Modern European History

Unit 2 – Crusades and Culture in the Middle Ages

An Introduction to the Inquisition

by David Burr

Directions:
Read and annotate the following text and answer the questions that follow on another sheet of paper.

When medieval people used the word "inquisition," they were referring to a judicial technique, not an organization. There was , in fact, no such thing as "the Inquisition" in the sense of an impersonal organization with a chain of command. Instead there were "inquisitors of heretical depravity," individuals assigned by the pope to inquire into heresy in specific areas. They were called such because they applied a judicial technique known as inquisitio, which could be translated as "inquiry" or "inquest." In this process, which was already widely used by secular rulers (Henry II used it extensively in England in the twelfth century), an official inquirer called for information on a specific subject from anyone who felt he or she had something to offer. This information was treated as confidential. The inquirer, aided by competent consultants, then weighed the evidence and determined whether there was reason for action. This procedure stood in stark contrast to the Roman law practice normally used in ecclesiastical courts, in which, unless the judge could proceed on clear, personal knowledge that the defendant was guilty, judicial process had to be based on an accusation by a third party who was punishable if the accusation was not proved, and in which the defendant could confront witnesses.

By the end of the thirteenth century most areas of continental Europe had been assigned inquisitors. The overwhelming majority were Franciscans or Dominicans, since members of these two orders were seen as pious, educated and highly mobile. Inquisitors worked in cooperation with the local bishops. Sentence was often passed in the name of both . The overwhelming majority of sentences seem to have consisted of penances like wearing a cross sewn on one's clothes, going on pilgrimage, etc. The inquisitor's goal was not primarily to punish the guilty but to identify them, get them to confess their sins and repent, and restore them to the fold. Only around ten percent or less of the cases resulted in execution, a punishment normally reserved for obstinate heretics (those who refused to repent and be reconciled) and lapsed heretics (those who repented and were reconciled at one time but then fell back into error).

New inquisitors needed guidance, and the need was met by a series of manuals written in the thirteenth and early fourteenth centuries by old hands. The most famous of these is the one by Bernard Gui, a Dominican who spent close to a quarter-century conducting investigations. Born around 1261, probably of lesser nobility, he joined the order in 1279. He received a good education and served as prior in a series of southern French convents before being appointed an inquisitor in 1307. He remained such, with his base of operations at Toulouse, until 1324, when he was rewarded with a bishopric. During that period he passed sentence on 930 people that we know of. The sentences passed on them add up to a total of 394 pages in a very large book.

Gui's manual, actually entitled Practica inquisitionis heretice pravitatis (The Conduct of Inquiry Concerning Heretical Depravity), was finished in 1323 or 1324, but he seems to have worked on it off and on throughout the latter part of his career. It is divided into five parts, the first three of which deal with procedure. The fourth presents a series of documents (papal bulls, etc.) which define the inquisitor's authority. In the fifth and most interesting part Gui takes his readers on a tour of contemporary heresy.

The part translated here deals with the Beguins. In order to understand who they were it is necessary to understand two important aspects of thirteenth-century history. On the one hand, this period witnessed the creation and enormous growth of the Franciscan Order, and a remarkable division in that order between the so-called spirituals, who insisted on observing the strict poverty practiced by Francis of Assisi himself, and what we now call the community, those willing to settle for a more moderate observance which would enable Franciscans to perform the many functions given them by the church. This quarrel was in some ways as old as the order itself, but we find two identifiable factions emerging only in the 1270s. By the late 1270s some Italian spirituals were being imprisoned by leaders of the order. In 1283 the battle claimed its first victim in southern France when Peter John Olivi, a leading spokesman for the spirituals, was censured; 1but by the end of the decade the Italian spirituals had been released from prison and Olivi had been rehabilitated.

Serious trouble occurred in the first decade of the fourteenth century, with large numbers of Italian and southern French spirituals being disciplined by the order. In 1312 Pope Clement V tried to mediate a compromise, but the battle soon heated up again, and the frustrated spirituals eventually tried to solve their problem by forcibly seizing a series of convents and holding them as their own turf. In 1317 the new pope, John XXII, decided to settle the problem by throwing his support entirely behind the community. He told the Spirituals to conform or face the

consequences. When some refused, he identified them as heretics and turned the inquisition loose on them. By 1318 recalcitrant spirituals were being sent to the stake.

John's task was made more difficult by the fact that the spirituals had formed close ties with what we now call the Beguins, a group of pious priests and laypersons in many southern French towns, and that brings us to the second aspect of thirteenth-century history. It was a period of tremendous religious enthusiasm among the laity, often accompanied by belief that a new age was dawning. Religious movements seemed increasingly self-propelled, moving without any obvious encouragement from (or control by) the ecclesiastical hierarchy. One of them was a group in southern France called Beguins. That was rather scary for the church. As the papacy became sensitive to the threat involved in this situation, it raised the stakes by identifying disobedience with heresy and by encouraging drastic remedies against it. As a result, a number of people who had hitherto thought of themselves as loyal sons of the Holy Father found themselves forced to choose between their own deeply felt ideals and obedience to Rome.

