup> archidiaconus] my emendation; archidecanus 1 *om.* 2.

Si pecuniam alicuius acceperit et non apposuit diligenciam quam debuit in curacionem infirmi.

Si medicinam infirmo apposuit antequam esset confessus.

Si curam distulit ut maiorem pecuniam ab infirmo extorqueret, et maxime si fuerit infra sacros uel aliter sufficienter beneficiatus; uel aliquem mori<sup>76</sup> permisit per suam negligenciam uel propter suam auariciam.

Item a clericis potest queri communiter propter quem finem adiscunt, uidelicet utrum propter cupiditatem, ut ditentur et promoueantur, aut propter curiositatem et uanam gloriam, aut propter caritatem, scilicet ut deo seruiant et proximos edificent.

Si magistri sint utrum aliquod predictorum doceant.

Si aliquid pro licencia docendi dederint.

Si scolares suos negligenter instruxerint, uel exennia aut alia munuscula ab eis receperint ut eis dies festos concederint, aut aliis lusibus et ocio uacare et per consequens tempus iuuentutis sue amittere.

*De uicio Gule queri potest:*

Si nimis delicatos cibos uel potus quesierit et sumptuosos.

Si cibum uel potum superflue, ardentem et gulose sumpserit.

Si unquam ebrius fuit uel ad hoc consuetus.

Si propter crapulam uel ebrietatem uomuit et quociens, et maxime si hoc ei contigit cito postquam Christi corpus receperat.

Si seipsum uel alios ad bibendum superflue coegerit uel gratis inebriauerit, et aliquod aliud peccatum exinde eisdem contigerit.

Si carnem scienter tempore indebito et sine magna necessitate comederit.

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<sup>76</sup> mori] *add.* 2

Si ieiunia sibi iniuncta uel ab ecclesia statuta sine necessitate fregerit, uel alios ad hoc induxerit.

Si horam comedendi sine causa rationabili preuenerit.

Si diebus dominicis et aliis precipuis festis comederit antequam diuinum officium audierit.

Si species uel electuaria diebus ieiuniorum consueuit comedere, solum propter uoluptatem uel tedium ieiunii sic auferret et non propter causam medicinalem etc, prout continetur in uersu:

*Prepropere, laute, nimis ardentem, studiose.*<sup>77</sup>

*De peccato luxurie caute querendum est et secundum condiciones personarum.*

Si uirgo sit uel corrupta queri potest.

Si dicat se uirginem queri potest utrum temptata fuerit a diabolo, uel a carne propria, uel per aliam personam ad huiusmodi peccata stimulata.

Si dicat quod sic, queri potest qualiter restitit.

Si dilectationem morosam, uel intensam, uel si unquam consensum habuit, uel uoluntatem perpetrandi opus si facultas permisisset.

Si propter pudorem, uel timorem prolis,<sup>78</sup> uel parentum, uel consimilem causam omiserit opus perpetrare cum uiro, uel uir cum muliere, magis propter offensam dei.

Si aliqua pollucio in tali uoluptate de carne sua exierit, uel subsecuta fuerit, uel si aliquo modo temptabat per se illam libidinosam uoluptatem explere.

Si de hoc peccato sompniauerit et si aliquam delectationem in tali sompno habuerit, uel aliqua pollucio sibi exinde contigerit.

Si coniugatus uel coniugata queritur si aliquod impedimentum inter se et comparem sciat.

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<sup>77</sup> This verse is quoted in several early thirteenth-century guides to confession, including Thomas of Chobham, *Summa Confessorum*, 406.

<sup>78</sup> prolis] my emendation; prole 1 om. 2

Si fidem thori seruauerit.

Si ante matrimonium esset celebratum secundum statuta ecclesie carnaliter conuenerunt.

Si in puerperio ante purificationem.

Si debitum exigerit locis et temporibus sacris.<sup>79</sup>

Si unquam conuenerunt solummodo propter explecionem sue libidinis, et non causa proliis suscipiende uel fornicacionis uitande aut reddendi debitum.

Si quando mulier asserebat se infirmam uel si mulier naturalem infirmitatem propter uoluptatem simulauit.

Si quando grauida fuit mulier et uicina partui conuenerunt, et maxime si aliquod dampnum contigit exinde, aut proli aut ipsi mulieri.

