
Heinrich Institoris (d. 1505): The Papal Inquisition versus the Bohemian Reformation

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Central Europe, and especially the Bohemian Kingdom, represent an ancient area of Inquisition, because the introduction of Papal Inquisition dated there as early as the mid-thirteenth century.¹ In the late Middle Ages, this region, however, was developing somewhat peculiarly from the viewpoint of ecclesiastical politics. The Czech elites, which considered Bohemia the *sacrosancta natio bohémica*, a chosen nation and a new Israel, were convinced that no true Czech ever was nor ever could be a heretic.² Even so, still in the late fourteenth century, a massive inquisitorial campaign took place in the Czech Lands, which was inspired by Peter Zwicker of the Celestine Order. This persecution, of course, affected above all the German-speaking communities of the Waldensians in Northwest Bohemia that were in a lively contact with their co-religionists in the Austrian Lands.³

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- 1 Josef Emler, (ed.), *Regesta diplomatica nec non epistolaria Bohemiae et Moraviae* (Prague, 1882) II:58–60 (No. 151) concerning the introduction of the papal inquisition in Bohemia in 1257; Alexander Patschovsky, *Der Passauer Anonymus, Ein Sammelwerk über Ketzer, Juden, Antichrist aus der Mitte des 13. Jahrhunderts* (Stuttgart, 1968); Týž, *Die Anfänge einer ständigen Inquisition in Böhmen, Ein Prager Inquisitoren-Handbuch aus der ersten Hälfte des 14. Jahrhunderts* (Berlin, 1975); idem, “Zur Ketzerverfolgung Konrads von Marburg,” *Deutsches Archiv für Erforschung des Mittelalters* 37 (1981) 651–665; Emanuel Beiser, *Die Inquisition in Österreich im Spätmittelalter, Die Verfolgung der Waldenser und der Juden in Österreich* (München, 2011) 13–15, 22–25; Werner Maleczek, “Die Ketzerverfolgung im österreichischen Hoch- und Spätmittelalter,” in *Wellen der Verfolgung in der österreichischen Geschichte*, ed. Erich Zöllner (Wien, 1986) 18–39; Jean Gonnet and Amedeo Molnár, *Les Vaudois au Moyen Âge* (Torino, 1974) 371–441.
 - 2 Petr Hlaváček, “Die Christenheit oder Europa, Zu konfessionell-geographischen Vorstellungen im Böhmen des 15. und 16. Jahrhunderts,” in *Formierung des konfessionellen Raumes in Ostmitteleuropa*, ed. Evelin Wetter (Stuttgart, 2008) 319–331; idem, “A Reflection on the Political and Religious Role of Bohemia in Christianity,” in *East-Central Europe in European History*, ed. Jerzy Kłoczowski and Hubert Łaskiewicz (Lublin, 2009) 131–155; idem, “Le Coeur de l’Europe? À la recherche d’un nouveau rôle ecclésiastique et culturel pour la Bohême au Moyen Âge et au début de l’époque moderne,” in *L’Europe centrale au seuil de la modernité, Mutations sociales, religieuses et culturelles*, ed. Marie-Madeleine de Cevins (Rennes, 2010) 37–56.
 - 3 Ivan Hlaváček, “Zur böhmischen Inquisition und Häresiebekämpfung um das Jahr 1400,” in *Häresie und vorzeitige Reformation im Spätmittelalter*, ed. Elisabeth Müller-Luckner

The last permanent papal inquisitor in the archdiocese of Prague was Mikuláš Václavův, titular bishop of Nezeria, otherwise also the confessor and diplomatic agent of the Roman and Bohemian King Wenceslaus IV. He was active from 1393 as an inquisitor, an exorcist, and an auxiliary bishop of Prague. The conclusion of his career was rather paradoxical. On 30 August 1414, he issued to Jan Hus – prior to the latter's departure for Constance – a certificate of orthodoxy and at the same time he declared that Hus was well known as a true Catholic Christian, who was never interrogated by the inquisition. As early as February 1415, this Prague inquisitor personally appeared at the Council of Constance as an ambassador of King Wenceslaus IV. He was, of course, arrested and forced to testify against Hus. Afterwards, however, he escaped from prison and all the traces of him disappear.⁴

The Kingdom of Bohemia in the meantime experienced the culminating key phase of the so-called Bohemian Reformation, which interpreted the current events in an eschatological context, and at the same time, called for a fresh definition of the church's catholicity, that is for its universality without the authoritarianism of Papal Rome.⁵ For almost a century afterwards, no permanent episcopal or papal inquisition existed in this area. On the contrary, Bohemia became a refuge and hope of Christian nonconformists from many corners of Central Europe. After devastating religious wars, the Bohemian Utraquist Church was constituted as an autonomous ecclesiastical entity. In the Kingdom of Bohemia the trend toward peaceful coexistence between churches and the state, as well as among religious denominations, was becoming more pronounced, especially after the religious Peace of Kutná Hora in 1485. Thus, Bohemia was developing as “a land without inquisition,” which represented a true anomaly in the contemporary Christian West.⁶ Even so, during the entire fifteenth century, certain Roman Catholic

and František Šmahel (Munich, 1998) 109–131; Petr Hlaváček, “Beginnings of Bohemian Reformation in the Northwest, The Waldensians and the Reformers in the Deanery of Kadaň at the Turn of the Fourteenth Century,” BRRP 4 (2002) 43–56; Eva Doležalová, “Inquisitionsprotokolle als Tunnel zwischen dem katholischen und waldensischen Kommunikationsraum – Unter besonderer Berücksichtigung Böhmens im 14. Jahrhundert,” in *Ecclesia als Kommunikationsraum in Mitteleuropa (13.-16. Jahrhundert)*, ed. Eva Doležalová and Robert Šimůnek (Munich, 2011) 67–80.

