The Inquisition of the Middle Ages

Introduction

Christians would have us believe that, immediately after Jesus' resurrection, his disciples began to spread the Good News of Christianity throughout the known world. The nascent religion was eagerly embraced by a world hungry for the salvation it offered, and the Good News spread like wildfire wherever it was preached. It has continued to grow and spread to this very day because of its irresistible message of God's love and Jesus' ultimate sacrifice.

But, it didn't happen that way at all. At first, there was no such thing as Christianity. As it began to evolve into a viable religion, there was widespread and deep-seated disagreement about exactly what the Good News was. There was no significant interest except among a few believers, but even they couldn't agree on what it was they believed. There were almost as many species of Christianity as there were Christians, and the competition for dominance was fierce.

Each strain was eager to establish its credibility and authenticity by showing that it was in compliance with the teachings of the apostles, who were universally accepted as the final authorities on Christian doctrine. And to accomplish that, they looked to texts that had been written by those apostles. But there were a lot of writings which claimed to be penned by one of the apostles, or which at least had a purported author with an apostle's name. How could anyone be sure that it wasn't a forgery or fraud?

But even those writings that all could agree on as authentic did not necessarily lead to agreement among the factions. They still faced the question of how to interpret the writings. It wasn't uncommon for men aggressively pushing a particular species of Christian doctrine to forge writings that supported their views. Some scribes deliberately made changes to the texts as they copied them. For the most part, they did so to help clarify what they knew to be the meaning, or to help avoid confusion or controversy. Other groups didn't feel the need to do any such thing. They simply found support in the writings for whatever their views happened to be. So, wildly different interpretations often sprang from the same texts.

Prior to the fourth century, Christianity was a product being manufactured in a messy, heated, hostile environment. There was no such thing as orthodox Christianity yet. During those early years, the process of forging the new Christianity was not unlike our modern political scene, with mudslinging, charges and countercharges, and bitterness all around. It was not a delicate deliberation by sensitive, learned men. It was a knock-down drag-out fight, winner take all. The version of the Good News that finally emerged as the prevailing orthodoxy was the one we are familiar with. But it wasn't a package of Good News that came from God to a mankind dying to hear it. It was a package of compromises and often arbitrary decisions hammered out by men who were, in their conduct, not very Christlike.

Part of that process was deciding which texts were to be accepted as God's inspired, infallible Word, and which were not worthy of being included in the canon. There again, bitter disagreements and arbitrary decisions were standard operating procedure. Even today, Catholics accept a group of books (the Apocrypha) as part of the canon, while the Apochryphal books are rejected by Protestants.

Once the canon and the basic foundation of Christian orthodoxy had been established, however, there was still a lot of work to do. There were still a lot of competing variations that threatened the orthodox version, and Christian leaders were constantly on guard to make sure none of those imposters to the true Christianity became too big a threat to the fledgling religion. Those leaders began to understand the need to somehow put imposters out of business once and for all. The true Christianity was so important that there was no greater responsibility on the shoulders of its leaders than that of making sure the faithful didn't fall for some false teaching. Christianity must remain pure, for the sake of the Church and the souls under its care.

Sometimes, though, it wasn't so easy to identify individuals or groups who held those false ideas about the true Christianity. Some people made it easy with their words and acts, but others appeared to be good Christians while secretly harboring false beliefs. How could anyone know what another person is thinking or what he really believes? If a person claims to be a true Christian and behaves like a true Christian, yet secretly clings to doctrines that are not considered orthodox, he is a potential threat to orthodox Christianity, and he must somehow be identified and dealt with.

But how could that be done? Who should do it? Who should pay for it? How should those people, heretics, be dealt with? There would have to be a system established to accomplish such a monumental task, with dedicated personnel and rules and procedures. Deciding all that proved to be almost as difficult as hammering out the orthodoxy itself had been. It took a long time for that process to evolve and develop, too. Much of it never was consistently agreed on or practiced. But the basic machinery was put in motion, and we know it as the Inquisition.

Source books:

(HIMA) *A History of the Inquisition of the Middle Ages, Volume I*, Henry Charles Lea
(CFTY) *Christianity: the First Three Thousand Years*, Diarmaid MacCulloch

Heresy

Heresy is any deviation from Christian orthodoxy. Orthodoxy is the true body of doctrines and practices as established and taught by the Church. In the Middle Ages, what we know as the Catholic Church was the only Christian Church. There was no such thing as Protestantism, so there was no such thing as the Catholic Church.

By the Middle Ages, orthodoxy itself was a form of heresy. Christianity had evolved into something quite different from what had emerged as orthodoxy in the fourth century. In the early Church, for example, salvation and forgiveness of sin was a matter for God to sort out with the sinner. The job of the Church was to simply point out the path to Jesus, and the sinner dealt directly with Christ for forgiveness and salvation. But by the Middle Ages, the Church had taken upon itself the burdens and benefits of forgiveness and salvation. Absolving sin was now the domain of priests, and it had become a relatively simple formula consisting of confession, repentance, and penance. It had become more in the nature of a business transaction. Some of the faithful came to see it as a kind of magic.

Usurping that authority from God gave the Church immense power. People had come to accept that the Church was their only portal to heaven. The price of salvation was complete obedience to the Church, not complete obedience to Christ. The distinction had grown vast, and the Church functioned more like a medieval version of the mafia than God's representative institution on earth. All the Church had to do was threaten excommunication to scare the hell out of anyone. It was a fate worse than death. It was the last thing anybody wanted. The prospect of excommunication, and the inevitability of eternal hell, was enough to terrify the strongest man into submission and obedience to the Church. The clergy knew just how to exploit that power to their maximum advantage. Christianity in the Middle Ages had become much like the protection racket used by the mafia later.

Still, it was the Church that defined orthodoxy. They had power over life and death. Who could challenge them? Well, heretics. A heretic wasn't so much someone who disagreed with the teachings of Christ and the Bible as it was someone who disagreed with the Church. The Church did not tolerate competition or dissent of any kind, just as mafia bosses did not tolerate any other mafia figures infringing on their territory. But who were these heretics, and what did they believe? Here are a few examples.

The Petrobrusians

(HIMA, 67-70; 129)

Culture, luxury, chivalry, poetry, freedom, trade, and commerce flourished in the south of France. It was a place of education and enlightenment. The clergy was despised by the people. Priests were far too busy pursuing wealth and pleasure to actually preach, offer spiritual guidance, or tend to the spiritual needs of their flock. The clergy didn't make heresy, or suppression of it, a top priority, so people were relatively free to develop and express their religious doctrines without fear of persecution by the Church.

It was in this environment that Pierre de Bruys began to preach his antisacerdotal brand of Christianity in Vallonise circa 1106. Baptism of babies was useless, because they were incapable of their own faith, and the faith of others had no bearing on a baby's own standing before God. Good works, such as offerings, alms, masses, and prayers for the dead were also useless, because each person would be judged on his own spiritual merit. Churches were unnecessary, because God didn't need such structures. A believer could pray anywhere. He could pray in a tavern as well as a temple. The cross was not to be invoked with prayers. It was something to be destroyed because it was the symbol of Christ's cruel torture and death. The Eucharist was a lie, and it should be rejected.

Were these teachings inconsistent with the teachings of Christ or Paul? That didn't matter. What was important is that they were a threat to the Church. Surely God didn't see these beliefs as a threat to Him. But the Church simply could not allow someone to steer others away from their institution. The wealth and power of the Church were threatened, and that was not acceptable.

For 20 years de Bruys' message was heard in Gascony, and the prelates hadn't been able to do much to stop it. He caused a large number of consecrated crosses to be gathered, thrown in a pile, and burned. Meat was roasted on the flames. The Church could not allow such open contempt to go unchallenged, so in 1126 they roasted de Bruys on open flames.

That didn't end his teachings, though. They continued under the leadership of Henry, the Monk of Lausanne, and the Petrobrusians. Hot on his heels was St Bernard, but, again, this heresy thrived in the south of France. The prelates appealed for assistance, but the nobles were not inclined to help, because they hated the clergy as well. They rather enjoyed using the Petrobrusians as an excuse to oppress the church.

St Bernard, in obvious despair, offered this portrait of the state of religion in the territories of the Count of Toulouse in 1147:

The churches are without people, the people without priests, the priests without the reverence due them, and Christians without Christ. The churches are regarded as synagogues, the sanctuary of the Lord is no longer holy; the sacraments are no more held sacred; feast days are without solemnities; men die in their sins, and their souls are hurried to a dread tribunal, neither reconciled by penance nor fortified by the holy communion. The little ones of Christ are debarred from life since baptism is denied them. The voice of a single heretic silences all those apostolic and prophetic voices which have united in calling all the nations into the Church of Christ.

What's astonishing about that jeremiad is that it comes from a Christian apologist, not the Petrobrusians. The sad state of affairs was not the work of Petrobrusians, but the work of the Church itself. Innocent III himself admitted as much in his opening address to the Lateran Council: The corruption of the people has its chief source in the clergy. From this arise the evils of Christendom: faith perishes, religion is defaced, liberty is restricted, justice is trodden under foot, the heretics multiply, the schismatics are emboldened, the faithless grow strong . . .

No wonder the Petrobrusians and the nobles in the south of France hated the clergy!

The Cathari

(HIMA , 89-128; 135-142)

Catharism was a dualist belief in which there are two gods – one good and the other evil. The good God was the creator of the spiritual realm and was responsible for the New Testament. The bad God, also known as Satan, was the creator of the world and the Old Testament. The entire visible physical world, including human bodies, was tainted with sin, and it was, therefore, evil.

Catharism was also an antisacerdotal form of belief. Catharis rejected the machinery of the Church, including the sacraments, sacrifices of the altar, suffrages, purgatory, relics, images, crosses, holy water, and indulgences. All the devices by which priests procured salvation for the faithful and riches for the church were thrown out. The Cathari considered the Roman Church the synagogue of Satan, and orthodox Christianity incapable of offering salvation.

Yet, St Bernard was not harsh in his assessment of the Cathari: If you interrogate them, nothing can be more Christian; as to their conversation, nothing can be less reprehensible, and what they speak they prove by deeds. As for the morals of the heretic, he cheats no one, he oppresses no one, he strikes no one; his cheeks are pale with fasting; he eats not the bread of idleness; his hands labor

for his livelihood. (The same could not be said about orthodox Christians).

The Cathari, although they were confident that they were the church of the future, never considered achieving that by force. They were happy to engage any Catholic in debate when they were fortunate to find a willing participant. They preached to the people, who had no other source of religious instruction. They were perfectly content to go about their peaceable conversations and missionary work with no ill will toward their orthodox neighbors.

That was unbearable to the Church. As far as they were concerned, any toleration of others was tantamount to persecution of Catholics. Because they were right, everyone else must be wrong, and if they were wrong, they must not be allowed to mislead any soul away from orthodoxy. It was the responsibility of the Church to protect those souls (and itself) from such abhorrent rivals.

