Lawyer Popes, Mendicant Preachers, and New Inquisitorial Procedures
(Chapter 3 – *A History of Medieval Heresy & Inquisition*)

In the middle of the twelfth century, as diverse spiritual perspectives were establishing themselves in Western European family and social structures, you will recall that St. Bernard of Clairvaux had depicted heretics as those sly animals stripping bare the vineyard of Christendom: "What shall we do to catch those most malicious foxes, they who would rather injure than conquer and who do not even wish to disclose themselves, but prefer to slink about in the shadows?"[1] Bernard was a spiritual giant of his age—abbot of the monastery of Clairvaux, theologian, advisor to kings, and mentor to saints—and as patron of the newly established Knights Templar and the driving force behind the Second Crusade, he was no pacifist. Yet his answer to the question of "what shall we do to catch the malicious foxes" was that they should be taken not by force of arms, but by force of argument.

Bernard was very much a man of his age. Oral persuasion rather than physical coercion was the Church's early response to the new beliefs and behaviors dotting Christendom, and responsibility for such persuasion was left primarily in the hands of local bishops and priests. Although laypeople in the twelfth century periodically took matters into their own hands and lynched or burned accused heretics on their own accord, the Church had no official antiheretical process or structure in place even by the end of the century when the Poor of Lyons and other groups were pleading their case before the pope. Ancient Christianity had grappled with new movements and splinter groups that became characterized informally as heresies, but the juridical category of "heretic" as a spiritual criminal characterized by a specific set of beliefs, behaviors, and penalties was a high medieval development. Within a century after the Gregorian reform, the legal and procedural climate of Western Europe would change dramatically in both secular and sacral realms. Twelfth- and thirteenth-century kings and emperors developed increasingly sophisticated bureaucratic and legal systems to manage their rapidly expanding realms (and to ensure that their authority was efficiently imposed), a process paralleled in the sacral sphere. After the failure of both localized preaching campaigns and twenty years of crusading to uproot heresy, innovative popes charted an astonishingly effective new approach to heresy.

In contrast to images presented in popular culture, however, no such thing as the Medieval Inquisition existed, either in terms of the name itself or the organized and efficient persecutory institution those capital letters suggest. Only "in polemic and fiction" did *The Inquisition* exist, "a single all-powerful, horrific tribunal whose agents worked everywhere to thwart religious truth, intellectual freedom, and political liberty."[2] This is the myth of *The Inquisition* that emerged over the last 400 years, both as a result of deep hostilities between Catholic and Protestant writers of the intervening centuries, and of grisly cinematic renderings of dark-robed, pitiless inquisitors sending innocents to a fiery death.

In fact, the process of *inquisitio* did not theoretically allow for a sheer abuse of power; rather, multiple checks and procedural layers were in place to ensure that justice was met. That

said, significant gaps existed between theory and practice (as they do all in all legal systems); and although deputized inquisitors were for multiple reasons never free to consign suspects to death willy-nilly, many thousands did face an excruciating and legally sanctioned death at the stake for the crime of heresy. So we are not concerned here with the myth of Inquisition, but the history of "inquisition" as a process that changed over time: the procedures and personnel, the techniques and technologies, the functions and frustrations of those appointed to preserve the vineyard of the Lord.

The turning point came in the 1230s, with the development of medieval inquisitorial activity from its origins in Roman law, an activity staffed by the mendicant and other monastic orders and fueled by growing administration, bureaucracy, and institutionalization in the West. The strategy, training, techniques, and technologies that medieval inquisitors used were striking, and not only represent an intriguing chapter in legal history, but also arguably played a key role in emerging Western notions of truth and power—as well as in the relationship between individuals and institutions. For inquisitors, the most important joining was that between Christians and Church, and their charge was to hone in on disobedience and bring prideful souls back into the flock. At risk was the very health of Christendom, and each "heretic" was a potential breach of hell, filth, and depravity into the world. Strong words—but then, salvation was on the line.

Far from being a coherent machine, inquisitorial activity began in fits and starts, just after Bernard of Clairvaux's call to action. As noted previously, at the Third Lateran Council in 1179, the pope admonished Valdès of Lyons to stop preaching but encouraged his life of poverty. In 1184, Pope Lucius III (1181-85) presented in his decree *Ad abolendam* a thorough plan of action. Bishops were required to visit parishes suspected of heresy twice a year, to take oaths from respected residents about local religiosity, and to pursue legal action against anyone with apparently deviant beliefs. Lay authorities were encouraged to cooperate with bishops. Papal pronouncements did not, however, necessarily carry weight with the thousands of bishops throughout Western Christendom, each of whom could decide whether to adopt an active or passive approach to heresy.