- 4 On the life of the Czech inquisitor Mikuláš Václavův, see Julius Weizsäcker, (ed.), *Deutsche Reichstagsakten unter König Wenzel (1397–1400)* (Munich, 1877) III:298 (No. 240); Václav Novotný, *M. Jan Hus, Život a učení (Život a dílo)* [Jan Hus. Life and Teaching 1/2 (Life and Oeuvre)] (Prague, 1921) I/2:126–130, 396; Vladimír J. Koudelka, “Zur Geschichte der böhmischen Dominikanerprovinz im Mittelalter III,” *Archivum Fratrum Praedicatorum* 27 (1957) 39–119, here 51.
- 5 Concerning these problems, see David, *Finding*; Petr Hlaváček, “Confessional Identity of the Bohemian Utraquist Church: the transfer of priests from the *sub una* to the *sub utraque* obedience,” BRRP 6 (2007) 209–213.
- 6 Winfried Eberhard, “Das Problem der Toleranz und die Entwicklung der hussitisch-katholischen Koexistenz im 15. Jahrhundert,” in *Die hussitische Revolution, Religiöse, politische und regionale Aspekte*, ed. Franz Machilek (Cologne, 2012) 93–108; Petr Hlaváček,

circles dreamt about the restoration of the local inquisitorial office. From 1451 to 1454, a papal inquisitor and Franciscan preacher, John of Capistrano moved on the periphery of the Bohemian Kingdom, especially in Moravia and Silesia, railing at the Czech Utraquists.⁷ On the contrary, Petr Nosek of Klatovy, a Dominican and compiler of contemporary inquisition literature, wrote around 1460 a treatise “*Errores quorundam bernhardiorum*,” in which he tried to prove that precisely the Franciscans were the greatest heretics, who should become a concern of the inquisition, whereby he connected with the traditional Dominican-Franciscan animosity.⁸ For instance, the savant, Pavel Židek, himself a convert from Utraquism to the Roman Church, in his treatise “*Spravovna*” in 1470, outright recommended to the Bohemian King, George of Poděbrady, a restoration of the office of “Master over Heretics” (*kacermajstr*).⁹

In this dynamic situation, when the Bohemian Utraquist Church sought a *modus vivendi* with the Roman Church, and both were forced to face the resurgence of the agile Unity of Brethren, another papal inquisitor entered the Bohemian territory to deal permanently with the extermination of “the Czech heresy,” because those hitherto entrusted with the task, such as Chrysostom of Vienna (1486) and Valentin of Brno (1488), had not carried on any inquisitorial activity.¹⁰ Now the task was entrusted to a personality that was very active and quite famous in his time. It was the elderly Dominican inquisitor Heinrich Institoris, author of the inquisitorial manual

“Catholics, Utraquists and Lutherans in Northwestern Bohemia, or Public Space as a Medium for Declaring Confessional Identity,” in *Communication in European Reformation, Artistic and other Media in Central Europe 1380–1620*, ed. Milena Bartlová and Michal Šroněk (Prague, 2007) 279–297.

7 Johannes Hofer, *Ein Leben im Kampf um die Reform der Kirche* (Rome-Heidelberg, 1965) 2:255–270, passim; Petr Hlaváček, *Die böhmischen Franziskaner im ausgehenden Mittelalter, Studien zur Kirchen- und Kulturgeschichte Ostmitteleuropas* (Stuttgart, 2011) 23–30, 42–45, 93–98, 121–140, 146–148.

8 Hlaváček, *Die böhmischen Franziskaner im ausgehenden Mittelalter*, 111–113; idem, “Die Franziskaner-Observanten zwischen böhmischer und europäischer Reformation. Ein Beitrag zur Religionsgeschichte Ostmitteleuropas,” in *Kirchliche Reformimpulse des 14./15. Jahrhunderts in Ostmitteleuropa*, ed. Winfried Eberhard and Franz Machilek (Cologne-Weimar-Vienna, 2006) 295–326.

9 Petr Hlaváček, “Praha jako centrum Evropy a křesťanstva? M. Pavel Židek (†1471) a jeho představy o obnově rezidenční funkce hlavního města Českého království [Prague as the Center of Europe and Christendom? M. Pavel Židek (d. 1471) and His Idea about a Restoration of the Residential Function of the Capital of the Bohemian Kingdom],” in *Rezidence a správní sídla v zemích České koruny ve 14.-17. století* [Residence and Administrative Seats in the Lands of the Bohemian Crown in the Fourteenth to Seventeenth Centuries], ed. Lenka Bobková and Jana Konvičná (Prague, 2007) 3:113–125, here 119; idem, “Christianity, Europe, and (Utraquist) Bohemia: The Theological and Geographic Concepts in the Middle Ages and Early Modern Times,” *BRRP* 7 (2009) 19–41, here 38.