The pope's attack on the spiritual Franciscans presented Beguins with just such a dilemma, and many solved it by continuing to support the spirituals. These Beguins were often members of the Third Order of Saint Francis and they held the poor, disciplined spirituals in special veneration. They worshipped Olivi as a saint, and every year on the anniversary of his death crowds of pilgrims flocked to his grave at Narbonne. When the spirituals were condemned, the Beguins found it impossible to accept that decision. By 1319 they themselves were being prosecuted and burned, yet in a remarkable demonstration of what one might term either fanaticism or heroism they continued to harbor fugitive Spirituals and even organized an underground railroad which smuggled them through Majorca to Sicily. Eventually the southern French Beguins were crushed, but it took the church two decades to do it.

What gave them the courage to continue? If we could answer that one, we would also be able to explain the tenacity of modern groups like the Branch Davidians. There are some things we can say, though. For one thing, Olivi had provided them with a set of apocalyptic expectations that made perfect sense of what was happening to them. He had seen Saint Francis as the inaugurator of a new , more spiritual age. This new age was opposed by carnal Christians, and the latter would capture the highest positions of leadership in the church. Soon - very soon - the mystical Antichrist would lead the ecclesiastical hierarchy in a desperate attempt to wipe out those poor, spiritual Christians who served as the advanced guard of the new dispensation. The result would be persecution, but it could be endured in the knowledge that eventually the carnal church would be defeated and a new, spiritual church would be born. Thus, like a beleaguered cell of early twentieth-century Marxists, the Beguins could bear their suffering secure in the knowledge that history was on their side.

Of course there was more than religious belief involved. In reading the interrogations of individual Beguins, note the case of Alarassi Biasse, a woman on her way to the stake for running what became a collection point on the escape route to Sicily. She lived near the coast, and fugitive Spirituals hid in her home until they could be conveyed by boat to Majorca. In her process she confesses to harboring six, but there were probably more. Why did she do it? Was she motivated by a strong belief? In the process she desperately wants to stay alive, says she repents, and tries to cooperate with the inquisitors as fully as possible. We suddenly discover that, she is Olivi's niece, and of the first two Spirituals to arrive at her door one was her cousin. Suddenly a new set of possibilities emerges. When I first read Alarassi's process, I was reminded of a respectable couple I met not long ago who were embarrassed, even appalled by the fact that they had been harboring an illegal alien in their home for over a year. They had been law-abiding people with no strong convictions about Latin American politics, but once faced with a concrete political refugee who needed protection they saw no alternative except to provide it. And once they provided it they began to develop opinions on Latin America. I'm also reminded of what I 've read about Italian peasants who harbored downed Allied airmen during World War II. In many cases they initially acted , not from any allegiance to the Allied cause, but from compassion, a sense that this particular poor, defenseless individual was being pursued by a powerful institution and needed all the help he could get. But what happened when another airman showed up, and then another, and the Germans kept coming to search the barn, upsetting the cows and scaring the children? At what point did they stop thinking of themselves as compassionate neutrals and start thinking of themselves as partisans?

Modern writers do not treat the inquisitors gently - Bernard Gui in the film version of The Name of the Rose is simply a fanatic, and Umberto Eco doesn't treat him much better in the novel - yet their preoccupations are more familiar than we care to admit. They want what interrogators always want in such situations. They could be FBI agents tracking down a ring of domestic terrorists, or CIA agents trying to unravel an international espionage system. They want confessions, but they want a great deal more. They need information. There's a conspiracy out there and they want to know about it. The defendant recognizes that little is gained by simply implicating oneself. Genuine confession involves contrition and cooperation, and that means naming names. Thus we find the defendants doing what defendants do in all ages. They provide the requisite information but try to limit disclosure as much as possible, naming if possible only those accomplices they assume are already known to the authorities. As for themselves, they

readily admit to less serious actions and to actions about which they suspect the inquisitor already knows, but are less forthcoming about other matters.

The inquisitors anticipate all this and have prepared a set of questions designed to prevent evasion. These questions serve as the filter through which what we know of the heretics must pass. They represent, not the heresy itself, but the inquisitors' working assumptions about it. Rarely does the suspect gain enough control of the process to answer questions the inquisitor has not thought to ask. Rarely does the suspect state beliefs in any terms other than those assumed by the inquisitor's question. Thus those who want to know about the Beguins must also learn a great deal about the inquisitors, for they will inevitably be looking at the former through the latter's eyes, and they had better not do so credulously.