Item si unquam abortiuit et ob quam causam uel cuius uicio hoc contigit.

Si unquam paruulum natum permisit mori sine baptismo per suam negligenciam, uel etiam baptizatum mori in infantia sua aut per suam incuriam uel maliciam, uel per negligenciam sine confirmacione.<sup>80</sup>

Si unquam alienum sibi partum ascripserit; et si dicat quod sic, profundius queratur qualiter et ob quam causam.

Item communiter queri potest a corruptis, siue uiris siue mulieribus, cum quot peccauerit. Et nitatur confessor quod penitens exprimat numerum, quia ualde negligentes sunt confitentes sepe in hoc, et hoc diligenter penitens scrutetur per nomina personarum cum quibus peccauit et per loca in quibus conuersatus est. Item quot coniugate, quot uidue, quot uirgines, quot meretrices, quot simpliciter corrupte.

Si aliqua uel aliquis fuerit persona religiosa, et quot, de qua professione, sine expressione nominis persone.

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<sup>79</sup> exigerit...sacris] 2 temporibus sacris aut exigerit 1

<sup>80</sup> uel...confirmacione] 2 om. 1

Si aliqua consanguinitas uel affinitas fuerit inter aliquas personas istas, uel ipsius confitentis ad ipsas.

Si unquam aliter conuenerint ad illud opus perpetrandum nisi modo naturali et debito; et hoc caute exquiratur, quia communiter in hoc delinquitur.

Si generacionem unquam uitauit.

Si unquam aliquam uel aliquem luxuriose osculatus fuerit aut alibi nisi super os, et si linguam suam in ore alicuius luxuriose posuerit, uel in suo poni permisit.

Si aliquem turpe et inhoneste palpauerit, uel discooperauerit sicut in fatuis lusibus faciunt; uel se palpari gratis permisit ab aliquo uel a seipso, forte in puericia, uel postquam ad discrecionem uenerit.

Si unquam tale peccatum fieri permisit in domo uel protectione.

Si unquam nuncius inter aliquas personas huiusmodi peccatum exercentes fuerit; uel alios nuncios inter se et personas illas cum quibus peccauit misit; uel aliquas personas ad hoc sollicitauit, uel peccantibus consensit.

Item si unquam illam miseram uoluptatem uigilando expleuit nisi naturaliter sicut uir debuit cum muliere aut mulier cum uiro.

Item si in puericia inhoneste luserint pueri uel puelle adinuicem et quid egerint, et qualem uoluntatem habuerint, uel si aliquam uoluptatem in hiis lusibus senserint.

Item si curam habuerit animarum utpote si sit sacerdos uel rector ecclesie queri potest si unquam de ouibus suis uiolauerit, uel aliquam sollicitauerit ad hoc; et maxime quando uenit ad confessionem, uel in loco sacro, uel aliquam quam baptizauerit uel cuius confessionem audierat.

Item de hoc uicio et ceteris supradictis poterit confessor uel profundius uel minus adquirere, prout uiderit condicionibus personarum expedire. Et diligenter inquirat de mora facta in peccato, et si per factum suum audaciam aliis peccandi tribuit.

Item quamuis superius tactum sit in parte de peccato luxurie, queri tamen potest a confitente si uaniloquio, si ociosis uerbis assuetus, uel si turpia uerba et scurrilia proferre, uel libenter audire consueuerat.

Si mentiri et quo genere mendaciorum.

Si periurare per nomen dei et sanctorum et similia iuramenta consueuit false<sup>81</sup> uel in uanum.

Si unquam aliquem ad periurium excitauerit uel compulerit.

Si alios deriserit.

Si contra deum et sanctos murmurauerit propter infirmitatem uel dampnum aliquod, uel grauamen, uel paupertatem, uel amissionem pecunie uel amicorum.

Si pauper murmurauerit contra nolentes ipsum iuuare, uel eis maledixerit.

Si aliquid uouerit quod non persoluerit.

Si alicui detraxerit et qualiter.

Si mala que de aliis audiuit libenter publicauerit uel ampliauerit, uel per seipsum talia inuenerit.

Si adulator fuerit uel bilinguis, aut seminator discordie aut rumores libenter narrauerit uel audierit et cetera huiusmodi prout discrecio confessoris uiderit expedire.