10 Josef Macek, *Víra a zbožnost jagellonského věku* [Faith and Piety of the Jagellonian Age] (Prague, 2001) 206.

"The Hammer of Witches."¹¹ Heinrich Kramer, called Institoris, a native of Alsace, entered The Order of Preachers (also known as the Dominicans) around 1445. As early as 1458, he is said to have been present as a confessor during the execution by fire of the Waldensian Bishop Friedrich Reiser, who had many contacts with the milieu of Czech Taborites.¹² In 1474 he was named Papal Inquisitor and immediately in the following year participated in the persecution of the Jewish community in Trent. When he made another visit to Rome in 1478, Pope Sixtus IV newly named him to the office of Inquisitor "per totam Alemaniam superiorem," that is, for so-called Upper Germany or the region from Alsace to Bohemia. Heinrich Institoris was even later famous as a persecutor of "witches" in his native Alsace and the surroundings of Basel, as well as an enemy of beguines in Swabian Augsburg.¹³ His inquisitorial activity concentrated on "the female nonconformism" in the diocese of Constance between 1481 and 1485, where he then had no fewer than 48 women – allegedly witches possessed by the devil – burnt at the stake. Only in the Tyrolean diocese of Brixen, in Innsbruck, his inquisitorial performance was subjected in 1485–86 to criticism by the Tyrolean Duke and the Bishop of Brixen.¹⁴ It was at that time that Institoris embarked on finalising his infamous treatise *Malleus Maleficarum*, the first edition of which was published in 1486.¹⁵

- 11 Petr Hlaváček, "Apostolus, sed non Christi, Der Dominikanerinquisitor Heinrich Institoris (+1505) und seine Tätigkeit in den böhmischen Ländern," in *Religious Violence, Confessional Conflicts and Models for Violence Prevention in Central Europe (15th-18th Centuries), Religiöse Gewalt, konfessionelle Konflikte und Modelle von Gewaltprävention in Mitteleuropa (15.-18. Jahrhundert)*, ed. Joachim Bahlcke, Kateřina Bobková-Valentová and Jiří Mikulec (Prague-Stuttgart, 2017) 39–52. A revised version of this text is the basis of the study published here.
- 12 Henricus Institoris, *Sancte Romane ecclesie fidei defensionis clipeum adversus Waldensium seu Pickardorum* (Olomuntii, 1501) fol. 62r, 95v–96r (this old print is deposited in: Vědecká knihovna v Olomouci, sign. II 33.959); see also Antonín Kubiček, "Jindřich Institoris, papežský inkvizitor v Čechách a na Moravě [Henry Institoris, a Papal Inquisitor in Bohemia and Moravia]," *Časopis katolického duchovenstva [Journal of the Catholic Clergy]* 43 (1902) 372–378, here 372–373; Günter Jerouschek and Wolfgang Behringer, (ed.), *Heinrich Kramer (Institoris), Der Hexenhammer-Malleus Maleficarum, Kommentierte Neuübersetzung* (München, 2000) 40. On Friedrich Reiser see Albert de Lange, "Friedrich Reiser und die 'waldensisch-hussitische Internationale', Quellen und Literatur zu Person und Werk," in *Friedrich Reiser und die "waldensisch-hussitische Internationale" im 15. Jahrhundert*, ed. Albert de Lange (Heidelberg, 2006) 29–74.
- 13 Ludwig Schmugge, "Ein Inquisitor schießt sich ein. Heinrich Institoris, Pfarrer Johannes Molitor und die tägliche Kommunion in Augsburg (1480–82)," in *Ein gefüllter Willkomm*, ed. Franz J. Felten, Stephanie Irrgang and Kurt Wesoly (Aachen, 2002) 401–418.
- 14 André Schnyder, "Protokollieren und Erzählen, Episoden des Innsbrucker Hexereiprozesses von 1485 in dem dämonologischen Fallbeispiel des *Malleus maleficarum* (1487) von Institoris und Sprenger und in den Prozeßakten," *Der Schlern, Südtiroler Monatsschrift für Heimatkunde und Heimatpflege* 68 (1994) 695–713.
- 15 In general on his life see Jerouschek and Behringer, *Heinrich Kramer (Institoris), Der Hexenhammer-Malleus Maleficarum*, 31–69.

For Institoris the “*causa bohémica*” was not an unknown subject, inasmuch as he had received many-sided information about the issues of Czech ecclesiastical politics. As early as around 1460, he met in Rome with a Bohemian priest from Kadaň (or Tachov?), who was possessed by the devil, and he performed an exorcism over this individual.¹⁶ In 1467–1468, he was proclaiming in Saxony and in both Lusatias – by the side of Papal Legate Rudolf of Rüdensheim – a crusade against the “Bohemian heretics.” Then, in 1470 in Leipzig, he was interrogating “Bohemian heretics” and their sympathizers, whom he wished to be executed by fire. The beguines, whom he investigated in Augsburg in 1480, Institoris also labeled as followers of “the Hussite heresy.”¹⁷ The wide spectrum of the church’s enemies, which the inquisitor had compiled, included the Waldensians, the Jews, the witches, in addition to the suspicious “pious women” and the conciliarists, and of course “the Hussites.” In fact, in his theological compilation *Tractatus varii cum sermonibus contra quattuor errores adversus eucharistiae sacramentum exortos*, published in 1496 and printed by Anton Koberger in Nuremberg, Istitoris in fact included polemics with the liturgical practices of the Bohemian Utraquist Church.¹⁸