Innocent Lost

Innocent became Pope on February 29, 1198, and he immediately set out to squelch heresy and stop heretics once and for all. He wrote a letter to the Archbishop of Ausch, ordering him and his brethren to rigorously root out the heretics in their midst, securing the assistance, if necessary, of the princes and people. Punishment was to be applied not only to heretics themselves, but also to anyone who had dealings with them, anyone who protected them or consorted with them, and anyone suspected of being familiar with them.

The problem (for Innocent) was that the prelates being tasked with this mission were not inclined to take it seriously. Their reaction was one of derision and despair, not the enthusiasm Innocent had hoped for. But the new pope had a pretty good idea what he was up against, so he didn't wait for a response. By April 21st he dispatched two commissioners, Rainier and Gui, to southern France as representatives of the Holy See. They were armed with letters to all the prelates, princes, nobles, and people of that area, empowering them to employ all applicable regulations against the Cathari (and other heretics). Anyone unwilling to return to the orthodox faith was to be banished and his property confiscated. Any secular authority who refused to cooperate was also subject to punishment. Those who cooperated were to be rewarded with indulgences.

Not until six months later did it occur to Innocent that it might be a good idea to also tackle the problem of church corruption. As an afterthought, Rainier was also empowered to remove the source of the evil by reforming the churches and imposing discipline on the clergy. Rainier wasn't having much success early on, so in July, 1999, Rainier's authority was expanded again, as both reformer and persecutor. Now he was to be regarded and obeyed as though he were the pope himself.

Two high-ranking notorious offenders were attacked in a show of reform, the archbishops of Narbonne and Ausch. But the proceedings stretched out over twelve years. Meanwhile, the local prelates were angry about the powers of the commissioners. They were humiliated and alarmed by the attempts to punish and reform their evil lives. They were, to say the least, not inclined to put forth any effort to eradicate heresy, and they were, in fact, tempted to join with the heretics in opposition to the Holy See.

So, heresy thrived. When the prelates tried to turn the tide, heretics simply pointed to the wicked lives of Christians as proof that the orthodox were in no position to criticize anyone else's religious beliefs. It was obvious that nothing short of reformation would restore the Church to a positon of authority in the minds of the people of southern France. Innocent decided it was time to really put his foot down. No more mister nice pope.

Christians Talked Turn the Other Cheek; Cathari Did It

Innocent called in the heaviest hitter available, Arnaud of Citeaux. If anybody could git-r-done, it was this monk of Fontfroide. In May, 1204,

Innocent unleashed this holy pit bull with plenipotentiary power to drive heresy out of southern France once and for all. This “Abbot of abbots” was to use all necessary force. Whatever it took to get the job done. Neither he nor anyone who cooperated with him need worry about crossing any lines, because Innocent assured them of full remission of any sins, extending even to those who had been excommunicated. Any noble who refused to cooperate would forfeit all his territories, which would then belong to Arnaud.

Such powerful incentives tended to attract men whose motives were not pure. And they failed to attract others who already had been given an indulgence. The prelates were more indignant than ever, and even less inclined to join the efforts of Arnaud. Another failure. It was Innocent’s last card. All hope was lost, and when three legates met in the summer of 1206 at Montpellier, they were determined to withdraw from the effort.

But a Spanish prelate, Diego de Azevedo, Bishop of Osma, just happened to be in the neighborhood. He was returning home from Rome, where he had requested that Innocent accept his resignation as a bishop so he could devote himself to missionary work. Innocent had refused. So, he came up with another idea. He begged the legates to not give up just yet, but try a different approach. He suggested they forget about their holier-than-thou in-your-face tactics and instead go to the people barefoot, as poor apostles, preaching the Word of God. At first the legates dismissed the idea, but then they began to think it was so crazy it just might work. But they wouldn’t commit to the scheme unless someone in authority set an example. Diego offered to play that role. Game on.

Diego de Azevedo, Bishop of Osma, sent his servants home. From then on, he was just plain Diego de Guzman, humble servant of the Lord. Arnaud went to Citeaux to recruit missionaries for this new assault on heresy. The other two legates got the ball rolling at Caraman. They were soon joined by new volunteers, including at least 12 abbots. From there they spread out, working in small groups of two or three, wandering barefoot in the towns and villages, trying to convert heretics to orthodoxy. They continued for three months, working as real evangelists.

But their effort was not successful. In fact, what they had accomplished was merely to get the heretics all fired up and inspired to renew their own missionary work. Remarkably, however, the Cathari were not hostile to the missionaries who were out to destroy their religious beliefs. They didn’t harm any of the orthodox evangelists, nor did they even threaten to. Furthermore, whatever it is that made Middle Ages heretics gladly embrace martyrdom rather than submit to apostasy, the Cathari had more of it than any other group of heretics.

How revealing that it was the Cathari heretics, not the orthodox Christians, who actually turned the other cheek. And it is quite remarkable that, in spite of the plenipotentiary powers of the legates, including killing heretics, if that’s what it took, there was still one authority the legates felt required special permission from the pope. They requested the authority to grant license to anyone they felt worthy to teach in public. When Innocent gave the nod, he was unaware that he had just set in motion one of the most important events of the century. From that decision sprang the Dominican Order.

The Struggle Between Freedom of Religion and Doctrinal Purity

(HIMA, 209-242)

The Christian religion did not start out as an institution focused on suppression of dissidence or eradication of heresy. Yet within a few centuries it had developed a few acid tests of orthodoxy, and anyone who deviated, even slightly, from the orthodox understanding of Christian doctrine could not be accepted as a true Christian. It mattered not that the dispute was of such infinitesimal nature that few were capable of even understanding it. According to one prominent prelate, if a person’s beliefs

were orthodox on 999 points and false on 1, that person was a heretic.

The orthodox version of the religion emerged and evolved over its first six centuries as men with the most power in the Church hierarchy were able to enforce their views as the only correct ones. In the process, more and more variations appeared, and the differences between them and orthodoxy became more pronounced and hotly disputed. The number of heresies was huge and growing, even if the areas of dispute were often minor and incomprehensible to most believers.

Meanwhile, the Church had grown immensely powerful and wealthy. Men in the Church hierarchy guarded that power and wealth vigorously. Maintaining it required obedience, and obedience required strict adherence to orthodoxy. Any deviation was considered a threat to a prelate's elevated position, especially if it showed signs of popular acceptance and growth. So, it wasn't just a desire to keep the Christian message pure that drove prelates to oppose heresy of all forms. It was also protection and preservation of their own power and wealth.

However, while it is easy to understand the reason for strong animosity toward heretics and a compelling drive to persecute them, there was still, at least at first, a natural inner struggle between those forces and the desire to afford others freedom of conscience. While it was most unChristlike to force one's religion on someone else, it was also irreligious to allow heretics to pollute the true Christian message, thus leading souls astray, with horrendous consequences to those poor souls, and with potentially horrendous consequences to a prelate's personal prestige and status. The very survival of the Church depended on soldiers of orthodoxy being willing to defend it to the fullest.

While the Christian Church was being relentlessly persecuted in its early years, Christians pleaded for toleration. But when those same Christians were faced with myriad heresies, toleration was no longer seen as such a virtue, and often toleration was not tolerated. But that didn't happen without a long struggle.

It began shortly after orthodoxy had been defined at the Council of Nicea. Constantine, who possibly saved Christianity from obscurity when he adopted it as the official state religion, brought the power of the state to bear to enforce uniformity. Any priests who held views considered heretical or schismatic were stripped of their immunities and privileges. Their meeting places were confiscated by the Church, and further meetings, whether public or private, were prohibited.

Constantine commanded that all copies of the writings of Arius be surrendered, and noncompliance was punishable by death. Such an extreme position did not last long, however. Members of the clergy seemed to instinctively draw the line at drawing blood, although the Emperor Julian stated that he had found no wild animal more cruel than Christians were to each other. There were no executions as a result of that command. Constantine, growing tired of the endless infighting, ordered that all Christians without distinction be admitted to the churches. Meanwhile, pagan temples and ceremonies had remained undisturbed throughout the episode.

But the seeds of destruction had been sown. Doctrinal differences grew more plentiful and fierce. The determination to extirpate heresy in all its forms gradually gained strength, overpowering any inclination toward freedom of religion.

Onward Christian Soldiers

(HIMA, 209-242)

The first known case of judicial execution for heresy was in 385, and it produced shock and horror among the people. But righteous indignation had subsided 62 years later when Leo I defended the act and declared that if heresy were left unchecked, it would mean the end of divine law and the beginning of anarchy. Therefore, heresy must be suppressed by any means necessary.

However, the Church cleverly found a convenient emollient in the State. In most cases, the monarch was willing, with some holy prodding, perhaps, to issued edicts condemning heretics. They were sent into exile, deported, sentenced to labor in the mines, or condemned to die. So the Church could both claim credit for keeping their doctrine pure and deny blame for doing the dirty work required. It wasn't the Church that enforced the laws, so they had no blood on their hands. But if State officials were reluctant or not sufficiently enthusiastic, the Church did not hesitate to apply pressure until the State was sufficiently compliant with the Church's demands. Meanwhile, no ecclesiastic was allowed to be involved in any way with judgments involving death or mutilation, and they weren't even permitted to be present in a torture chamber. This policy continued until persecution of heresy reached its bloodiest phase.

Clearly, this was merely a tactic adopted by the Church to avoid responsibility for its own conduct. The Church's role was to find a defendant guilty of heresy and *relax* (relinquish) him to the secular authorities for whatever punishment may be appropriate. The transfer of jurisdiction was always accompanied by a plea for mercy, a request that no blood be shed, no life taken. But the Church's rank hypocrisy is proven by inquisitors who enforced as a matter of law this rule: the mere belief that persecution of heretics is a sin is itself heresy, punishable just as harshly as any other heresy.

According to the second Lateran Council, 1139, all secular authorities were ordered by the Church to use coercion as necessary in enforcing orthodox compliance by heretics. According to the decree of Lucius III at the Council of Verona, 1184, secular authorities were ordered to take an oath before their bishops to fully and effectively enforce all secular and ecclesiastical laws against heresy. Non-compliance or neglect was punishable by excommunication, loss of rank, and prohibition against holding any other station. In the case of cities, they were to be segregated, and commerce with other areas was prohibited.

A monarch held his crown only by virtue of relentless, ruthless persecution of heretics and extirpation of heresy. There was no room for mercy, and hesitancy was not tolerated by the Church. If sufficient enthusiasm were not demonstrated, the monarch was sure to be overthrown by any adventurer the Church might supply with an army. The same level of compliance was demanded of all ranks, from highest to lowest. Each secular authority was forced to understand and accept that it was his primary responsibility to help maintain the purity of the faith.