## **Translation**

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<sup>81</sup> false]my emendation; falso 1 *om.* 2

First the person confessing should be encouraged with a short exhortation to confess his sins humbly and purely, showing all due shame and fear. When he himself has first said everything he remembers, the confessor should ask cautiously and instruct the penitent diligently, so that as it were the twisted serpent is brought forth by the midwife's hand. And because without faith it is impossible to please God, it is useful first to touch on something concerning faith, that is, whether he knows the Creed and the Lord's Prayer. Afterwards if he believes in God and in everything Holy Church believes.

After this if he has ever believed in something that is against the faith, that is, in sneezes; in a foot<sup>82</sup> and an omen; in fate; in springs.

If he has ever passed himself or children or animals through a fire or drawn them under the earth.

If he has ever signed himself or others with fire during some illness.

If he has worshipped the sun, moon, stars.

If he has observed dreams.

If he has believed in conjurations.

If he has observed days and hours in going about his business.

If he has worn salt or conjured herbs or small pieces of parchment around his neck or on his person, other than the Creed and the Lord's Prayer or something from Holy Scripture.

If he has consulted sorceresses or sent to them, or given gifts to such people so that by their sorceries he will be improved or worsened in some matter.

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<sup>82</sup> Perhaps a reference to the belief described by earlier penitentials that it was auspicious to set one foot on the ground in the morning rather than the other, or to start a journey with the right foot rather than the left: see Bernadette Filotas, *Pagan Survivals, Superstitions and Popular Cultures in Early Medieval Pastoral Literature* (Toronto: Pontifical Institute of Mediaeval Studies, 2005), 170.

If he has cast hatred or enmities between some people, or arranged for them to be cast, or ever put something in a person's food or drink in order to bind him or her to illicit love, or anointed his mouth with something when he went to kiss someone.

If he has observed the days that are called 'Egyptian', that is, 'dismal', or given gifts or sought them from others on the kalends of January, as if for the start of a good year.

If he has carried fire or incense around ploughs.

If he has believed that something is made sick or worsened by other people's speech, that is 'forspekem', or sight, that is, 'ouersene'.

If by inspecting a basin, a sword, fingernails, sheep's intestines; by the turning of the Psalter or another book; or by the lots that are falsely called 'apostolic'; or by some invocation of demons to fire or water or anywhere else; or by a flowing of blood, as is done in necromancy; or by some other superstition he has tried to predict or find out future things which belong to God alone, or sought to bring them about by these methods; or if he has observed auguries or auspices which are examined in the action, flight and song of birds.

*Concerning Pride he may be asked:*

If he has ever been proud.

If he has ever knowingly acted against the divine commandments and put his own will before the divine will.

If he has despised the commands of the church, or excommunications or exhortations.

If he has knowingly associated with excommunicates or encouraged them or defended them in their sins, or if he has allowed himself to be excommunicated or put outside the church for his disobedience or contumacy.

If he has contumaciously kept back the tithes or offerings he owes or violated the liberties of the church or the immunity of the church because of his own power.

If he has disdained to keep the saints' holidays and feast days laid down by the church, either in his own person or through his servants and animals.

If he has been disobedient to his natural parents.

If he has provoked them or offended them for no reason or cursed them, openly or tacitly.

If he has ever laid violent hands on them or not honoured them in the way he should.

If he has been proud of his riches, honours, power, knowledge, strength, beauty or parentage, or other gifts given to him by God, or has boasted about these things or despised others because of things like this.

If he has painted his face with a dark colour or coloured his robes [or: veils].

If he has curled his hair artificially.

If he has adorned his hair.

If he has removed the hair of his eyebrows on account of pride.

If he has gone to dances or other performances in order to show himself off.

If he has made unnecessary openings in his clothes so that the whiteness of his skin will be visible.

About spiritual pride he may be asked if he has ever given alms.

If he has performed an abstinence or pilgrimage or spiritual works of this kind out of hypocrisy or vainglory, or has boasted about this kind of thing in front of others, not to edify others and praise God, but to praise himself.

If he has ever withdrawn from church or the divine office out of shame because he did not have beautiful clothes, or has despised others who were shabbily dressed because of their poverty, and [disdained to] sit beside them in church.

If he has been proud about the victory of the vices.

If he has mocked others or, what is worse, made a habit of it.

If he has given them filthy names.