Heinrich Institoris belonged among the important theoreticians and simultaneously practitioners of persecution as an instrument of discipline in religion and in ecclesiastical politics. Precisely in his treatise *Malleus Maleficarum* he characterised the Bohemian Reformation as an expression of a dangerous “otherness” within the framework of the Roman Church and he compared the “Hussite heretics” with the pagan Canaanites and Jebusites. According to Institoris, God permitted the existence of the “Hussites” in the neighborhood of Christians merely as a permanent warning (*Et iam Hussitae, et alii Haeretici permittuntur, ut deleri non valeant*).¹⁹

Between 1500 and 1505, Institoris was active directly in the Czech Lands, particularly in Moravia, where he combated the Unity of Brethren and not only through literature.²⁰ At this point, it becomes necessary to note that

16 Henricus Institoris, *Malleus maleficarum* (Speyer, 1490), Herzog August Bibliothek Wolfenbüttel – Access on [31. 1. 2018] at: <http://diglib.hab.de/inkunabeln/151-quod-2f-1/start.htm?image=00100>; Petr Segl, “Heinrich Institoris. Persönlichkeit und literarisches Werk,” in *Der Hexenhammer, Entstehung und Umfeld des Malleus maleficarum von 1487*, ed. Peter Segl (Köln-Berlin, 1988) 103–126 (especially 104).

17 Jerouschek and Behringer, *Heinrich Kramer (Institoris), Der Hexenhammer-Malleus Maleficarum*, 47.

18 Henricus Institoris, *Tractatus varii cum sermonibus contra quattuor errores adversus eucharistiae sacramentum exortos* (Nuremberg, 1496) held in Prague, National Library of the Czech Republic, sign. Cheb 03/010. A digitalized copy can be found also in: Bavarian State Library in Munich (sign. 11450923 4 Inc.c.a. 959).

19 Institoris, *Malleus maleficarum*, Herzog August Bibliothek Wolfenbüttel – Access on [31. 1. 2018] at: <http://diglib.hab.de/inkunabeln/151-quod-2f-1/start.htm?image=00074>.

20 Generally on Institoris’ Bohemian mission see Kubiček, “Jindřich Institoris,” 20–26, 115–121, 222–226, 320–325, 372–378, 491–500, 521–525.

Institoris' simplistic idea that the Brethren, and perhaps also the Utraquists, were merely possessed by an evil demon – and that it sufficed to thoroughly apply exorcism and the force of the "secular arm" – was soon refuted. The initiative for dispatching a papal inquisitor into the Bohemian Lands stemmed from the youthful Bishop of Olomouc, Stanislav Thurzo, in whose diocese the Unity of Brethren was now significantly expanding, next to the Utraquist Church.²¹ A number of important aristocratic families converted to this small reformed denomination after 1490, including the lords of Cimburk, Kounice, Boskovice, and Žerotín.²² Already on 31 January 1499, Pope Alexander VI, therefore, named Heinrich Institoris Inquisitor "*per Germaniam et Bohemiam*," in order to – especially in Moravia – exterminate "*haeresim Waldensium*," in other words, the Unity of Brethren. Together with Jacob Paperl, the Provost of Klosterneuburg – who, however, never assumed his inquisitorial office – Institoris was primarily to consign to fire heretical books, specially "*libri copitorum*," which referred to the treatises of Petr Chelčický.²³ He was supposed to be assisted – as stated in the papal breve of 5 February 1500 – by the Bishop of Olomouc, Stanislaus Thurzo. Institoris, who likewise proudly referred to himself as "*sedis apostolice ad regnum Bohemie nuntius*," could appoint as helpers four Czech-speaking preachers, to whom he was authorised to grant the degrees of Master of Theology.²⁴ The "*brachium saeculare*," for this inquisitorial action, was to be wielded by the Moravian Captain of the Land, Jan Meziříčský of Lomnice, who likewise received a letter from the Pope, dated 5 February 1500.²⁵ The application of a systematic persecution was, of course, not possible, nor even conceivable – it would have meant a complete disruption of the Bohemian and Moravian noble estates.

Still in 1500, Institoris arrived from Salzburg – where he had been a Lecturer (Professor) of theology in a Dominican institution²⁶ – to Prague, and was received by King Vladislaus Jagiellon himself. At the Castle of Prague, in the presence of the King, he participated in a public disputation about the communion in both kinds. Evidently, he debated with the Rector

21 Martin Rothkegel, *Der lateinische Briefwechsel des Olmützer Bischofs Stanislaus Thurzó, Eine ostmitteleuropäische Humanistenkorrespondenz der ersten Hälfte des 16. Jahrhunderts* (Hamburg-Berlin-Münster-Wien-Zürich-London, 2007).

22 On the denominational situation in Moravia see Josef Válka, "Tolerance or Co-Existence? Relations between Religious Groups from the Fifteenth to Seventeenth Centuries," in *Between Lipany and White Mountain*, ed. James R. Palmitessa (Leiden-Boston, 2014) 182–196.