Every Christian, in fact, was required to do his/her part, and universal compliance became a principle of European public law. Every single Christian was obligated to denounce every single heretic to the authorities, even if the heretic happened to be a member of his immediate family. The guilt of heresy severed every human bond, including matrimony. No oath of secrecy was binding in cases of heresy, because being faithful to a heretic necessarily meant a person was being unfaithful to God.

Getting Serious about Heresy

By the 13th century, the Church was engaged in a mortal struggle against heresy. There was no longer any pretense of moderation, and there was no longer the hypocritical attempt to pass the buck to secular authorities. The hesitation of the previous two centuries was gone. Heresy now extended to any doubt in one's faith. It extended to anyone who refused full obedience to the Roman Church, even if that person fully believed and accepted all the doctrines of Christian orthodoxy.

St Thomas Aquinas declared that no heresy was to be tolerated. A heretic was allowed two warnings. If they were still not in full compliance, they were to be relaxed to the secular authorities and put to death. He considered that extremely fair of the Church, given the potential damage heresy could inflict on Christian orthodoxy. Nor did the Church's charity end there. A heretic who repented and

recanted could be mercifully received back into the Church, and salvation could again be attained through appropriate penance, as long as that did not cause evil to be suffered by others. But if he happened to relapse after that, he could no longer be spared the death penalty. Such was the expressed policy of the Church, and it was faithfully executed.

Even death did not exempt one from the unalterable rules. If a person happened to conceal his heresy and continue taking communion until his death, that was not the end of the matter. It was unacceptable that such a person would be buried in consecrated ground and remembered in prayer. It was also intolerable that the property of such a person had been passed on to his heirs instead of being confiscated, as would have been the case had his heresy been exposed prior to his death. A trial would properly be conducted posthumously, and guilt would result in excommunication, with all the implications that entailed. The bones of the deceased would be dug up and then burned.

This was not imposed on a traumatized public by a few radical prelates. The people were as enthusiastic as the clergy in their battle against heresy. The kindest, gentlest, most intelligent souls with purest motives and noblest aspirations, professing a religion based on love and charity, were just as ruthless as anyone else in eradicating heresy. To them, it was a matter of fulfilling their solemn duty, and they were totally in sync with universal opinion in the 13th through 17th centuries.

Christians Put the Dark in the Dark Ages

It was a cruel world in that age. The military spirit was pervasive. Men were accustomed to settling differences with force rather than persuasion. Convictions were strong, passions were intense. Virtues and vices were both exaggerated. People were indifferent to human pain and suffering. There was no industrial spirit or compassion.

Common forms of legal punishment were the wheel, a cauldron of boiling oil, burning alive, burying alive, flaying, tearing apart with wild horses. A female slave convicted of theft would require that 80 other female slaves each bring three pieces of wood, burn the convict, and each pay a fine. If a thief had a concubine accomplice, she was to be buried alive. If she was pregnant, she was allowed to give birth first, though. In France, Jews were hung by the feet between savage dogs. In Italy men were blinded, mutilated, or torn apart with hot pincers. In Denmark, blasphemy meant cutting out the tongue, followed by decapitation.

None of those crimes, however, was detested nearly as much as heresy. It was the worst of all crimes, and it, therefore, merited the worst of all punishments. Arguably, that was excommunication. As cruel and barbaric as these punishments were, they resulted in merciful death relatively quickly. Excommunication meant eternal punishment. Nothing was more frightening to medieval man than the threat of excommunication.

Although such extremes are difficult to understand today, we should keep in mind the Old Testament context. Jehovah delighted in smiting his enemies. Unbelieving Canaanites were condemned by God to wholesale slaughter. Elijah was a hero for slaying 450 priests of Baal. Jehovah was placated by the continual sacrifice of victims. Christians of the Middle Ages felt that their God was perfectly comfortable with their prescribed punishments, and that they were necessary as a deterrent to the detrimental effects of heresy. If the Christian God wrought divine vengeance on those who offended him, who were medieval Christians to question His ways? They were obliged to follow His example. Furthermore, it was their duty to take great pleasure in contemplation of a sinner’s anguish and agony. Compassion for the suffering of a heretic was not only a weakness. It was a sin.

It does seem strange, in view of all that, that those same devout Christians, wholly dedicated to eradicating heresy in all its variations, totally committed to maintaining the purity of the

orthodox faith, and determined to convert as many as possible to the one true faith, took a hands-off approach to nonbelievers such as Jews. Persons who had never accepted Christianity were not compelled to accept it. The Christian Church had no jurisdiction over the soul of any person unless he had been baptized into the Church. Children of such nonbelievers were not to be baptized into the Church without parental consent. God works in inconsistent ways.

Meanwhile, Out West

(HIMA, 209-242)

In the East, princes were required to be orthodox themselves and to use their power to the fullest in preserving the purity of the faith. When an emperor was coronated in the Holy Roman Empire, he was admitted to the priesthood, and he was given responsibility for eradicating whatever form of heresy might rise against the Church. When the pope handed him the ring, it symbolized the emperor's responsibility to destroy heresy. When the pope handed him the sword, it symbolized the emperor's obligation to fight against any and all enemies of the Church. For centuries, heresy after heresy was exterminated, eventually leading to burning at the stake as a common mode of enforcement.

But the Latin Church, meanwhile, wasn't much involved with persecution of heretics. That's because, with the Western Empire's collapse, the Latin Church was preoccupied with converting the barbarians to Christianity. The new converts were more inclined to accept the new faith as it was taught, and less inclined to engage in speculation. They could be unruly at times, but they didn't give the Church much problem regarding orthodoxy. They simply didn't have the mental energy or capacity which heresy required.

There were occasional cases of imprisonment and even burning alive, but there was no definite formula, established policy, or consistent pattern for dealing with heresy. It was generally accepted that it was better to let a heretic go free than to take the life of an innocent. There was also this uncomfortable awareness of a glaring inconsistency in the Church's approach to heresy: the most minute, insignificant inconsistency could be considered heresy, and harsh punishment might be imposed, while at the same time, the orthodox faithful could commit the most heinous sins and practice the grossest immoralities without fear of punishment.

The practice of burning the heretic alive slowly gained popularity over a long period of time. It came to be accepted not because it was adopted into law, but because it eventually became customary.

Inefficacious Reform Efforts

(HIMA, 243-256)

Although the Church was thoroughly corrupt and controlled by men of ambition, far down in its hierarchy there were some who understood how far the Church had strayed from the teachings of Christ and longed to put it back on the right track. The survival of the Church depended on their efforts, not on the force used by prelates. The Albigensian crusade had crushed the rebellion in southern France, but it had done nothing to restore people's respect for the Church or satisfy their longing for spiritual leadership.

A few prominent pious prelates had also spoken frankly of the failures of the Church and had attempted to make reforms. But there was little they could accomplish in such a vast sea of corruption. Since reform could not come from the top, it must come from the lower ranks. Peter Waldo, for example, assumed the role of evangelist, with no thought of antagonizing the church leaders. But his disciples inflamed the suspicions and antagonism of those who were determined to maintain the status quo.

Foulques de Neuilly was short on education and training, but long on enthusiasm. He obtained a license to preach and took on the role of a missionary. At first he was not well received, but experience provided the skills he

needed, and before long he was working miracles. He attracted thousands of sinners, but few of his converts long persisted in the faith. He did, however, have great success in turning women from the ways of evil to the ways of a nun. There were so many of them that the Convent of St Antoine in Paris was established to receive them. He also won over many Cathari to orthodoxy.

He dealt harshly with the licentious clergy, prompting them to throw him into a dungeon at Lisieux. But, even though he was weighed down with chains, he put his miraculous abilities to good use and managed to walk away. The same scenario played out at Caen. His reputation suffered when one of his associates, Pierre de Roissi, preached poverty while amassing wealth. Then he got sidetracked when Innocent III tasked him with advocating the crusade. He answered the call with enthusiasm, prompting magnates to lend their support to the cause, and harvesting 200,000 poor pilgrims for the crusade. (He preferred the poor because he felt the wealthy to be unworthy).

Some, probably with malice aforethought, claimed he kept some of the vast contributions to the crusade. Certainly the money he provided to Christians in Palestine was joyfully received and well spent, enabling them to repair damage from a recent earthquake. He planned to accompany the crusade, but just before it set out, Foulques died at Neuilly in May 1202, leaving all his possessions to the pilgrims.

Dauran de Huesca the Catalan had been a heretic, and his conversion to orthodoxy produced a drive to convert others. He wrote tracts against his former (Waldensian) heresy, and he devoted himself to evangelism, gaining converts from Spain to Italy. He dreamed of establishing an order which would be devoted to poverty, self-abnegation, preaching, and missionary work. He found in Milan 100 of his former fellow Waldensians who agreed to return to the Church and form such order. Their policy of absolute poverty was strictly enforced, which wasn't much of a challenge for them because they had already donated all their possessions to charity. They renounced the world, took a vow of chastity, slept on boards (except when ill), prayed seven times a day, and observed certain fasts in addition to those required by the Church. They agreed to not worry about tomorrow, accepting only necessary food and clothing, which included a gray or white habit and sandals. Those who were able devoted themselves to converting heretics and preaching to the faithful, but taking care to avoid criticizing the vices of the clergy. Others lived in houses, worked with their hands, and gave tithes to the Church. They found a wealthy layperson in the diocese who funded the building of a hospital with 50 beds, construction of a church, and distribution of clothing to the naked. They elected their own superior, but they were fully subject to the jurisdiction of the prelates.

They called themselves the *Poor Catholics*, and they were full of promise and potential. In 1209 they had communities started in Aragon, Narbonne, Beziers, Usez, Carcassonne, and Nimes. However, the prelates of Languedoc were overtly or covertly suspicious and hostile. There were complaints that the converts were not sincere and that they did not appropriately respect the Church and its observances. The prelates thought it easier to punish than persuade. The Poor Catholics were subjected to scorn, derision, and laughter. They appealed to Innocent, who assured them of papal protection, but his appeals to the prelates were ignored, and the Poor Catholics all but disappeared after 1212.

Mendicants

(CFTY, 401-404)

Dominic became a priest in Spain in 1194. He took part in the campaign to win back southern France from the Cathari, and he thought he understood why it was having little success. The people of that area related more to the humble Cathari than to the haughty Catholic prelates. He got permission from a bishop to begin a program of approaching the common people on their level, adopting a lifestyle of apostolic simplicity and poverty designed to

beat Cathars at their own game. This style of preaching was intended to show the people that the Church was indeed an institution dedicated to Christ's message of love and forgiveness. His band of preachers would be well educated and capable of explaining orthodox Christianity in terms they could understand and would be drawn to.