If he has ever believed that good things were given to him by God on account of himself or his own merits or that he has them above all others, or has boasted about sins he has committed or good qualities he does not possess.

If he has taken himself or his own merits for granted.

If he has been too intent on his own opinion.

If he has disdained to give satisfaction to those he has harmed, because of his power or even because of an emotion [tumor] in the heart.

*From Pride is born Envy, about which he can be asked:*

If he has ever grieved at a neighbour's good fortune or his possessions.

If he has been glad about his loss.

If he has ever disparaged his neighbour or agreed with those who were disparaging him, or listened to them willingly.

If he has tried to diminish his neighbour's good deeds or words in front of others by making his own speeches or accusations.

If he has put a bad interpretation on good things done or said by his neighbour, or recounted his other defects not in order to correct them, or willingly paid attention to those who were recounting them.

If he has hated someone.

If he has desired death or misfortune or harm for his neighbour or his [neighbour's] possessions, or has maliciously arranged this either himself or through others.

If he has envied someone because they were better than or equal to him or because they exceeded him in some good qualities.

If he has disturbed the love or goodwill between others or sown discord between some people.

If he has ever defamed someone by defamatory libels or songs, or composed such things to defame him or shown the ones he has found to others.

*He may be asked about Anger:*

If he has been angry.

If he has held anger in his heart for a long time: and I am talking about anger which exists with the deliberation and consent of the reason, which is a mortal sin, and not about that [anger] which exists without the deliberation of the reason and is venial.

If he has hit or killed someone in the frenzy of his anger (and this can happen in five ways: by hating, disparaging, giving bad advice, harming, taking away their means of living; each one of these is a mortal sin); or brought about any damage to someone's person or possessions, and especially ecclesiastical persons.

If he has quarrelled with someone.

If he has said abusive things to that person about himself or his people which resulted in a scandal for them or could have done so.

If out of anger he has sworn falsely or frivolously by the name of God or His passion or the cross or similar things; or by other saints or shrines; or has given his oath falsely or without cause.

If he has cursed his neighbour, and particularly priests or religious persons; or their people; or a woman [has cursed] her husband or has behaved towards him impudently and irreverently.

If a man has hit his wife unjustly out of anger or treated her dishonourably, and especially if she was pregnant or if because of this she miscarried.

If out of anger he has ever blasphemed against God or some saint, or murmured markedly against them or quarrelled with them

If he has provoked others to anger and impatience or to disputes.

If he has vowed anything to God or the saints in anger which he has not carried out.

*About Sloth he may be asked:*

If he has been lazy.

If he has loved leisure.

If he has loved physical rest and sleep excessively.

If he [loves to] have a bed which is too comfortable and sleep for a long time, especially in the morning when it is time to work or pray.

If he is poor it may be asked of him if he prefers to beg more readily than to work, especially out of indolence.

If for this reason he has ever pretended to be ill or weak.

If he is a labourer, whether he has ever defrauded someone in his work, if he is a mason, carpenter and someone of this sort.

If he is a farm labourer, whether he has cultivated or sown his lord's land badly.

If he has reaped or threshed a field badly.

If he has harmed his lord's animals by his negligence, by giving them bad fodder, purging them, and things of this kind.

If in the absence of his superiors he has worked negligently and unenthusiastically.

If he has been slothful in the service of God, missing the canonical hours and masses at the appropriate times or coming to them late.

If during the mass and his prayers he has been wandering or undevout in heart, or intent on an earthly care at that time.

If he has been unwilling to come to sermons or has been sleepy or gossiped there, or neglected to listen.

If after lapsing into sin, he has delayed converting to the Lord and confessing, and by his delay or his boldness in sinning set others a bad example.

If he has neglected to do the penance given to him, wholly or in part.

If, while knowing he was in a state of mortal sin, he has ever assisted at or celebrated mass, or received the body of Christ; or pretended he had confessed in Lent when he had not confessed, and so has gone through the year eating meats and so on.

If he has ever, out of love for some sin that he was committing, abstained from receiving the body of Christ at the appropriate time.

If he has not instructed his subordinates as he should, or has not corrected his natural or spiritual children as he should.