23 Institoris, *Sancte Romane ecclesie fidei defensionis clipeum*, fol. 2r–2v.

24 Institoris, *Sancte Romane ecclesie fidei defensionis clipeum*, fol. 2v–3r.

25 Macek, *Víra a zbožnost jagellonského věku*, 250–251.

26 Henricus Institoris, *Tractatus varii cum sermonibus contra quattuor errores adversus eu-charistiae sacramentum exortos* (Nürnberg, 1496) the title page states that the treatise was composed by Institoris, namely "a lectore ecclesie Saltzburgensi, sacre pagine professore ac heretice pravitatis inquisitore."

of the Charles University, Václav of Pacov, and with the Administrator of the Utraquist Consistory, Pavel of Žatec.²⁷ Already then, it must have been clear to him that he was finding himself in a drastically different milieu of ecclesiastical politics. It was unthinkable to carry out here as a papal inquisitor – even with the help of the king and of the aristocracy – a forced religious unification. He was expected to carry on public disputations, written polemics, and personal persuading of the heretical leaders. Persecution and physical coercion appeared increasingly unimaginable and hence as unacceptable methods.²⁸

Soon he moved on to Moravia, where the Dominican monastery of St. Michael in Olomouc became the center of his activities.²⁹ He listened there to a serious of scandalous accusations against the Unity of Brethren, about the alleged sexual and especially intellectual orgies of the Brethren. Even though he had won the sympathy of some Catholic nobles, he had to proceed with caution. He, in fact, no longer campaigned against the Bohemian Utraquist Church, and he was inviting the intellectual leaders of the Unity of Brethren to the monastery in Olomouc and to the Bishop's palace in Kroměříž – at his own expense – for “friendly discussions.”³⁰ Within this framework, he entertained in the Dominican monastery of Olomouc, the Bachelor Vavřinec Krasonický,³¹ the administrator of the congregation of Litomyšl in Bohemia, and Tůma Přeloučský,³² the administrator of the congregation of Přerov in Moravia, both of them members of the so-called “Narrow Council” [*úzká rada*] of the Unity of Brethren. The papal inquisitor was here politely debating

27 Institoris, *Sancte Romane ecclesie fidei defensionis clippeum*, fol. 21r: “Contra quem errorem et alibi scripsimus; quinimo et per publicas disputationes in castro Pragensi in presencia regie maiestatis Vladislai conclusum fuit, quod non fuerit possibile Christo [...] dare preceptum super utriusque speciei communionem omni populo.” Further see Kubiček, “Jindřich Institoris,” 25. On Václav of Pacov and Pavel of Žatec, see Petr Hlaváček and others, *Kacířská univerzita, Osobnosti pražské utrakvistické univerzity 1417–1622* [The Heretical University, Personalities of the Utraquist University of Prague 1417–1622] (Prague, 2013) 65–71.

28 On the Franciscans' rejection of the inquisition already in the early fourteenth century, see for instance Christine Caldwell Ames, *Righteous Persecution, Inquisition, Dominicans, and Christianity in the Middle Ages* (Philadelphia, 2009) 49–56.

29 On the Dominican monastery in Olomouc – Dušan Foltýn et al., *Encyklopedie moravských a slezských klášterů* [Encyclopedia of Moravian and Silesian Monasteries] (Prague, 2005) 468–473.

30 Institoris, *Sancte Romane ecclesie fidei defensionis clippeum*, fol. 74r: “O gloria una! Teste Deo, me inquisitore existente in Olomucz, eorum doctos, si quos haberent saepe non tam ad dispositiones, quantum ad amiables collationes etiam sub meis expensis invitavi. Imo ad opidum Kremsyer, dum semel mihi assignassent, statuto die mecum velle conferre inibi, praestolante me eorum adventum, nemo coram me, etiam postquam ad opidum applicuerant, comparere voluit.”

31 Vojtěch Sokol, “Vavřinec Krasonický,” in *Praga mystica, Z dějin české reformace* [From the History of the Bohemian Reformation], ARBI III, ed. Amedeo Molnár (Prague, 1984) 51–108.

32 Karolina Justová, *Tůma Přeloučský, Muž znamenitý, který jiné převyšoval* [A Man Who Overwhelmed Others] (Prague, 2011) 45–73.

with “the heretics,” calling them his “dearest brethren.” They discussed especially ecclesiastical questions, specifically the holiness of the Roman Church, which designated itself as “Catholic.” The questions of papal primacy and of biblical exegesis also became topics of discussion. The “dialogue” was public and carefully followed – even refreshments were served – but neither party emerged victorious in the theological contest. Nevertheless, on the issue of communion in both kinds, Institoris might have felt defeated. The inquisitor and the Brethren, of course, parted in peace.³³ In the context of the Christian West such a denouement – whether in German, French, or Italian dioceses – was still very much an anomaly.