## The Building of Antiheretical Momentum (1198–1229 C.E.)

There are moments in history when the influence of certain personalities is undeniable, when the agenda and drive of particular individuals lends such momentum to their age that they become a powerful historical force in their own right. The early thirteenth century witnessed a kind of perfect storm of personalities that we must recognize if we are to understand the origins and development of medieval inquisition. For this reason, we will start with Pope Innocent III, and his accommodation of new religious orders led by the extraordinary figures of Francis of Assisi and Dominic de Guzman. We will then briefly consider the failure of violence as a means of uprooting heresy, the foundation of the first papal inquisition in the 1230s, its staffing by the

mendicant orders, and the inquisitorial techniques and technologies employed to prosecute heresy

As discussed in chapter 2, one of the first antiheretical measures of Pope Innocent III during his pontificate (1198 – 1216) was the decree *Vergentis in senium,* which built on and extended the momentum of Pope Lucius's *Ad abolendam* (1184). The significance of the decree is that it associated heresy with treason as defined in secular law, formally linking spiritual sin and legal crime for the first time. After 1199, those convicted of heresy were to have their goods confiscated and their children subjected to perpetual deprivation; the consequences of heresy were now juridically regulated and historically enduring.

The lawyer-pope further clarified the penalty eight years later, just as the confrontations between Good Christians of all stripes, Cistercian preachers, and the Poor were heating up in Languedoc. In 1207, he issued the decretal *Cum ex officii nostri* (We Decree) which stated:

> In order altogether to remove from the patrimony of St. Peter the defilement of heretics, we decree, as a perpetual law that whatsoever heretic . . . shall immediately be taken and delivered to the secular court to be punished according to law. . . . All his goods also shall be sold, so that he who took him shall receive one part, another shall go to the court which convicted him, and the third shall be applied to the building of prisons in the country wherein he was taken.[3]

*Cum ex officii nostri* would have a particular significance for the lands of Languedoc. Within a year of its issuing, it had become clear that Innocent's two-pronged approach of persuasion and coercion in southern France had failed. Although the Cistercian and Dominican preachers had indeed effected some conversions (particularly the Dominicans, who appeared as holy and ascetic as the Good Men), the roots of local territorial and spiritual independence reached deep into the Languedocian soil. Efforts to pressure lords into enforcing spiritual obedience had met with resistance, and were often perceived as the encroachment of unwelcome external powers on local lands. Innocent needed a new approach;

## Fourth Lateran Council (1215 C.E.)

In 1215, as the Albigensian Crusade raged in Languedoc, Pope Innocent convened the Fourth Lateran Council at which the multiple strands of his papal agenda were brought together in official form. The pope had long wanted to summon an ecumenical council, because it was the ideal venue through which to recoup the bitter losses of the Fourth Crusade (1204) and reinvigorate the papal crusading program. Innocent's overarching goal had always been the reformation and rejuvenation of Christendom, which was manifested in several distinct projects: demanding higher moral standards for the clergy; implementing more regular sacramental participation by the laity; and the defense of Christianity against its many foes, including Jews, Muslims, and above all, heretics. Attended by hundreds of archbishops, bishops, abbots, priors,

and other clergy, the Council (supervised by Innocent) ultimately issued seventy canons on a wide range of issues, including an articulation of Trinitarian theology; procedures and penalties for pursuing heresy; the declaration of papal primacy over the patriarchs of the Church; the prohibition of new religious orders; regulations for the behavior and trials of clergy; arrangements for a new crusade to the east; supervision of Jews and Jewish-Christian relations

Among the most significant decrees for the topic at hand was Canon 3, which officially anathematized heresy, Acknowledging the exasperating difficulty of labels and names, Canon 3 thundered the following pronouncement against heterodoxy: "We excommunicate and anathematize every heresy setting itself up against this holy, orthodox and catholic faith which we have expounded above, and condemn all heretics by whatever names they go under; they have various faces indeed, but tails tied onto another, for they have vanity in common. Those condemned as heretics shall be handed over to the secular authorities present or to their bailiffs for punishment by the penalty deserved, clerks first being degraded from their orders. The goods of these condemned are, if they are laymen, to be confiscated."[4] The implication here is that, whatever the name or flavor of belief, heretics are all the same in their willful and prideful disobedience to the Church, and that they have as such forfeited their place (and possessions) in Christendom. Such clear-cut categorization of orthodox and heterodox admitted no shades of grey nor acknowledged any distinctions between groups deemed heretical, an important step in the bureaucratization of antiheretical activity.

Preaching by pious laymen drew particular fire in Canon 3, though the old problem was rendered in terms of unlicensed preaching by hypocrites and usurpers. Again, Innocent sought to exclude disobedient sons from the community of Christendom until they repented:

> Since some, under "the appearance of godliness, but denying the power thereof," as the Apostle says (II Tim. 3:5), arrogate to themselves the authority to preach, as the same Apostle says: "How shall they preach unless they be sent?" (Rom. 10:15), all those prohibited or not sent, who, without the authority of the Apostolic See or of the Catholic bishop of the locality, shall presume to usurp the office of preaching either publicly or privately, shall be excommunicated and unless they amend, and the sooner the better, they shall be visited with a further suitable penalty.[5]