He didn't have much success at first, but Dominic's idea caught on. Unlike the Cathari, the Dominicans (as they came to be known) emphasized their loyalty to the pope. Honorius III drafted a document which officially recognized this new group as an Order of Preachers. (They were also sometimes referred to as *Blackfriars*, a reference to the black hood they wore with their white robe). Instead of building up wealth like their monastic counterparts, they survived by begging from common people. (Thus the name *mendicants*). To avoid competition among groups of friars, they established agreed-on boundaries or limits. (Thus yet another nickname, *limiters*).

As mendicants, they were at all times dependent on the good will and generosity of the public. Which meant they were constantly in a position of having to prove their worth and justify their very existence by providing a needed service. That service consisted of bringing a message of Good News and comfort to the entire body of believers and potential converts. In addition to playing the role of evangelist on the street, preacher in church, and showman in public squares, they also heard confessions, making their interaction with people very close, personal, and at times intimate. Their mission also extended to universities, where they brilliantly defended orthodoxy while at the same time gaining a reputation as original thinkers.

They took on another role which eventually tarnished their reputation. They were employed at the end of the Albigensian Crusade as investigators in the inquisition tribunals, and soon they came to dominate the inquisitions, putting them on the front lines of protecting orthodoxy from dissidence anywhere in Europe. That earned them the epithet, *hounds of the Lord*.

Meanwhile, a very similar group was taking shape under the leadership of a totally different kind of man. Francis (better known today as *St Francis of Assisi*) was a playboy. His father was wealthy, and Francis decided that was totally unacceptable. He embraced lepers, *shouted the Christian message at birds in a graveyard* (CFTY, 403), and became, like Christ, without possessions. Although he was a passionate nonconformist, he was committed to the Catholic Church in Rome.

Unlike Cathars, Francis believed that everything in God's creation was good. He attempted, in 1219, to convert the Ayyubid sultan from Islam to Christianity, but that was a failure, just as the Fifth Crusade had been. He lost many of his followers, because Francis was not providing the kind of leadership and structure they demanded. Toward the end of his life, he worried that his newly institutionalized group, the Franciscan Order, would abandon his commitment to poverty, and he specifically warned them against a campaign of building convents for themselves. A decade later, a grand basilica had been built over his tomb in Assisi.

Franciscans continued to embrace poverty, however, in a display of inconsistency characteristic of Christianity. They became known as *greyfriars*, although their habits were brown. There were parallel communities for women, named after his female colleague, Clare. His home town of Assisi, in central Italy, also has a parallel city in California – San Francisco.

It is in some ways surprising that Francis' group survived, since his early supporters tended toward anarchy, which could have been seen as more of a threat to the Church than a benefit. But Francis had a friend in Innocent III, pope from 1198 to 1216.

A New Persecution Package

(HIMA, 305-368)

The Albigensian Crusade had suppressed open resistance to orthodoxy in southern France. But there were still numerous heretics that could not be ignored. The problem prelates now faced was that heretics had grown less defiant, and therefore more difficult to detect. It had always been a challenge to determine what is in the mind and soul of a person, but now that heretics were stifling outward expression of their beliefs for their own survival, detection seemed almost impossible, even though it was more imperative than ever that the Church do so. Since heretics went to great lengths now to say and do all the right things to avoid detection, prelates were at a loss.

One crude method was called the *hot iron* test, based on the assumption that if a person was telling the truth, exposure of his skin to hot iron would not burn him. One woman had been doomed to die of hunger, but one day at confession she claimed to be innocent, so the religious dean advised her to prove it using the hot-iron method. She was burned severely by the hot iron, then even more severely at the stake. One good Catholic seemed suspicious simply because of his poverty and his unhealthy appearance. An assembly of bishops ordered the same test for him, but the poor chap requested proof that doing so would not be a mortal sin to tempt God in such a manner. That was all the proof the bishops needed, and he was promptly relaxed to the secular authorities to be roasted. It finally sank in to even these ignorant prelates that this was not a good idea. There was just as much confusion about how to punish a heretic once he had been convicted.

A better method was the regular visitations by each bishop throughout each diocese. At the arrival of the bishop at a parish, all the locals were assembled in a local synod. He selected from them seven mature men of integrity and swore each of them to reveal, without fear of retribution or expectation of favor, whatever they might know or subsequently learn of any possible offense that might merit investigation.

Long lists of interrogatories were prepared to guide bishops through the process of examining witnesses under oath, in the hope that no sin or immorality would be missed during the proceedings.

There were two problems with this method, however. First, it was rarely used. Second, when it was used, it worked too well. In 1246 Robert Grosseteste, reforming bishop of Lincoln, took the advice of Franciscans and proceeded with such a general inquisition into the morals of both noble and commoner throughout the diocese. So many scandals were exposed that Henry III had to step in a shut it down.

Still, it was probably a workable model. The problem was that bishops were preoccupied with enriching themselves, and had no interest is dealing with heresy. Pope after pope appealed to their sense of duty, but it was useless.

Bishops Get Busy

In addition to the *synodal witnesses* model described above, the pope, in 1184, at an assembly of prelates at Verona, decreed (at the insistence of the emperor and with the consent of the bishops) that all bishops and archbishops were required (either in person or a suitable representative) to visit every parish under their jurisdiction where heresy was suspected. This was to take place at least once or twice a year. The bishop was to compel two or three men of good character (or as many as might be necessary) to swear under oath to reveal any suspected heretic, or anyone behaving suspiciously. Those designated were summoned to appear before the prelate, and if they could not prove their innocence to the satisfaction of the prelate, they were to be punished in whatever manner the bishop thought appropriate. Anyone who refused to swear his fidelity to orthodox Christianity was to be condemned as a heretic and punished accordingly.

None of this was new. It was merely an attempt to prod prelates into action. It failed, just as previous attempts to arouse bishops to action against heresy had failed. Future similar attempts would also fail. Threats were made against bishops who failed to fulfill this most important responsibility, and it was claimed that they would be replaced by someone who would. That didn't do any good, either. Except for an occasional fanatic, there was no sustained effort to combat heresy. Heresy, therefore, flourished.

Popes Take Charge

Popes began to take matters more into their own hands. They sent legates to either work with bishops or do what bishops would not do. But there was still the nagging problem of getting inside someone's head and heart to determine if he was or was not a heretic. Neither bishop nor legate nor the combination of them was up to this task. It began to become clear that what was really needed was a group of specialists. Trained experts, whose only job was to find offenders and secure a confession from them. They must be free from all the local *office politics*, able to render objective, unbiased judgments.

What better men for the job than the emerging mendicant orders? They were not interested in worldly possessions, so they couldn't be bribed. They were committed to orthodoxy, purity of the faith, and the papacy. They were popular, and therefore more likely to gain the willing cooperation of the locals. They were not apt to resort to oppression, cruelty, or revenge. All things considered, it seems logical, natural, and even inevitable that the Mendicant Orders would step up to play a prominent role in the 13th century in the Church's war on heresy.

Secular Enforcement

There was another development at this time that also brought hope for an effective campaign of persecution of heretics. Secular legislation, for the first time, placed the population at the mercy of the pope's emissaries. This was thanks to Frederic II, who personally had no particular problem with heresy as long as it didn't pose a threat to his rule. However, he needed the pope's favor in order to be crowned, and even though they had a parting of the ways, Frederic II still could not afford, politically, to be perceived as being soft on heresy. As a result, a ruthless code of persecution came in the form of a series of edicts issued from 1220 to 1239.

Anyone merely suspected of heresy was required to purge himself at the command of the Church. Noncompliance resulted in loss of civil rights. If he still had not complied after one year, he was to be condemned as a heretic. Heretics of all varieties were outlawed. Anyone condemned by the Church as a heretic was to be turned over to the secular authorities and burned. If he recanted, but merely to escape death, he was to be imprisoned for life. If someone relapsed, his conversion was exposed as fraudulent, and he was to be put to death. All property of a heretic was to be confiscated and his heirs disinherited. His children and grandchildren were ineligible to any position of emolument or dignity. (This could be overcome, however, if he were to betray his father or another heretic). Heretic supporters, advocates, or sympathizers were banished forever, their property confiscated, and their descendants treated as those of heretics. Anyone who defended the errors of a heretic was also a heretic unless he could be convinced to mend his ways. Houses of heretics, and those who received them, were to be destroyed, never to be rebuilt. Every ruler and magistrate must swear to do his very best to exterminate heresy in his midst, and if he failed to do so, he would be fired. Landowners were in danger of losing their property if they did not fully comply with all provisions of the code. In 1232, Frederic placed the entire machinery of the State under command of the inquisitors, who were authorized to task any state official to capture anyone they might designate as a heretic, and if condemned by the church, to put the condemned heretic to death.

This legislation was well received by the Church, and ignoring its responsibilities was not an option. Before long, similar legislation was adopted throughout most of Europe, from Sicily to the North Sea, and then to the west as well. However, persecution was still approached differently in some areas, and enforcement was inconsistent, resulting in a period of confusion and competition.

Dominicans Take the Lead

April 20, 1233 is considered by some to mark the founding of the Inquisition. On that day, Gregory issued two bulls making Dominicans the primary players in the persecution of heretics. But his tone was hesitant, and his instructions indicate he had no clear vision of its future. His primary focus seemed to be the punishment of priests, who had a reputation of coaching heretics on how to avoid detection, conceal their beliefs, and appear to be orthodox.

Many questions about how heretics should be treated had been answered, and there was now a basic organizational structure for effective persecution, but troublesome details kept popping up in practice, and it became clear that something more was needed to make the whole thing work the way it should. A council was assembled at Narbonne in 1243 or 1244, consisting of the provinces of Narbonne, Arles, and Aix, producing an elaborate series of canons which refined the process. Their work was addressed to the Dominicans, and it was framed as friendly advice, but the tone made it clear that these were *commands*, not merely *suggestions*.

The primary issue was one of final authority in imposing punishment of death or perpetual imprisonment. While the Dominican inquisitors had been given power plenipotentiary, bishops had second thoughts about it. Decisions went back and forth until Gregory X, in 1273, decided that there would be joint action by bishops and inquisitors (Dominicans) in those cases. The question then arose as to whether a bishop might act as the inquisitor's deputy during the inquisitor's absence, and vice versa. Could either the bishop or the inquisitor alone, for example, render a sentence of absolution? Experts weighed in on both sides, with the affirmatives having a slight edge.

Ad Extirpanda

By this time, the Inquisition had become a permanent part of the Church machinery, generally accepted by the people. Persecution of heretics was no longer a matter of temporary interest, because heresy could no longer be considered a temporary threat. But questions and controversies continued to plague the persecution process and progress, and the institution continued to evolve.

Innocent IV, on May 5, 1252, issued his famous bull *Ad extirpanda*, which established the persecution of heretics as an integral part of social life in every city and state, although it left unresolved a number of questions as to how bishop, inquisitor, and friar would coordinate and cooperate in their responsibilities.