The inquisitor was in a state of shock, he had most likely expected that he would dispute with unschooled simpletons, but instead he had to face in a Latin discussion weighty arguments, based on Scripture and the ancient Christian authorities. Still in the same year, he therefore wrote – on the incentive of several shaken Catholic nobles – a treatise *Sancte Romane ecclesie fidei defensionis clypeum adversus waldensium seu pickardorum heresim* [A Shield for the Defense of the Holy Roman Church against the Heresy of the Waldensians and the Pikarts]. It was published in Olomouc in 1501, and reissued in 1502.³⁴

In the introduction, he addresses Bishop Stanislaus and cautions him that “the Waldensians or the Pikarts” were also dangerous because they could infect with their heresy even the schismatic Utraquists (“*Calixtini*”). He also explained, why he tried to debate with the “Bohemian heretics”: “We make contact with the heretics, not to praise their errors, but to become more vigilant in the defense of the Catholic teachings.” The apologetic treatise *Clypeus* may be regarded as a scholastically structured ecclesiological discourse. As evidence of the holiness of the “Roman Church” Institoris adduces numerous miracles of saints, among them also in the Bohemian Kingdom. He mentioned by name Sts. Cyril and Methodius, “*primi gentis Bohemiae et Moraviae apostolic*,” as well as St. Adalbert [Vojtěch] and St. Wenceslaus. However, at present, according to Institoris, heretics “from all corners of the world” were seeking refuge in the Kingdom of Bohemia.³⁵

Institoris was also taken aback by the remark of Vavřinec Krasonický that, when he was still an Utraquist, he used to hear in Prague references to the Roman Church as “an apocalyptic whore” and to the Pope as “an Anti-Christ.” Institoris admitted that even the Roman Church could be sinful in some of its members, and therefore, he did not hesitate to wax enthusiastic about the convocation of an ecumenical council (*concilium generale*). The Council

33 Sokol, “Vavřinec Krasonický,” 65–66.

34 Amedeo Molnár, “Protivaldenská polemika na úsvitu 16. století [Anti-Waldensian Polemics at the Dawn of the Sixteenth Century],” *Historická Olomouc a její současné problémy* [Historic Olomouc and Its Contemporary Problems] 3 (1980) 153–174.

35 Institoris, *Sancte Romane ecclesie fidei defensionis clypeum*, fol. 17r.

could be convoked even by the cardinals if the pope did not wish to do so, or by secular princes. After all, the council could reprimand even the pope and carry out ecclesiastical reform.³⁶ Institoris here consciously (or unconsciously?) himself committed so-called heresy of conciliarism, albeit, in his earlier treatises, he had attacked the conciliarists as schismatics and heretics. After all, still in 1482, he tried to ferret them out in southern Germany and called for their incineration; he hated above all the Dominican and imperial diplomat Andreas Zamometić, who became involved in a dispute with Pope Sixtus IV.³⁷

In another place, in a polemic with the Waldensians, he mentioned the incinerated Waldensian leader Friedrich Reiser.³⁸ Sarcastically he maintains about him that he let himself be titled as *Fridericus papa, servus servorum Dei, abnegantium donationes Constantini*, that is, “Pope Friedrich, a servant of the servants of God, who rejects the Donation of Constantine” – a title which expressed the identity of the Waldensian community with the true Church of Christ. According to Institoris, the attacks on the Roman Church were off-mark, since that Apocalyptic Whore was not Rome – as most of the heretics maintained – but Islam.³⁹ The treatise was intended primarily for priests, and the inquisitor was, therefore, eager to especially refute the assertion of Vavřinec Krasonický about the Roman Church as the Apocalyptic Whore. Krasonický, however, promptly responded with a treatise “Confession about the Lord’s Body and Blood,” in which – among other assertions – he rejected the identification of the Unity of Brethren with the movement of the Waldensians.⁴⁰

Although it is not certain, it is most likely that Institoris carried out yet another dispute in Olomouc, this time with Tůma Přeloučský, involving a polemic about Utraquist liturgy. Tůma himself refers to it in his Czech treatise *O původu Jednoty bratrské* [About the Origin of the Unity of Brethren] from 1502, when he writes: “The esteemed Doctor, an old seeker of heretics, told me in Olomouc, when I visited him with my journeyman.”⁴¹ From the sources we know about yet another disputation with a representative of the Unity of Brethren, this time with the scribe Václav of Rychnov. He was supposed to

36 Institoris, *Sancte Romane ecclesie fidei defensionis clippeum*, fol. 28v.

37 See also Jürgen Petersohn, “Zum Personalakt eines Kirchenrebellens, Name, Herkunft und Amtssprengel des Basler Konzilsinitiators Andreas Jamometić (+1484),” *Zeitschrift für historische Forschung* 13 (1986) 1–14; idem, *Kaiserlicher Gesandter und Kurienbischof, Andreas Jamometić am Hof Papst Sixtus’ IV. (1478–1481)* (Hannover, 2004) 104–130.

38 Institoris, *Sancte Romane ecclesie fidei defensionis clippeum*, fol. 62r, 95v–96r.

39 Institoris, *Sancte Romane ecclesie fidei defensionis clippeum*, fol. 67v–85a.

40 On the manuscript *Vyznání víry o těle a krvi Páně* [Confession of Faith Concerning the Lord’s Body and Blood], see Sokol, “Vavřinec Krasonický,” 98, *passim*.