If he has spent the time given to him by God fruitlessly, and especially if he has not spent feast days well and in the service of God, or if he has wasted time on noxious games or too much drinking and similar things, as those people do who go to dances and play dice and dice games and similar things. And to them can be explained the many sins which arise from games of this sort, both as regards themselves and as regards others who stand around and pay attention to such things.

*Concerning Avarice he can ask the penitent:*

If he has been greedy.

If he has ever put the love of an earthly creature above the love of God, which is shown by this: if he has ever knowingly transgressed against one of the ten commandments so that he could acquire temporal things in this way.

If he has ever disinherited someone unjustly.

If he has seized someone's money (and especially the Church's) or taken it by theft; and if children [have stolen from] their parents, servants from their lords, servant girls from their ladies, believing this is not a sin.

If a lord has despoiled his subordinates unjustly or summoned them to court and harassed them with unjust taxes, exactions, forfeits, frivolous lawsuits.

If he has not observed agreements between himself and his subordinates and pacts between them, or demanded more from them when they were unwilling.

If he does not pay his hired servants their wages.

If subordinates have secretly withheld rents or services that they owe, or a fine or pannage<sup>83</sup> and things of this kind from their lords, or fraudulently denied them.

If a neighbour has incorporated into his own land the land next to his which belongs to a neighbour or his lord, or ploughed his neighbour's land which is joined to his badly, or greedily oppressed his [neighbour's] animals with work and spared his own.

If his animals have trampled other people's fields, and what damage resulted from this.

If in his youth he used to steal eggs, needles, knives, and similar things.

If he has knowingly bought a stolen item for his own advantage or let it into the house.

If he has eaten down [the grass on] other people's meadows and denied the damage.

If the church has excommunicated him because of damages of this kind.

If he has stealthily entered other people's gardens or plundered their fields, and what damage resulted from this.

If he went with thieves or robbers to commit their crime or if he offered them advice, help or favour.

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<sup>83</sup> Payment for the right to pasture pigs

If he instigated them to do this or was their leader or friend, or if he received them into his home or protection, or supplied them with food or hid them; and how much damage these actions brought, and to which persons or places.

If anyone was killed when these damages were committed, or wounded or tied up, or anyone's house was smashed or anyone's body was harmed.

If he has hidden anything that he found and not made it public as he should have.

Concerning merchants: If he has ever demanded or received usurious money or any gift or service in exchange for a loan, or made a loan to his neighbour in the hope of such things.

If he has made use of something given to him as a pledge, or kept back something that he hired after the time agreed, such as a horse, ox and similar things, or worsened their condition much or not given them food.

If he has committed fraud in business.

If he has sold a defective item as a good one and hidden a defect by lying or perjury.

If he has used smaller measures or weights when selling to others, and larger ones when buying for himself; or if he had fair weights and measures and yet measured or weighed badly; or if he arranged deceitfully that something would be heavier when it was due to be weighed, as people who sell wool do.

If he has sewn together garments eaten by moths and covered up the defect or made the sale in the dark, so that the thing would appear better and the defect would be hidden.

If he has sold things for a higher price on credit<sup>84</sup> or bought things for a lower price for cash.<sup>85</sup>

If he has hired out unyielding animals to others, such as cows, sheep and similar things.

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<sup>84</sup> Or: 'in advance'.

<sup>85</sup> Or: 'now'.

If he has put anything fraudulent in corn, flour, malt and similar things, or sold or paid to a buyer something other than what he first showed him.

To lords and patrons: If he has given a benefice simoniacally or [given it] to unworthy persons on account of a blood relationship or favour or a similar cause.

If he has violently or fraudulently usurped for himself the right to be a patron, or sold it to someone against the decree of the Church.

If he has delayed granting a church [to someone] after the time he should or held it in his own hand, so that he could have the fruits and produce coming from it in the meantime.

If he has ever forced anyone, or himself, into an ecclesiastical benefice with violence.

To those who have benefices: If he has a benefice, with what intention did he receive the benefice: that is, whether it was because of greed or charity.

If he gained entry through worldly intercession or for a price, or by a dishonest service, or by an honest one yet with a condition applied, or through some kind of simony.

If he has many benefices, especially [if this is] without necessity and usefulness and [without] a papal dispensation.

If perhaps his father held that church immediately beforehand or if he was vicar there, which is not permitted without a dispensation.

If he received the church from the hand of a layman without the consent of the bishop.