All rulers were ordered to ban heretics in their jurisdictions. If a heretic was found, anyone could seize him and confiscate his goods. But the bull provided for a full-time dedicated crew to deal with heretics. Each chief magistrate was required within three days of taking office to appoint 12 good Catholics, two notaries, and two or more servitors whose only job was to arrest heretics, take their goods, and deliver them to the bishop (or his vicars). (Candidates for those positions were nominated by the bishop and two friars from each of the Mendicant Orders). Wages and expenses were to be paid by the state. Their evidence was to be received without oath, and if three of them agreed on certain facts, such evidence was considered irrefutable. They served for six months, at which time they may be reappointed or replaced. They could be fired at any time by the bishops and friars. These servants were also entitled to one third of the proceeds of fines against heretics and goods confiscated from them. They were exempt from any public responsibilities that might interfere with their

Inquisition work. No law was allowed to be passed that interfered with these provisions. The ruler was required to send an assessor or a knight to their aid when necessary. Any citizen was obliged to provide assistance when requested, and noncompliance was subject to heavy penalty.

A deputy of the ruler was provided to accompany the inquisitors on each visit to any portion of that jurisdiction. On those visits the deputy would summon at least three men of good reputation, place them under oath, and require them to reveal any known or suspected heretics in the area, or anyone acting suspiciously. The State was obligated to arrest all so accused, hold them in prison, and deliver them safely to the bishop or inquisitor. The State had 15 days to impose whatever judgment might be rendered.

The ruler was required, when called upon, to inflict torture on a suspect who refused to confess, and to name all the suspect's acquaintances. Anyone who resisted arrest put the entire community at risk. They were subject to a heavy fine if they didn't deliver the suspect within three days. The ruler was further required to prepare four lists of those who were banned for heresy – one copy for the bishop, one for the Dominicans, and one for the Franciscans. It was to be read in public three times a year. The ruler had 10 days to destroy houses and 3 months to collect fines. Those who could or would not pay were to be thrown in jail until they paid up. Proceeds from fines and confiscations were divided equally between (a) the city, (b) the servants appointed by the chief magistrate, and (c) the bishop and inquisitors (to defray costs of the Inquisition).

The provisions of this measure were strictly enforced. The bull was to be incorporated into all local laws, along with any further measures the pope might decree. Uncooperative officials faced the prospect of excommunication, and they place their city at risk of severe punishment as well. Anyone who attempted to alter these laws was also dealt with harshly. Rulers and their officials must affirm their compliance. Negligence could result in charges of perjury, a heavy fine, suspicion of heresy, loss of office, and the end of their public service forever. When a new ruler took office, he was required to appoint within 10 days three good Catholics (nominated by the bishop or Mendicants) to investigate the conduct and performance of his predecessor and prosecute him for any negligence or failure.

Each chief magistrate was required, at the beginning and end of each term, to have the bull read publicly in all places designated by the bishop and inquisitors. Any law that conflicted with the measure was to be erased from the statute books. Inquisitors were subject to excommunication if they did not faithfully execute all their responsibilities under the measure. They were also granted the authority to, along with bishops, interpret local laws regarding heresy if their meaning was in doubt.

This was all very carefully and deliberately devised to accomplish settled Church policy. There were minor modifications, but the foundation was firm. There was no significant objection to it by the people. Italy finally had an institution fully capable of fighting heresy. Its authority was not recognized or enforced beyond the Alps, but it wasn't necessary. The ruling class everywhere accepted as the highest priority for themselves and all citizens to fully participate in the Inquisition.

Papal Inquisition

Every inquisitor had letters from the ruler, and they were shown to the officials, who swore to obey the inquisitor in his official functions. The entire force of State was at the inquisitor's disposal, and all its citizens as well. Furthermore, inquisitors were authorized to summon experts, who were obligated to provide aid and counsel as needed. The Inquisition reigned supreme throughout Europe.

In time, inquisitors answered only to the pope. They became essentially otherwise unsupervised, invulnerable, independent, and autonomous. They had almost unlimited power and authority. They were extensions of the

pope, superior even to bishops. Their commissions did not expire at the death of the pope who issued them; they were continuously valid. Any attempts to weaken their power or challenge their authority were disorganized and easily suppressed. Bishops, had they organized themselves in opposition, could have challenged inquisitor power, but they did not. The episcopate generally looked on the upstart Mendicants with jealousy and disfavor, but they wisely did so silently. Interestingly, in spite of the awesome power of the inquisitor, the position of inquisitor was often used as a stepping stone to a position in the Church hierarchy, usually a bishop.

This papal Inquisition was technically no different than the earlier episcopal Inquisition. They both derived from the same impulses and imperatives, they both used essentially the same methods, and they both achieved the same results. The mechanical apparatus was different, making the papal Inquisition much more efficient, but historically the distinction is not significant.

What Made a Good Inquisitor?

What were the ideal characteristics, conduct, qualities, and methods of the inquisitor? The most experienced inquisitor of his time was Bernard Gui, who tells us the inquisitor **. . . should be diligent and fervent in his zeal for the truth of religion, for the salvation of souls, and for the extirpation of heresy. Amid troubles and opposing accidents he should grow earnest, without allowing himself to be inflamed with the fury of wrath and indignation. He must not be sluggish of body, for sloth destroys the vigor of action. He must be intrepid, persisting through danger to death, laboring for religious truth, neither precipitating peril by audacity nor shrinking from it through timidity. He must be unmoved by the prayers and blandishments of those who seek to influence him, yet not be, through hardness of heart, so obstinate that he will yield nothing to entreaty, whether in granting delays or in mitigating punishment, according to place and circumstances, for this implies stubbornness; nor must he be weak and yielding through too great a desire to please, for this will destroy the vigor and value of his work – he who is weak in his work is brother to him who destroys his work. In doubtful matters he must be circumspect and not readily yield credence to what seems probable, for such is not always true; nor should he obstinately reject the opposite, for that which seems improbable often turns out to be fact. He must listen, discuss, and examine with all zeal, that the truth may be reached at the end. Like a just judge, let him so bear himself in passing sentence of corporal punishment that his face may show compassion, while his inward purpose remains unshaken, and thus will he avoid the appearance of indignation and wrath leading to the charge of cruelty. In imposing pecuniary penalties, let his face preserve the severity of justice as though he were compelled by necessity and not allured by cupidity. Let truth and mercy, which should never leave the heart of a judge, shine forth from his countenance, that his decisions may be free from all suspicion of covetousness or cruelty.** (HIMA, 367-368)

We will take a look at inquisitors in action and see how well they lived up to this high standard.

When In Doubt, Call in the Experts

(HIMA, 369-392)

The papal inquisition was established to accomplish through terror what the Church had failed to achieve through persuasion. It was designed to be simple and effective, not impressive or showy.

Each inquisitor friar's jurisdiction extended to the provincial boundaries of his Mendicant order, which consisted of many bishoprics. The chief town of each province was considered the seat of the Inquisition, because that's where its building and prisons were located. But inquisitors didn't stay there. They were obliged

to go wherever the trail of heresy led them within their jurisdiction, following the prescribed process of summoning the people to assemble. To help motivate the people, they were offered a short-term indulgence (20-40 days) for their attendance. Occasionally the inquisitor encountered a town or village where the inhabitants had agreed not to betray each other. But overall, the system was working as intended. These visits declined only when most of the heretics had already been dealt with, or in places where a network of spies and familiars rendered it unnecessary.

It was common practice to establish a grace period of 15-30 days, during which time any heretic who self-identified, confessed, repented, recanted, and ratted out his fellow heretics was promised mercy, varying from full immunity to avoiding the most severe punishments, including death, perpetual imprisonment, exile, or confiscation of property. During the grace period, the inquisitor was readily available, prepared at any moment to receive confessions and conduct a thorough interrogation.

If the promise of mercy was the carrot, fear of betrayal was the stick. It was too easy for anyone with a grudge to take advantage of such an ideal opportunity for revenge. No one could possibly know what rumors might be going around about him. Had he said something carelessly somewhere along the line? Words spoken could easily be misinterpreted, misunderstood, or exaggerated, landing even the most orthodox believer in as much hot water as the heretic. Something said in confidence could no longer be considered protected in view of the awesome power of the inquisitor and the terror of the Inquisition process. It might be better to be the first to confess, even to something trivial or possibly suspected, and rat out on others before they ratted out on you. Spouses often betrayed each other, parents betrayed their children, and children betrayed parents. (A spouse or child was not allowed to give evidence in support of the accused, but testimony against him was considered very strong evidence). (HIMA, 436)

Familiar Functionaries

Among the functionaries in the Inquisition machinery were the *familiars* – messengers, spies, and administrative assistants. The kind of people the position attracted were not honest, peaceful citizens, but the reckless and wicked. They were granted immunity for violent acts. Furthermore, since it was tantamount to heresy to impede the work of any Inquisition official or functionary, it was not wise to resist the aggression of a familiar, however malignant his intentions. Familiars, therefore, were at liberty to extort, exploit, and oppress. Their reign of terror grew worse when familiars were authorized to bear arms. It got so bad that Innocent IV decreed that the number of familiars should be decreased to the bare minimum necessary. That was not a problem for France, because they relied on secular officials, with very few familiars. It was in Italy where familiars had ample employment opportunities.

One inquisitor, Fra Piero di Aquila, sold licenses to carry arms to more than 250 men, making him rich and putting the city under siege. Laws were passed restricting the number of licenses allowed each inquisitor, but potential profits were too great to have the desired effect. In another approach, armed familiar impersonators were deported from the city, at least 150 miles, and they were required to post bond guaranteeing they would stay there at least a year. Almost every city experienced the problem to some degree, and various methods were devised to control it, with varying degrees of success.

Parish priests were required to perform miscellaneous tasks, such as publishing all sentences of excommunication, and conducting surveillance on penitents to make sure they were actually performing their imposed penances, reporting anyone who failed to fully comply. But the Inquisition had the entire orthodox community, especially the clergy, at its beck and call. Every citizen was required to rat out anyone engaging in heresy as soon as he became aware of it. Furthermore, that citizen

was required to actually arrest the heretic. Following the old *synodal witness* model, in some jurisdictions a parish priest was authorized to appoint one or two laymen whose mission it became to actively search for heretics, which included searching all houses inside and out, ferreting out hiding places.

Bishops and Experts

As described earlier, it eventually became fixed policy that inquisitors had no authority to independently pronounce sentence upon a heretic. But, as was so often the case in matters of the Inquisition, that didn't stop contemptuous inquisitors. Clement V pronounced such unilateral sentences null and void, which meant a meeting of inquisitor and bishop was required to resolve the matter and decide on a valid sentence. But, the pope allowed an exception in cases where that would have caused unacceptable delays in the process. If inquisitor and bishop were unable to meet within eight days, the bishop could give his consent to the inquisitor's sentence in writing. But, as was so often the case in matters of the Inquisition, it was a farce. Most of the written consents were perfunctory and offered no real protection for the accused. Some bishops simply authorized the inquisitor to do whatever he thought was right in defiance of the pope's intent.