41 Vojtěch Sokol, (ed.), *Tůmy Přeloučského spis O původu Jednoty bratrské a O chudých lidech* (Prague, 1947) 67–68. See also Mirek Čejka, (ed.), *Jan Blahoslav, Čtyři menší spisy* [Four Minor Treatises] (Brno, 2013) 25.

overwhelm the inquisitor into silence so that Institoris is alleged to have said that Václav was worse than a devil.⁴²

Thus, Heinrich Institoris did not convince anybody from the Unity of Brethren to convert – or according to the contemporary usage “to return” – to the Roman Church. Subsequently the aging inquisitor was at least attaching to church doors polemical and denunciatory statements against the Unity of Brethren, but all of his efforts were in vain. He himself mentions that, in addition, he wrote in Latin and in Czech a treatise for the laity, which was an explication of the Revelation to St. John. 1507 also dates Institoris’ second “Moravian” treatise, namely *Adversus pickardorum waldensium in sanctam romanam ecclesiam horrendam blasphemiam ... opusculum*, which was published twice together with the treatise *Sancte Romane ecclesie fidei defensionis clypeum*, and was destined for the wider educated public among the aristocrats and the burghers.⁴³

Here, it is necessary to note that the inquisitorial, or rather, disputation campaign of Institoris elicited doubts and ridicule even among the Roman Catholics in Olomouc. One of them was the Humanist Augustin Käsenbrot, Provost of the Olomouc Chapter. He ridiculed the aged inquisitor for his ineffectual scholastic learning, and he himself composed in a fresh humanistic style his own (competing) polemical treatise against the Unity of Brethren.⁴⁴

A still sharper criticism stemmed from the milieu of Observant Franciscans, who around 1500 were the strongest monastic order in the Bohemian Lands, and their successes were resented by many Roman institutions, especially by the competing Dominicans. Two contemporary Franciscan chronicles inform us about the activities of Institoris. The older one, *De novella plantatione provincie Austrie, Bohemie et Polonie, quo ad fratres minores de observantia Cronica*, written by Eberhard Ablauß, calls Institoris rather sarcastically, *vagus religiosus doctor bullatus*, that is a vagrant monastic, who obtained his doctor’s degree of theology not regularly from a university, but only on the basis of a papal bull. Ablauß recalled that Institoris, as an inquisitor, also persecuted in several countries the Franciscans, and did that in Olomouc as well. These Franciscans from the monastery of the Virgin Mary and St Bernard, however, defended themselves successfully before both the Bishop of Olomouc, Stanislaus Thurzo, and the Olomouc town council.⁴⁵

42 Sokol, “Vavřinec Krasonický,” 65.

43 Henricus Institoris, *Adversus pickardorum waldensium in sanctam romanam ecclesiam horrendam blasphemiam, apocalypticam meretricem illam appellantium opusculum* in appendix there can be found also *Sancte Romane ecclesie fidei defensionis clypeum adversus Waldensium seu Pickardorum* (Olomuntii, 1501) fol. 95r-128r. See also Kubiček, “Jindřich Institoris,” 25–26.

44 Sokol, “Vavřinec Krasonický,” 68.

45 Eberhard Ablauß de Rheno, *De novella plantatione provincie Austrie, Bohemie et Polonie quo ad fratres minores de observantia Cronica*, MS Prague, National Library, Sign. Cheb

Ironical commentaries on Institoris' performance are also included in *Chronica Fratrum Minorum de Observancia Provincie Bohemie*, authored by Michael of Carinthia. Michael characterised Institoris as "an old foolish apostle" (*antiquus et delirus apostolus*), of course, not an apostle of Christ (*apostolus sed non Christi*); moreover, as the greatest persecutor of Franciscans (*nostri ordinis maximus persecutor*), who also sought to denigrate the Franciscans of Olomouc. Because he persecuted the brethren of St. Francis, just as unjustly as the Jews persecuted Christ, he therefore suffered "a bad death" (*mala morte*). The circumstances of Institoris' death have been surrounded by uncertainty. It supposedly occurred in 1505, but some authors state that already by 1502 he had departed from the Bohemian Lands; others located the place of his demise in Olomouc or in Brno. However, *Chronica Fratrum Minorum de Observancia Provincie Bohemie* leaves no doubt that the elderly (perhaps seventy-five years old) inquisitor, sought refuge in the Bishop's castle of Kroměříž, where he also passed away (*ipse interiit in arce Cremsyr*).⁴⁶ Hence he was supposed to be buried in the local capitular church of St. Maurice, his tombstone has not survived.

When in 1508 the Brethren reacted against the new attacks by the aforementioned Augustin Käsenbrot, they were referring exactly to the example of the foolish "doctor Heinrich," who allegedly maintained that the Brethren were in league with Beelzebub and that they worshipped a winged little fly as a "god."⁴⁷ The Dominican inquisitor entered permanently into the historical memory of the Unity of Brethren, not as a persecutor, but as a partner in theological discussions, in which he was, of course, defeated by theological weapons.⁴⁸ As for Institoris, he became in the Bohemian

Ms. 157, fol. 296v: "Eodem anno [1500] et sequenti fuit quidam vagus religiosus doctor bullatus de ordine predicatorum in civitate Olmutzensi predicator ecclesie parochialis sancti Mauricii nomine Henricus Institoris gerens officium inquisitionis heretice pravitatis, ordinis nostri specialis [...] persecutor." A genuine intellectual profile and the theological formation of Institoris still await an analysis, for which much inspiration is offered, for instance, by Karen Sullivan, *The Inner Lives of Medieval Inquisitors* (Chicago-London, 2011).