How he rules his subordinates: if he has instructed them in the way he should, by sermons, exhortations and confessions, and in other ways as he should.

If he corrects rebellious sinners as he should, or not.

If out of greed he has made or invented unjust exactions or abuses by demanding predial<sup>86</sup> or personal tithes or some things of this sort, or denied the law of the church to his parishioners

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<sup>86</sup> Tithes on agricultural produce.

because of things of this sort; or extorted anything for a burial, funeral or marriage or similar things, which he is obliged by office and duty to perform.

If it has ever happened that one of his parishioners died without penance and the viaticum or extreme unction because of his negligence, or [if] he has been unwilling to visit the sick.

If he has avariciously kept ecclesiastical goods for himself; or if he spent them excessively for his own uses, pleasures, ornaments, or on an excessive or inappropriate household; or if he has spent them on rich and powerful people because of worldly pomp or vainglory, rather than in order to nourish and arouse charity (and even then moderately); or if he has given something to actors, concubines or dishonest persons of this sort out of vainglory or for some disgusting reason, and not only as alms (and even then in necessity).

If he has enriched his relatives, and especially unworthy ones, from the goods of the church.

If he is resident in his parish.

If he has helped the poor, and especially those living in his parish, out of the goods of the church, as far as he should and was able, or not.

If someone has died because of his poverty and want when he could have helped him.

If he has lived chastely, soberly, modestly and in an appropriate fashion: as regards both himself and his household.

If he is a cleric: If he has received orders correctly, that is, from his own bishop or from another with his own bishop's special licence.

If he is legitimate, if [he received orders] at a legitimate age, at the times laid down by the Church, if he knowingly received them from someone who was a simoniac or excommunicated or suspended.

If he received the four minor orders and one major order on a single day, or two major orders on the same day, or missed out any order, or did not receive them in order, or has ministered when not ordained at all.

If he received orders through false witnesses or by a false title or presentation; or without being examined; or against the prohibition and without the knowledge of the bishop or his examiners; or if he gave or promised something to the bishop's associates or doorkeeper or scribe, or other persons of this sort, so that he could be admitted to orders by stealth.

If he was ordained or celebrated the divine office while excommunicated or suspended or in a state of mortal sin, or in a place under interdict.

If the wine or water was ever missing in a mass which he celebrated, or at which he assisted; or similarly the necessary vestments, such as the altar-cloths or light; or if he celebrated mass on an unconsecrated altar or an altar whose table was moved from the trunk after it was cut [but] before it was rightly consecrated, or with decayed hosts or putrid wine.

If he has kept consecrated hosts too long in the pix or permitted them to stay there until the appearance of bread was corrupted, or by his negligence permitted them to be eaten by worms or fall on the floor, or has otherwise treated the Eucharist dishonourably.

If he has celebrated two masses in one day, except in a case where it is permitted and out of necessity.

If he has taken up the water for washing [*rinzuram*] from the first mass before he has celebrated the second.

If a drop of blood has fallen on the altar-cloths through his negligence.

If he has books, vestments and the other necessary ornaments in his church, or if he has alienated one of these things from the church, or even wax, candles or chrism cloths; or if he has been negligent in guarding the chrism or the Lord's body, or handed over something of this kind to unworthy persons when begged or for a price or favour.

If he has an honest and ordained minister in his church, as is appropriate, or if he has given a benefice of holy water to any unworthy person for this kind of ministry, for the sake of his avarice.

If he has been an executor for someone who died and not implemented the will faithfully; and if he did not distribute the goods left as seemed useful to him and to help the dead person's soul; or if he seized for himself something from dead people's goods without their permission or ever impeded a will that was legitimately made.

If he is a judge: If he has ever knowingly passed a false sentence, through avarice, love, fear or hate, or some other cause, or if he has accepted money for judging favourably or unfavourably.

If he has ever delayed a true judgement or [delayed] passing a just sentence because of money, love, fear, hate and it has harmed any people; or if he has trampled on the truth by his tricks, or condemned some innocent person by a judgement; or forgiven a crime; or passed some unjust law, or judged according to the unjust or even corrupt laws of the country, or had them upheld in a way that harmed someone; and especially against the liberty of the Church.

[If] an ordinary judge<sup>87</sup> has spent the money which he received in fines for his own purposes.