The intent was to offset the fact that inquisitors were selected because of their enthusiasm, not for their learning or wisdom. The bishop, it was believed, would provide the expertise of men well versed in both civil and canon law, thus avoiding unfair or unfounded punishment. And if the bishop felt inadequate to render judgment on a particular matter, he could call in any number of experts for consultation. However, such experts were often called not for their expertise, but simply to add an appearance of solemnity to the process. Such counsellors were summoned to meet on Fridays, with the final judgments rendered on Mondays. Each took an oath, swearing on the Gospels to secrecy and wise counsel based on his conscience and knowledge. But, especially if there were many suspects, there was insufficient time to devote to each individual case. Often, that was the inquisitor's intent. Furthermore, the inquisitor was at liberty to withhold the name of the accused and to present each case any way he saw fit. So, it became common practice for the counsellors to simply defer to the discretion of the inquisitor, and they provided no effective layer of protection for the accused.

For example, the Inquisitor of Carcassonne, Henri de Chamay, had 42 counsellors assembled at Narbonne on December 10, 1328. They concluded 34 cases in two days. The following September, he had 47 experts who dispensed with 40 cases in two days at Carcassonne. On the other extreme was the example of that inquisitor on May 10, 1329, at Beziers, where 35 experts were assembled to adjudicate the case of a Franciscan friar, Pierre Julien. It was agreed that the friar was relapsed, but they couldn't agree on the sentence. They were adjourned until evening, with Henri's request to spend the intervening hours contemplating possible grace and mercy for the wayward friar. But in the evening session there was still wide disagreement, so they postponed the assembly with the excuse that no bishop was available. Eventually they were threatened with excommunication if they did not reach a decision. The opinion of each was recorded, and recommendations ranged from simple purgation to relaxation to the secular authorities. The assembly was dismissed, but a few of the more prominent experts remained for further consultation. They still could not decide, and the proceedings were delayed yet again. The final disposition is unclear.

There was some question of whether the inquisitor was required to accept the recommendations of his experts. Some experts said yes, others said no. In the end, it seems that inquisitors pretty much did whatever they wanted to do, regardless of legal or ecclesiastical constraints.

God's Gonna Gethcha!

(HIMA, 392-398)

In time, the sentencing of accused heretics became an impressive ceremony. Word went out from all the pulpits that the people were to gather for the occasion and receive their 40-day indulgence. In the center of the church a special stage was erected for the occasion, with the accused standing on the stage and the clerical and secular officials seated around it. The inquisitor preached on the evils of heresy, civil authorities took an oath of obedience, and the people were reminded that the threat of excommunication awaited anyone who dared interfere with or impede the proceedings. The notary then read each confession, one by one, in the common vernacular, and the accused was given an opportunity to acknowledge the truth of his confession. Nobody declined at this juncture, because if there was any danger of that, he was not asked. He was asked if he would repent; the accused would express his desire to abjure; the abjuration was read, with the accused repeating each sentence; the inquisitor would absolve him of excommunication and promise him mercy if he mended his ways and followed through with the penance about to be expressed. The sentence was then formally imposed, and the process was repeated with the next accused.

The least guilty were heard first, with the progressively harsher sentences imposed in order. When they got to those who were to be relaxed to the secular authorities, the ceremony moved to the public square, where a specially-constructed platform awaited them. That ended the official participation of the Church, so they would appear not to have blood on their hands. The execution was postponed until the following day, providing one last opportunity for the condemned to come to their senses. They were not allowed to speak publicly, because the authorities couldn't take a chance that the condemned might somehow stir up sympathy for themselves.

In April, 1312, 51 accused were sentenced to crosses, 96 were sent to prison, 10 of whom also had their property confiscated, and five were relaxed to the secular arm for execution. Five were condemned because they didn't show up. The bones of 36 were to be dug up and burned. Occasionally the accused remained defiant. One condemned man refused to eat, and after six days he was near death. The Church refused to be cheated out of its rightful wrath, so the proceedings were expedited, sentence was pronounced, and he was executed before he could die of starvation.

Those whom the Church could not attract with love might at least be inspired to submission through fear. But in spite of the Church's relentless pursuit of heretics, the most troublesome heretics in southern France, the Cathari, held out for a century. The Waldenses, the stubborn heretical group in northern Italy, were never wiped out. Quite remarkable in view of the fact that there was no hiding or escaping from the Inquisition. There was no safe harbor in any land; there was no refuge, no resting place. If the heretic moved, the locals there would be suspicious of the newcomer, and strangers would be identified, then arrested. Inquisition operatives would soon arrive, the heretic's records would be retrieved from the Holy Office of his former home, and it didn't matter whether he was tried there or returned to his former city of residence. The Inquisition had no jurisdictional boundaries. Heretics were everywhere, and nobody was considered too insignificant to pursue vigorously. Occasional jurisdictional squabbles were quickly resolved for the greater good.

This placed quite a strain on the pope, of course, with such a heavy burden and such a vast area to cover. Urban IV, therefore, created, in 1262, an unofficial Inquisitor General. All inquisitors were ordered to report to Cardinal Caietano Orsini, either in person or by letter. This helped expedite the challenge of dealing with the constant movements of Waldenses and Cathari between northern Italy and southern France, for example.

I Do Solemnly Swear

(HIMA, 398-421)

The power of the inquisitor far exceeded the power of a secular judge under Roman law. As a judge, the inquisitor saw himself as the supreme guardian of the orthodox Christian faith, and it was his duty, therefore, to punish anyone who would harm that faith or the Christian God through misbelief. He was also a father-confessor whose responsibility it was to, if possible, secure the salvation of wretched souls hellbent for eternal damnation. If successful, any means justified the end.

An accused heretic, standing before the tribunal, was first required to take an oath of complete obedience to the Church; to answer all questions honestly, fully, and truthfully; to betray all heretics he was aware of; and to perform the penance imposed on him, whatever it may be. If he refused to take the oath, he was automatically condemned as a heretic.

The inquisitor's jurisdiction and mandate extended only to an accused's thoughts, not deeds. Conduct was relevant to him only as an indication of inner thoughts, and the significance of acts was a matter of the inquisitor's judgment. Criminal acts were for the secular authorities to deal with. The inquisitor dealt only with crimes of the mind. The believer was required to have and demonstrate in his life a complete, unwavering faith in orthodoxy. There was no room for doubt or even slight deviation. It was the inquisitor's impossible task to get inside the head of the accused. He may say and do all the right things and still harbor thoughts, opinions, or doubts that were an affront to the Church.

The oath was a good start in that direction. If the accused refused to take the oath, and very few dared, that told the inquisitor everything he needed to know. But if he took the oath, that didn't necessarily mean he was sincere about it. That's when the inquisitor's work began, and it could not be done within the normal safeguards and restrictions of Roman law, because that system was designed to deal with acts, not thoughts. The practice of having a formal accuser was discouraged, and it soon faded from existence. It allowed the excused more defense opportunities, and it exposed the accuser to potential liability, especially if he could not prove that his accusations were true. Only a professional, experienced inquisitor was truly qualified to do this job.

You Have the Right to Remain Guilty

One of the accused's safeguards in Roman law that was abandoned in the Inquisition was the presumption of innocence. The accused was presumed guilty, and if a city had developed a reputation as a hotbed of heresy, everyone in the city was required to take the oath and prove his fidelity to the faith. Failing to appear before the tribunal was considered an admission of guilt, tantamount to a confession, resulting in automatic excommunication. However, punishment in such cases rarely extended to relaxation to the secular authorities. Imprisonment for life was the most common sentence. Death didn't get the accused off the hook, either. Whatever punishment would have been appropriate in life was also carried out after death, even if that meant digging up the bones and burning them. Some leniency was afforded descendants facing confiscation and other penalties.

Another safeguard of Roman law that did not carry over into the Inquisition was transparency. Everything was done behind closed doors, and all present during the proceedings were sworn to absolute secrecy. Christians cited the story of Adam and Eve as precedent for secrecy. Perhaps this illustrates the extent to which inquisitors saw themselves as God. Perhaps nothing illustrates the folly of that better than the fact that many inquisitors were motivated primarily by the opportunity for gain in the form of fines and confiscations. Even under the best of circumstances and purest of intentions, the process was arbitrary.

Presumption of Guilt

This is how the system worked. An informant would report a suspected heretic to the inquisitor, or the suspect would be named in the confession of another person. A secret investigation would commence, gathering evidence against the accused, who would be secretly ordered to appear at a certain time, and he would be required to pay bail to guarantee his compliance. If he was considered a flight risk, he would be arrested immediately. Legally, three such citations were required, but that provision was usually ignored. Witnesses, when called, were called at random, and their natural fear of the process usually elicited gossip, exaggeration, and distortion in an effort to demonstrate that they had not favored the accused heretic. When the cumulative evidence was deemed sufficient, the suspect was trapped. His only option then was to confess to the charges, abjure heresy, and accept whatever penance or penalty may be imposed. Denial of guilt only made matters worse, because then he was an impenitent and obstinate heretic, whose fate was relaxation to the secular authorities for burning. After all, if he had been innocent, he never would have been placed on trial in the first place. Guilt was assumed, and innocence was impossible at that point.

But the great desideratum in every case was confession. If the evidence were rather flimsy or not clearly defined, the inquisitor did not want to be seen as having acted hastily, inadvisedly, or unwisely. He didn't want to be seen as being motivated primarily by the lust for the proceeds of fines and confiscations. He certainly didn't want to let a crafty heretic outwit him and escape to continue harming the faith. He didn't want the public thinking inquisitors weren't up to the task of rooting out heresy because they could easily be outsmarted by the bad guys. Even when the evidence was strong, the inquisitor much preferred to secure a confession, which was invariably accompanied by conversion and repentance, except in the few cases of truly defiant heretics. Confession meant a new convert and usually a bountiful crop of new heretics being identified. Confession was just good for business.

Interrogation skill was the most important qualification of an inquisitor. First, he reviewed all the available adverse evidence, taking care to conceal the charges from the accused. For less experienced inquisitors, there were manuals that provided lots of details, tips, and forms of interrogation tailored for specific schools of heresy. Inquisitors became skilled at reading the accused's thoughts, setting traps for him, confusing him, focusing on any ambiguities, and taking advantage of any hesitation or inconsistency. It was common practice to phrase questions in such a way that quilt was not in doubt, and it was only a matter of filling in some details. Deceit was standard operating procedure. The inquisitor would commonly turn over pages of evidence during questioning as though he were reading them, then abruptly accuse the suspect of not telling the truth. Another common practice was to pick up a piece of paper and pretend it contained dramatic damning evidence, such as "Some of the masters of your group have already named you in their confessions."