46 Michael z Korutan, *Chronica Fratrum Minorum de Observancia Provincie Bohemie*, MS Prague, National Museum Library, Sign. VIII F 75, 186: "Eodem tempore fuit in civitate Olmucensi quidam doctor de ordine predicatorum Henricus Institoris nomine Inquisitor heretice pravitatis antiquus et delirus apostolus sed non Christi nostri ordinis maximus persecutor protunc predicator ecclesie parochialis sancti Mauricii. Hic que et qualia fratribus loci Olmucensis intulit mala brevis sermo explicare non sufficit. Et quia minus iuste sicut iudei Christum ipse persequabatur fratres sancti Francisci cui Christus promiserat sui ordinis hostes vix dimidiare dies debere suos mala morte et ipse interiit in arce Cremsyr etc." See also Hlaváček, *Die böhmischen Franziskaner im ausgehenden Mittelalter*, 114–115.

47 Jakob Ziegler, *Contra Haeresim Valdensium Libri Quinque* (Lipsiae, 1515) fol. D IIa-F IIa (here is a letter from Augustin Käsenbrot). On this see further Kubiček, "Jindřich Institoris," 225; Sokol, "Vavřinec Krasonický," 73.

48 Čejka, *Jan Blahoslav, Čtyři menší spisy*, 25.

Lands a witness of the mutual Catholic-Utraquist tolerance, based on the *Compactata* and on the Peace of Kutná Hora. He must have also perceived that both of these denominations (confessions) gradually sought a peaceful form of coexistence, even with the theologically outspoken Unity of Brethren. His intrusion into the Bohemian-Moravian context, however, brought about a certain sense of shakiness of the local tendencies toward religious tolerance.

In 1503, representatives of the Bohemian estates negotiated in Buda with the Bohemian and Hungarian King Vladislaus Jagiellon about the situation around the strengthening Unity of Brethren. The Utraquist aristocrats, such as Vilém Kostka of Postupice, Vilém of Pernštejn, and Albrecht Rendl of Oušava supported a mild approach to the Brethren through normal theological disputations; in contrast, the Roman Catholics, led by Albrecht of Kolovraty and Petr of Rožmberk called for their physical liquidation. The King finally inclined toward persecution, while the Utraquists insisted on a certain degree of toleration and continued to refuse persecution of the Unity of Brethren on their demesnes. Vladislaus Jagiellon, therefore, began with a persecution at least in the royal towns. Many of the Brethren's congregations were suppressed, and Roman Catholic and Utraquist priests began to preach against the Brethren as heretics. Soon after individual fanatical excesses cropped up. For instance, the Catholic noble, Kryštof of Švamberk ordered execution, by fire, of six members of the Unity of Brethren in Bor near Tachov in Western Bohemia. A conservative Utraquist, Mikuláš Trčka of Lípa, also an opponent of the Unity of Brethren, organised in Litomyšl a public disputation with the Brethren, but he rejected their execution or other forms of repression. Many Brethren's congregations, of course, continued to exist, above all in northern and eastern Bohemia, and in central and southern Moravia. In 1508, King Vladislaus ordered the issuance of the so-called St. James Mandate (*Svatojakubský mandát*), according to which all of the Brethren's congregations were to be abolished. The edict, however, was only applied sporadically.⁴⁹

In 1511, the Utraquist, Mikuláš Konáč of Hodiškov, produced a literary disputation among imaginary Utraquist, Roman Catholic, and a member of the Brethren about religious faith, in which he rejected persecution and defended freedom of conscience. Indeed, on the territory of the Bohemian Crown, there was never adopted the baldly administrative concept, *cuius regio, eius religio*; denominational identity was rather a personal choice, that is, a question of one's own conscience. Thanks to its early Reformation – a century before Luther – and to the principle of religious or denominational tolerance, the early modern Czech state represented for a long time a great anomaly.

49 Petr Hlaváček, "Zwischen Gewalt und Toleranz, Die unsichere Existenz der Brüderunität im spätmittelalterlichen Böhmen," in *Gewalt gegen Christen. Formen, Gründe, Hintergründe*, ed. Georg Plasger and Heinz-Günther Stobbe (Leipzig, 2014) 237–244.

The Bohemian Lands until the early seventeenth century belonged – together with Poland and Hungary – to European islands of a genuine religious and denominational tolerance, which thus clearly antedated the liberal and libertarian proclamations of the Enlightenment.⁵⁰

Translated from the Czech by Zdeněk V. David

50 *Konfessionelle Pluralität als Herausforderung, Koexistenz und Konflikt in Spätmittelalter und Früher Neuzeit*, ed. Joachim Bahlcke, Karen Lambrecht and Hans-Christian Maner (Leipzig, 2006); Winfried Eberhard, "Toleranz und Religionsfreiheit im 15.-17. Jahrhundert in Mitteleuropa, Probleme und Prozesse," in Heinz Duchhardt, Petr Hlaváček and Winfried Eberhard et al., *Bruncvík a vila, Přemýšlení o kulturní a politické identitě Evropy / Bruncwik und die Nympe, Die Überlegungen zur kulturellen und politischen Identität Europas* (Prague, 2010) 55–72; Petr Hlaváček, "Rudolfs Majestätsbrief, Comenius und die Exklusivität der Tschechen in der Heilsgeschichte," in *Religion und Politik im frühneuzeitlichen Böhmen, Der Majestätsbrief Kaiser Rudolfs II. von 1609*, ed. Jaroslava Hausenblasová, Jiří Mikulec and Martina Thomsen (Stuttgart, 2014) 215–223.