Text by David Burr [olivi@mail.vt.edu]. See his home page. He indicated that the translations are available for educational use. He intends to expand the number of translations, so keep a note of his home page.
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Medieval Sourcebook:
Bernard Gui:
Inquisitorial Technique (c.1307-1323)

Bernard Gui: was Inquisitor in Toulousel 1307-1323. The medieval inquisition had been created during the reign of Pope Gregory IX (1227-1241). Its main technique was to extract confessions. Bernard describes the techniques used in interrogations.

When a heretic is first brought up for examination, he assumes a confident air, as though secure in his innocence. I ask him why he has been brought before me. He replies, smiling and courteous, "Sir, I would be glad to learn the cause from you."

I You are accused as a heretic, and that you believe and teach otherwise than Holy Church believes.

A. (Raising his eyes to heaven, with an air of the greatest faith) Lord, thou knowest that I am innocent of this, and that I never held any faith other than that of true Christianity.

I You call your faith Christian, for you consider ours as false and heretical. But I ask whether you have ever believed as true another faith than that which the Roman Church holds to be true?

A. I believe the true faith which the Roman Church believes, and which you openly preach to us.

I Perhaps you have some of your sect at Rome whom you call the Roman Church. I, when I preach, say many things, some of which are common to us both, as that God liveth, and you believe some of what I preach. Nevertheless you may be a heretic in not believing other matters which are to be believed.

A. I believe all things that a Christian should believe.

I I know your tricks. What the members of your sect believe you hold to be that which a Christian should believe. But we waste time in this fencing. Say simply, Do you believe in one God the Father, and the Son, and the Holy Ghost?

A. I believe.

I. Do you believe in Christ born of the Virgin, suffered, risen, and ascended to heaven?

A. (Briskly) I believe.

I. Do you believe the bread and wine in the mass performed by the priests to be changed into the body and blood of Christ by divine virtue?

A. Ought I not to believe this?

I. I don't ask if you ought to believe, but if you do believe.

A. I believe whatever you and other good doctors order me to believe.

I. Those good doctors are the masters of your sect; if I accord with them you believe with me; if not, not.

A. I willingly believe with you if you teach what is good to me.

I. You consider it good to you if I teach what your other masters teach. Say, then, do you believe the body of our Lord,Iesus Christ to be in the altar?

A. (Promptly) I believe that a body is there, and that all bodies are of our Lord.

I. I ask whether the body there is of the Lord who was born of the Virgin, hung on the cross, arose from the dead, ascended, etc.

A. And you, sir, do you not believe it?

I. I believe it wholly.

A. I believe likewise.

I. You believe that I believe it, which is not what I ask, but whether you believe it.

A. If you wish to interpret all that I say otherwise than simply and plainly, then I don't know what to say. I am a simple and ignorant man. Pray don't catch me in my words.

I. If you are simple, answer simply, without evasions.

A. Willingly.

I. Will you then swear that you have never learned anything contrary to the faith which we hold to be true?

A. (Growing pale) If I ought to swear, I will willingly swear.

I. I don't ask whether you ought, but whether you will swear.

A. If you order me to swear, I will swear.

I. I don't force you to swear, because as you believe oaths to be unlawful, you will transfer the sin to me who forced you; but if you will swear, I will hear it.

A. Why should I swear if you do not order me to?

I. So that you may remove the suspicion of being a heretic.

A. Sir, I do not know how unless you teach me.

I. If I had to swear, I would raise my hand and spread my fingers and say, "So help me God, I have never learned heresy or believed what is contrary to the true faith."

Then trembling as if he cannot repeat the form, he will stumble along as though speaking for himself or for another, so that there is not an absolute form of oath and yet he may be thought to have sworn. If the words are there, they are so turned around that he does not swear and yet appears to have sworn. Or he converts the oath into a form of prayer, as "God help me that I am not a heretic or the like"; and when asked whether he had sworn, he will say: "Did you not hear me swear?" [And when further hard pressed he will appeal, saying] "Sir, if I have done amiss in aught, I will willingly bear the penance, only help me to avoid the infamy of which I am accused though malice and without fault of mine." But a vigorous inquisitor must not allow himself to be worked upon in this way, but proceed firmly till he make these people confess their error, or at least publicly abjure heresy, so that if they are subsequently found to have sworn falsely, he can without further hearing, abandon them to the secular arm".

from H. C. Lea, trans., *A History of the Inquisition of the Middle Ages,* (New York, Harper & Brothers, 1887), Vol. 1, pp. 411-414.

1. How did the Roman law practice normally used in ecclesiastical courts differ from the judicial technique used in Europe during the medieval period?

2. What types of punishments were meted out near the end of the thirteenth century in Europe?

3. What two aspects of the thirteenth century in Europe does the author tell us we must take into consideration when discussing the Inquisition?

4. How does the tale of Alarassi Biasse conflict with the argument that the Inquisition was truly about rooting out heresy? Use passages from her story to illustrate your point.