Another favorite ploy was to have the jailer pretend to be interested in the prisoner, gain his confidence, and encourage the accused to confess at once, because the inquisitor is a merciful man who will be lenient with him. The inquisitor himself might appear, confirming promises of mercy. The accused was bound to be disappointed, however. The inquisitor rationalized such deception by reminding himself that anything done in order to secure a confession and conversion is inherently merciful, as is any penance, because it is a spiritual remedy.

Prisoners were recruited to engage a fellow inmate in candid conversation, leading him from confession to confession, until enough self-incriminating evidence was obtained, the victim totally unaware of what was really going on. At times, a converted heretic would serve as a secret agent, visiting a prisoner, gaining his confidence, and confessing that the agent had faked his conversion out of fear. The agent

might “accidentally” stay too long, forcing him to spend the night in the prison, giving him an opportunity to get the victim talking during the dark hours of night, unaware that crouching down nearby were witnesses and a notary, documenting every self-incriminating word. These con men were rewarded for their efforts.

Torture

(HIMA, 421-429)

The heretic, even if only a suspected heretic, had no rights. Anything done to advance the cause of the inquisitor was fair and just. That included torture where necessary. Whatever it took to secure a confession, save a soul, or advance the faith. A wife and children might be admitted to a heretic’s cell in hopes that their pleas and tears might persuade the pertinacious prisoner to confess, convert, recant, and submit to the will of the Church. He might be taken from his cell to comfortable quarters, where he would receive plenty of food in hopes that kindness might produce the desired results. If not, he may be left in his cell for extended periods, just to experience the torture of delay. Dungeons were miserable at best, but they could be made even more so if necessary, using chains and starvation, for example. Starvation was probably the most efficient tool in the inquisitor’s arsenal. The Inquisition was in no hurry. Days could become weeks, then months, then years, then even decades. If the heretic were still obstinate and if he were still alive, he would eventually get another hearing.

With all that going for the inquisitor, it may be difficult to understand why further torture would be needed, used, or even considered. Torture was a dramatic departure from Christian principles, Church practices, and the wishes of the people. Torture had not been used by the barbarians, except for the Wisigoths. It was not used by Christians until the 13th century. Innocent IV authorized its use in 1252, and it quickly gained popularity in Italy. Of course, the inquisitors and their aids could not be allowed to contaminate their own hands, so they let the secular authorities do their dirty work for them.

But its use was slow to advance in secular jurisprudence, while the Inquisition embraced it more rapidly. As use of torture increased, so did Christian indifference to human suffering. References to it show that it was used frequently, but it is rarely mentioned in official Inquisition records. They apparently felt ashamed to talk about it, even though they had no qualms about doing it.

In October, 1317, John XXII attempted to curtail the used of torture by ordering both bishop and inquisitor to agree to its use, if such agreement was obtainable within eight days. But inquisitors were not accustomed to accepting restraint of any kind, so the order was usually ignored. Technically, that meant that the proceedings were void and the unlawfully tortured suspect could appeal to the pope. But that didn’t undo the torture. Furthermore, victims were too helpless and abandoned to take advantage of that loophole, especially with Rome so far away.

The torture itself must not result in loss of blood by the victim. Torture was, in fact, to be moderate. But what did that actually mean in practice? It meant whatever the inquisitor wanted it to mean. Some victims were ready to confess almost immediately, or even before the torture began. Others were determined, and able, to endure without submitting. Some who had gone through the experience of torture before were left permanently weaker, and others were hardened and strengthened by the ordeal. It was all left to the judgment of the inquisitor. He was the only rule.

No Escape

This is how the process of torture usually worked. The victim was shown the tools of torture that awaited him. He was encouraged to confess. If that didn’t work, he was stripped and bound. Again, he was invited to submit, and he was assured of mercy if at all possible. This usually worked. Generally speaking, the value of torture was not the pain and suffering it inflicted, but the terror it produced, resulting in submission. If that didn’t work, torture

commenced, with gradually increased severity. If that didn't work, the victim was assured that all the torture devices would be applied in turn. If that didn't work, it was ordered that the torture would start all over again in a couple of days or so. Technically, torture was authorized only once. But resourceful inquisitors paid no attention to such petty details. They simply called it a *continuation* of torture, not a *repetition*. Or they claimed that a repetition was necessary due to new evidence. Meanwhile, the victim would be subjected to relentless pressure to confess and submit. If that didn't work, the torture would resume, and it would continue until the inquisitor was satisfied that further torture would not be successful. The question at that point was what to do with the prisoner. Should he be released because nothing had been proved against him, or should he be thrown in prison and kept there? There was no general agreement.

If a confession was secured somewhere along the line during this process, it had to be confirmed outside the torture chamber. Sometimes, as soon as the prisoner indicated he was willing to confess, he was unbound and taken into another room to be heard. If he confessed during torture, his confession was read back to him later and he was asked if it were indeed true. A 24-hour interval was required between torture and confession or confirmation, but, like all other rules, this one was often ignored. If, instead of confirmation, the victim were silent, that was usually good enough for the inquisitor, but as always, it was up to him, based on the condition of the prisoner. In any case, it was carefully documented that the confession was given freely and spontaneously, not secured through coercion, force, pressure, or fear. If the prisoner retracted, he was in for another round of torture, although care was taken to classify it as a continuation of torture, not a repetition. But retraction put the inquisitor in an awkward position, because it might tend to suggest that force, fear, pressure, or coercion had indeed be used. So force, fear, pressure, or coercion might be used to ensure that there would be no retraction. But even in cases of retraction, the inquisitor really didn't have much to worry about, because the confession was considered valid and the retraction was considered perjury or a relapse. That left the inquisitor little choice but to relax him to secular authorities for punishment without any further due process. If someone had confessed, abjured, and been released, then later publicly claimed that his confession had been offered simply to escape harsher punishment, he invited a rendezvous with a bonfire.

All things considered, if an inquisitor wanted to condemn any person, he had no possibility of escape.

Truth or Consequences

(HIMA, 451-500)

Similar to our current system of jurisprudence, the wealthy often enjoy a style of justice that others cannot afford. When a wealthy person was accused of heresy, or if he was afraid he was about to be, he could strike a bargain with the pope, who could break all the rules arbitrarily. The suspected heretic would agree to share with the pope whatever property was likely to be confiscated by the inquisitor, and all his Inquisition troubles would magically disappear. In 1245, the bishops of Languedoc complained to the pope (Innocent IV) that such papal exemptions were cutting into their profits.

In some jurisdictions, it was understood that no suspect was ever to be acquitted. Even if there was only incidental evidence against him and no confession was forthcoming, the best the accused could hope for was one of two options. He might be freed on bail, but required to stand at the door of the Inquisition from breakfast time until lunch, and following lunch until dinner. That should continue until more evidence turned up against him. In other cases, the verdict might be that the charges were not proven. That left open the possibility that further evidence might turn up later that would lead to conviction or confession. He was still a heretic, but the inquisitor just couldn't quite prove it yet.

Punishment

The most trivial offenses usually led to mild forms of penance, such as recitation of prayers, visiting churches, pilgrimages, fasting, and fines. The next level of punishment usually was the wearing of yellow crosses sewn on garments. Then came prison and confiscation of property. Technically, the inquisitor never confiscated property. He simply declared that the heretic was guilty of a crime which, under secular jurisprudence, rendered him incapable of owning property. At least that's how the Church rationalized it.

Pilgrimages were a popular form of penance from the standpoint of both inquisitor and heretic. They generated revenue for the Church, so that was attractive for the inquisitor. They were certainly more merciful than excommunication or confiscation of property, for example. But they were still often a burden, and they were full of potential peril. They could easily consume several years of a man's life, during which his family could easily perish. And they could be imposed for what today seems the most unreasonable excuse for an infraction. In 1322, three men, whose only infraction had been seeing Waldensian teachers in their father's home, were ordered to go on 17 pilgrimages. The pettiness and capriciousness of the punishment is even more glaring in that it happened 20 years prior, and the culprits didn't even know the visitors were Waldensians. They had to begin their journeys within three months, and, as was standard, they were required to get a confirmation letter at each shrine.

Early on, it was standard practice to sentence heretics and suspected heretics to a pilgrimage to Palestine as a crusader. It seemed pragmatic to put heretics to good use instead of burning them. However, the Church began to realize that there were so many of them that they posed a potential threat to convert the Holy Land to their heresy. The practice abruptly ended.

Another form of penance that seems mild today was the wearing of a yellow cross sewn onto the breasts of the penitents' garments. They had to be worn both inside and outdoors, and if they wore out, they had to be replaced or renewed immediately. At first, they were to be worn only for a prescribed number of years, but later it became standard to force the penitent to wear them for the rest of his life, unless pardoned. While other forms of punishment did not necessarily infringe on a person's social standing or respect, the yellow crosses did, and they were, therefore, almost unbearable to many. It exposed the penitent to ridicule and derision. It could prevent him from earning a living. A woman would be unable to find a husband. The irony is inescapable. The Christian symbol of Christ's miraculous gift of eternal life to all mankind was being used as a symbol of humiliation and shame.

Profiting from Heresy

It was not uncommon to sentence the heretic to a fine, which went to the inquisitor, ostensibly to help defray costs of the Inquisition. It didn't work so well with Mendicants who had already taken a vow of poverty, or heretics who were sentenced to confiscation of their property. A related practice was to allow a convict to escape his penance by paying a bribe to the inquisitor. It was often framed as a contribution for building a certain bridge, or for some other good cause, but it was up to the inquisitor how the money was spent. Bribery was not legally an option in cases of capital punishment, but that didn't stop an inquisitor from accepting cash in lieu of life. The deal often included annual payments to the inquisitor.

So rapacious were inquisitors that they vigorously pursued every penny they could get their hands on from anyone they could control, manipulate, or exploit. For example, Raymonde Barbaira was sentenced to pilgrimages with crosses. She died before she could complete them, however, and her estate consisted of bedding, clothes, a chest, a few cattle, and a small sum of money (four sous). On March 7, 1256, the inquisitor demanded 40 sous from her relatives, among whom her estate had been divided. Even in case of a fautor (one who

provides aid, comfort, or support to a heretic), heirs are on the hook for whatever the inquisitor demands of them. Clearly, the motive was not to keep the faith pure.

Another source of revenue was bail, which was a universal practice in the Inquisition. It commonly came in the form of a bond pledged by all the property of the suspect and that of two sureties, jointly and severally. It was not difficult for an inquisitor to assure that the money ended up in his pocket, no matter what the accused did or said.