If he has disregarded any people's sins for gifts or out of love, and especially when it scandalized or acted as an example to others.

If he has ever been a witness he can be asked if he has ever given false testimony in some case, and in what kind of matter.

If he has ever kept silent about the truth or magnified a falsehood, which resulted in harm or defamation for someone.

If for love, hate or fear, he has maliciously withdrawn when he was due to give a true testimony.

If he has ever accepted money for a testimony from someone, other than for his expenses.

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<sup>87</sup> Judge for an ecclesiastical court.

From officials: If he has ever caused a judge to pass some unjust sentence; or accused or summoned someone unjustly; or caused him to lose money or his good reputation; or otherwise unjustly harmed him.

If he has extorted money from some people by his force or wickedness, either to leave them in peace or not to oppress them unjustly.

From assessors, legal advisors and people of this kind, it can be asked if someone has ever been harmed by their false advice or ignorance or lack of skill.

Concerning advocates it can be asked if he studied secular law or medicine after he became a priest, rural dean, archdeacon or monk, or after he had a benefice.<sup>88</sup>

If he has knowingly taken up some unjust cause or, if he did not know this at first, did not put it aside after he knew it was unjust.

If he has ever produced false documents or false or corrupt witnesses, or has forged letters (and especially papal letters) or some people's seals or charters, or brought in false laws or other proofs of a law or deed.

If he has sought unnecessary delays which harmed the parties.

If he did not help his client faithfully, as far as justice permitted.

If he acted as an advocate in front of a secular judge for money after he was in holy orders, except in his own cause, for those close to him, or for wretched persons.

If he accepted a moderate salary, according to the number of cases and the work of acting as an advocate.

If he did not help wretched persons with his knowledge.

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<sup>88</sup> Echoing the decretal *Super specula* of Pope Honorius in 1219 which extended an earlier ban on monks and regular canons studying these subjects to all the groups of clergy listed here: see Introduction.

Of physicians and medical practitioners it can be asked whether they have ever undertaken that art without being learned and experienced.

If he has accepted someone's money and not cared for the sick person as diligently as he should have.

If he has given medicine to a sick person before the person had confessed.

If he has delayed a cure in order to extort more money from the sick person, and especially if he was in holy orders or otherwise sufficiently beneficed; or allowed someone to die through his negligence or because of his avarice.

Of clerics generally it can be asked what the purpose of their learning is, that is, whether it is out of greed, so that they will become rich and be promoted, or out of curiosity and vainglory, or out of charity, that is, so they can serve God and edify their neighbours.

If they are masters, whether they teach any of the abovementioned things.

If they gave anything for the licence to teach.

If they have instructed their pupils negligently or received presents or other small gifts from them so that they would give them feast days off or make them free for other games and leisure, and consequently waste the time of their youth.

*About the vice of Gluttony he can be asked:*

If he has sought out overly luxurious and costly foods or drinks.

If he has consumed food to excess, passionately and greedily.

If he has ever been drunk or has made a habit of it.

If he has vomited because of excessive drinking or drunkenness and how often, and especially if this happened to him soon after he had received the body of Christ.

If he has forced himself or others to drink to excess or got them drunk unnecessarily, and some other sin happened to them as a result of this.

If he has knowingly eaten meat at an inappropriate time and without great necessity.

If he has broken the fasts imposed on him or laid down by the Church unnecessarily, or led others to do this.

If he has eaten before mealtimes without a rational cause.

If on Sundays and other principal feast days he has eaten before hearing the divine office.

If he has been in the habit of eating spices or electuaries on fast days simply for pleasure or to take away the boredom of fasting in this way and not for a medicinal reason etc., as is set out in the verse: *Hurriedly, splendidly, too passionately, eagerly.*

*Concerning the sin of Lust one should ask cautiously and according to people's conditions.*

She can be asked if she is a virgin or not.

If she says she is a virgin she can be asked whether she has been tempted by the devil, or been stimulated by her own flesh or by another person to sins of this kind.

If she says yes, she can be asked how she resisted.

If the pleasure was prolonged or intense, or if they ever consented to it, or would have been willing to carry out the act if the opportunity had permitted.

If she did not carry out the deed with a man (or a man with a woman) because of shame or the fear of a child, or relatives, or a similar reason, more than because of the offence to God.