Such extortion was the rule, rather than the exception. It was widely known that inquisitors allowed the guilty to go free and punished the innocent, all based on the inquisitor's feelings about the accused. Holy hatred and greed were just as hazardous as heresy to the common man in the hands of the inquisitor. Blasphemy, for example, could easily be seen as heresy if the inquisitor didn't particularly like someone, or if money was to be made. Friends of the inquisitor didn't need to worry about that.

Under Roman law, a house in which heretics had been received was to be turned over to the Church. It isn't clear why, but inquisitors preferred to have such houses destroyed. It seems curious, in view of such orthodox avarice. However, inquisitors still managed to secure a nice profit in the form of selling a license to rebuild on the site.

Prison

The Church was always ready to welcome the return of a repentant member of the flock, but getting there was very difficult. Penalties had to be severe enough to demonstrate that repentance was authentic. One converted Catharan drew this penance. On three Sundays he stripped to the waist so he could be scourged by a priest. He wore monastic vestments with a cross sewn on each breast. He heard mass daily, if at all possible. He recited the canonical hours seven times a day. He recited the Paternoster ten times every day and twenty times every night. He was to be chaste at all times. He was never allowed to eat meat, eggs, or cheese except on Easter, Pentecost, and Christmas. For twenty days out of the year he was not allowed to eat fish. For three days each week he was not allowed fish, wine, or oil. Flagellation, even if not specified, was usually taken for granted. His adherence to these rules was monitored closely and documented by a priest. This regimen was to continue until the legate decided to change it.

Or, to keep things simple, the inquisitor could impose a penance of imprisonment. This option was available only in cases of conversion; it was not applicable to obstinate heretics. Technically, it was not a punishment imposed by the inquisitor. It was, instead, an opportunity for the convert to obtain pardon from God in the form of bread of tribulation and water of affliction. This generous offer included constant observation and supervision to assure that the penitent stayed on course, and segregation from the rest of the prison population to make sure the dormant heretic germ did not revive and spread. Such caution was prudent, because recent converts did have a nasty tendency to revert to their heretical ways if given half a chance.

Solitary confinement was the rule, with no contact with others, but there were exceptions. Spouses were allowed access to each other if either or both of them were in prison. Also, those whose orthodoxy was beyond reproach were at times allowed to visit prisoners, but others were considered too susceptible to infection with the heresy virus.

Prisons were constructed as cheaply as possible, and cells were intentionally designed to be small, just large enough for solitary confinement. The only rule was that they be adequate to keep prisoners alive. Those with money found living conditions a bit more comfortable. Guards didn't object to contributions of food, wine, money, and clothing from friends and relatives. Collections were common among those who sympathized with the prisoner, but it was done secretly and carefully, because such interest could be construed as heresy. Furthermore, they could

never be sure that the jailer wouldn't keep the contributions for himself. On the other hand, bribery of the right guard could allow a prisoner to escape, even if he was being held in chains.

Paying for Prisons

The inquisitor had no authority to grant absolute pardons. Only the pope could do that, and he did so more commonly than might be expected. At times it was done to encourage others to cooperate more fully. Sometimes it was used as a means to help ease prison overcrowding. There was always the possibility, though, that the pope could change his mind at any time and throw the poor penitent back in prison, with or without cause. The prisoner was made painfully aware of this and warned that the slightest infraction could end his freedom once more. Once the Inquisition got its hands on a victim, it never let go, and the penitent was constantly at the mercy of an arbitrary and capricious judge. For most, the prison term ended in death, and it usually didn't take long. Even that didn't free the heretic from the clutches of the Inquisition.

Perpetual incarceration remained to the end of the Inquisition the primary penance inflicted on heretics. But there were areas and times at which there were so many heretics that there were not enough prisons to hold them and not enough money available to build enough prisons to hold them all. Although sentences were normally strict and strictly enforced, this circumstance forced inquisitors to delay incarceration (for anyone who was not a troublemaker) until the pope could decide what to do with them.

Which leads to the question of who was responsible for picking up the tab for building new prisons and maintaining prisoners? One likely answer was the inquisitors, who were generally responsible for financing the Inquisition. They did, after all, receive money in the form of fines. But it was generally decided that those who received confiscated property were to use some of that gain to build and maintain prisons for its former owners. If there were no confiscated property upon which to draw, responsibility fell to the city or the lords. If confiscated property flowed to the pope, it was he who assumed responsibility. In Italy, confiscations were divided into thirds, and the Inquisition was self-supporting.

Confiscation

(HIMA, 500-533)

Technically, it was the secular authorities under Roman Law that carried out sentences of confiscation. Confiscation was not per se part of the sentence of the Inquisition. But it accompanied the inquisitor's prescribed penitence, and enforcement was not optional. That didn't necessarily mean, though, that it was vigorously enforced, either. At times, the Church had to prod and threaten the secular authorities into action. For the most part, sovereigns were willing accomplices, but the process of confiscation varied in place and time.

In some areas, inquisitors did much more than issue the decree; they controlled the process. Given the extraordinary degree of autonomy bestowed upon inquisitors, it isn't surprising that their role extended in practice what was secular jurisdiction in theory, with results that varied with the personality and style of the inquisitor. Still, a custom was eventually established that proceeds would be divided into three parts: one going to the local community, one going to the Inquisition, and the third flowing to the Church. By the 4th century, the Church had gained control over the Inquisition's third as well.

Collection was ruthless, cruel, relentless, and often petty. As soon as a person was arrested on suspicion of heresy, everything he owned was seized and held, pending the outcome of the judgment of the inquisitor. Given the policy of guilty-until-proven-innocent, the outcome was never in much doubt. Certainly, the incentive was there to find the accused guilty of something, and that may be no more than suspicion itself, which was all the inquisitor needed. Meanwhile, the person's family was out on the street or dependent on charity. Charity, however, was hard to come by, since

anyone supporting or encouraging them in any way was in itself an act of heresy.

No one could be sure that every person he dealt with in any sort of business transaction was orthodox. The transaction, even by an orthodox believer, no matter how devoted to the pure faith, was enough to make him a suspected heretic if the other party turned out to be a suspected heretic. Even property that had been handed down from generation to generation was subject to seizure at any moment, because a dead person could be found to have been a heretic. No man could have confidence that his life would not be dramatically plunged into darkness, no matter how hard he tried, and no matter how deeply he believed in orthodoxy. Nor could he be sure that his wife and children would be safe and cared for from one day to the next. The misery inflicted by the Inquisition during this age was unimaginable.

No one could trust anyone, and therefore commerce was stifled in areas where the Inquisition was active, especially in southern France and northern Italy. That allowed England and the Netherlands to flourish, unencumbered by such self-inflicted oppression. It was self-perpetuating, because the men to whom confiscated wealth flowed had more than sufficient motive to keep the confiscation machine running smoothly. Seeing its potential, Emperor Charles IV tried to permanently establish the confiscation policy in Germany. But there were not a lot of heretics there, nor were the people there wealthy, so little was to be gained. Eventually, confiscation became a victim of its own success, however, as the number of heretics began to dwindle in southern France.

Was the wealth acquired through fines and confiscations the primary motives for those policies? It did occur to the Church that it was forfeiting a great deal of potential revenue when it extended a grace period for heretics to come in and confess. Even the relatively benign Bernard Gui argued that, even though that was true, the Church also gained revenue in the form of a new crop of heretics every time one came in, confessed, and necessarily fingered all the other heretics he knew of. So, even the most noble of inquisitors does seem to have had revenues foremost in his mind.

Heretics Roasting on an Open Fire

(HIMA, 534-554)

The death sentence was the Inquisition's last resort. It came into play only when the Church had exhausted all other possible means of returning the wayward soul back to the orthodox faith. The Inquisition did not technically impose the death sentence, and it certainly did not carry it out. The Church left its dirty work up to the secular authorities. But, as always, the secular role was not optional. When the Inquisition had reached the end of the line, it merely disowned the heretic, and relinquished further responsibility for his soul or body. In the process, the Church made a perfunctory plea for mercy, which it did not expect to be taken seriously, and it was not. In the later years of the Inquisition, especially, it was understood that relaxation of the heretic meant the death sentence, and there was no ambiguity in anyone's mind about that.

The way the Church saw it, the Inquisition was necessary to eliminate heresy. That required eliminating heretics, either through conversion to orthodoxy, or through relaxation to secular authorities for death. Getting rid of heretics necessarily involved ferreting out all who aided and abetted them in any way. They too, became heretics, and hopefully informants on other heretics. Some of them also would end up being relaxed to the secular authorities. When those authorities fulfilled their responsibilities, they understood that they were simply following orders from the Inquisition. Anything less was not tolerated by the Inquisition, but that was rarely a problem, as the secular authorities were usually willing participants. The myth that the Church isn't responsible for those death sentences is a fairly recent development, and is possible only because so few people nowadays have any knowledge of the Inquisition.

The best minds of the Church had convinced themselves that the death sentence for obstinate heretics was self-evidently just, and that there was no greater heresy than a demand for toleration of heresy or heretics. It was not a controversial position. It was universally accepted that unrepentant heretics must be killed. When a heretic expressed an eager desire for martyrdom, the authorities were only too happy to oblige them, although the inquisitor much preferred to secure a confession.

As might be expected, the tremendous pressure put on suspects to confess, and the severity of the alternative, led to a great number of false confessions, or at least confessions that were not totally convincing. When that became apparent later by way of relapse into heretical conduct or thought, the Inquisition was especially harsh. That included those who escaped from prison and those who failed to perform the prescribed penance. It was insulting and humiliating for the inquisitor, because the suspect had managed to pull one over on the inquisitor, who was not going to take any chances this time around.

The number of burnings at the stake was probably quite minimal. We tend to automatically think of that particular punishment first or exclusively in association with the Inquisition, but that is not an accurate portrayal. We also probably tend to think that victims were treated with some measure of mercy in the form of strangling to death prior to the fire, or a bag of gunpowder hanging from the victim's neck to explode once the flames reached it. Those things may have been common later in the Spanish Inquisition, but not in this place or time. It was as gruesome and barbaric as one can imagine. In fact, friars who accompanied the victim were not allowed to do or say anything that might lead to any sort of mitigation of pain. Furthermore, it was usually scheduled for a holiday so the maximum number of viewers might enjoy the spectacle.

The victim was silenced, lest he be tempted to use the occasion to talk his way into public sympathy. After the fire had burned itself out, the half-burned remains were then separated into pieces, which, along with broken bones and viscera, were thrown on another fire to finish the incineration. Once that fire had done its job, the ashes were thrown into a running stream to prevent anyone from preserving the relics of a martyr.

Arson R Us

(HIMA, 554-555)

Christian fondness for fire wasn't limited to roasting people. Ridding the world of heresy also meant ridding the world of heretical books, or any books that the Church didn't particularly care for, for whatever reason. Such censorship of the press had been around for a long time, but Christians were the paragons of book burning.