If any pollution came from their flesh in this kind of desire, or followed on it, or if they tried to fulfil that lustful desire by themselves in some way.

If he has dreamed of this sin, and if he has taken any pleasure in a dream of this sort or any pollution happened to him as a result.

If they are a married man or woman, they should be asked if they know of some impediment between them and their spouse.

If they have kept the faith of the marriage bed.

If they had sexual intercourse before the marriage was celebrated according to the statutes of the Church.

If [they had intercourse] after childbirth, before purification.

If they have asked for the marriage debt in sacred places or times.

If they have ever had intercourse solely to satisfy their lust, and not in order to have children or avoid fornication or pay the marriage debt.

If [they had intercourse] when the woman said she was ill, or if the woman pretended to have a natural infirmity because of desire.<sup>89</sup>

If they had intercourse when the woman was pregnant and close to giving birth, and especially if some harm resulted from this, either to the child or to the woman herself.

If she has ever miscarried, and for what reason or whose fault<sup>90</sup> this happened.

If he has ever allowed a newborn child to die without baptism through his negligence; or to die in infancy even once baptised, through his lack of care or malice, or through negligence [to die] without confirmation.

If he has ever said that another person's child was his; and if he says yes, he should be asked more deeply how and for what reason.

It should be asked generally of non-virgins, whether men or women, with how many people they have sinned. And the confessor should try to get the penitent to give a number, because people are often very negligent about this when confessing, and the penitent should be examined carefully about the names of the persons with whom they have sinned, and about

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<sup>89</sup> The meaning not entirely clear: it may refer to sex during menstruation, and to women pretending to menstruate in order to avoid sex.

<sup>90</sup> Or: 'sin'.

the places in which they kept company. Also how many married women, how many widows, how many virgins, how many prostitutes, how many who were simply not virgins.

If any of them (female or male) was a religious and how many, from which religious order, without giving the name of the person.

If there was any consanguinity or affinity between some of these people, or between them and the person confessing.

If they ever came together to perform that act other than in the natural way that one should; and this should be asked carefully, because people generally sin in this.

If he has ever avoided generation.

If they have ever kissed some woman or man lustfully or anywhere other than on the mouth, and if they have put their tongue in someone's mouth lustfully, or permitted [someone's tongue] to be put in their mouth.

If he has ever groped someone disgustingly and dishonourably, or disrobed as people do in stupid games; or willingly permitted himself to be groped by someone or groped himself, perhaps in childhood or after he came to the age of discretion.

If he ever permitted this kind of sin to happen in his house or under his protection.

If he has ever acted as a messenger between some people who were committing sins of this kind; or sent other messengers between himself and the persons with whom he was sinning; or asked some people to do this, or consented to sinners.

If they have ever fulfilled that wretched desire while awake other than in the natural way, as a man should with a woman or a woman with a man.

If in childhood boys or girls played with one another dishonourably and what they did, and what kind of intention they had, or if they felt any desire in these games.

If he has a cure of souls, that is if he is a priest or the rector of a church, he can be asked if he ever violated one of his flock or asked some woman for this; and especially when she came to

confession, or in a sacred place, or [if she was] a woman whom he had baptised or whose confession he had heard.

About this vice and the others listed above a confessor can inquire more or less deeply, as seems appropriate to people's conditions. And he should ask carefully about whether they lingered in their sin, and if by the boldness of their action they led others into sinning.

*[Sins of the Tongue]*

Although it has been partly touched on above under the sin of lust, nevertheless the penitent can be asked if he is accustomed to vain speech [or] idle words, or if he has made a habit of offering disgusting and scurrilous words or listening to them with pleasure.

If [he has made a habit of] lying, and what kind of lies.

If he has been in the habit of perjuring falsely or in vain by the name of God and the saints and similar oaths.

If he has ever incited or compelled someone to perjury.

If he has mocked others.

If he has complained against God and the saints because of an illness or some damage or trouble or poverty, or the loss of money or friends.

If a poor person has complained against those who did not wish to help him, or cursed them.

If he has made any vow that he has not carried out.

If he has slandered anyone and in what way.

If he has willingly publicised or exaggerated the bad things he has heard about others, or invented such things himself.

If he has been a flatterer or deceitful, or a sower of quarrels, or freely spread rumours or listened to them, and other things of this sort, as seems most appropriate according to the confessor's discretion.

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