Another decree of Fourth Lateran with vital implications for heresy and inquisition was the mandate in Canon 21 for all Christians to confess and take communion at least once a year, at Easter. Annual confession was crucial for the later development of inquisition, for the two were closely related: both involved inquiry into the moral and spiritual state of an individual, both focused on the discovery and repentance of error for the sake of one's soul and the wider health of Christendom, the success of which was predicated on Christian obedience to clerical authority. Employing the metaphor of disease for sin, Innocent characterized the work of clergy as akin to that of a physician:

> Let the priest be discreet and cautious that he may pour wine and oil into the wounds of the one injured after the manner of a skillful physician, carefully inquiring into the circumstances of the sinner and the sin, from the nature of which he may understand what kind of advice to give and what remedy to apply, making use of different experiments to heal the sick one.[6]

The association of sin with sickness would take on particular resonance in the early thirteenth century, as would (in some circles) a symbolic parallel between inquisitors and physicians; as we will see, Dominican friars in particular understood their charge to be "Doctors of Souls," learned experts responsible for restoring depraved spirits rather than diseased bodies.[7]

<u>Accomodating the Apostolic Model: The New Mendicant Orders</u>

Even as Innocent was launching the crusade against "Albigensians" in southern France, however, he retained his original impulse to accommodate passionate apostolic Christians whenever possible. In 1209, as the first northern crusaders were heading towards Toulouse, an Italian merchant's son named Francis presented himself at the papal court to receive approval for his way of life. Much like Valdès of Lyons thirty years earlier, the young man had been suddenly inspired to a new spiritual vitality by the Gospel of Matthew 10:9:

> and as ye go, preach, saying, The kingdom of heaven is at hand. Heal the sick, cleanse the lepers, raise the dead, cast out devils: freely ye have received, freely give. Provide neither gold, nor silver, nor brass in your purses, Nor scrip for your journey, neither two coats, neither shoes, nor yet staves.

Compelled to give away his possessions and live an ascetic life of apostolic poverty, the charismatic Francis had stripped himself naked in the square of his home town in a dramatic act of renunciation, and since then had drawn numerous supporters and followers to him. In Rome, he placed himself at the pope's disposal and promised total obedience to the pontiff.

According to legend, Innocent was not initially amenable to the ragged penitent, and refused to meet Francis; that night, however, he had a dream of a man holding up the crumbling Church. When Francis finally appeared before him, as the story went, Innocent recognized him as the man from the dream. Whatever the reason, Innocent had evidently learned from past mistakes through which the lack of papal discernment drove orthodox and passionate groups such as the Poor of Lyons needlessly into heresy. At this meeting, therefore, Innocent seized the opportunity to encourage Francis and his followers in their imitation of the Gospel, approving their mission of preaching and poverty, and establishing them as a new religious order: the *friars minor*, or "little brothers," as Francis humbly wished them to be called. With Innocent's patronage, the Franciscan friars spread quickly throughout the towns of Western Europe and became a rigorous example of Christian piety.

Such ideas were in the air in the early thirteenth century, and a parallel development emerged simultaneously yet independently in southern France, where the Spanish monk and preacher Dominic de Guzman was debating Good Christians in Pamiers. Like Francis in Italy, Dominic had committed himself to a life of strict discipline and orthodox preaching according to the same apostolic model that had been inspiring men and women since the Gregorian Reformation. Dominic was particularly distressed by heresy, and established a community of preachers in Toulouse to tend to Christian souls; given the contemporary circumstances, the persuasion of heretics away from error took on particularly significance within their broad pastoral mission.

Immediately following Innocent's death in 1216, Dominic presented himself and his eager brethren (like Valdès and Francis before him) to the new pope to ask for recognition. Because another decree of Fourth Lateran had prohibited new religious orders, the Dominicans were approved as an offshoot of the existing Augustinian canons by Pope Honorius III in 1216. Particularly devoted to theology and preaching, pairs of black-robed and barefoot Dominican preachers would become an increasingly common sight throughout Europe. Chaste, pale from fasting, fiercely ascetic, and licensed to preach against heresy, they and the Franciscans embodied the first effective argument against heretical *perfecti* and Waldensian masters.

Although many of Innocent's ambitions failed or were left incomplete, his pontificate had been a watershed in keeping with his earlier Gregorian predecessors. Innocent extended papal authority into all corners of Christendom and its Church, railed again secular rulers who challenged him, and explicitly clarified the status of "out groups" (Jews, infidels, and heretics), whose very marginality reinforced the "in group" of obedient Western Christians. He was succeeded by Pope Honorius III (1216–17) and Pope Gregory IX (1227–41); both men were leading Italian ecclesiastics whose pontificates would, as we will see, contribute mightily to the new inquisitorial approach to heresy in the thirteenth century.

## New Antiheretical Attempts (1227–31 C.E.)

During the early thirteenth century, ecclesiastical officials and lay rulers continued to clarify their juridical stance on heresy, and to render the new legal strictures into practicable forms. Emperor Frederick II, for example, added new canonical restrictions on heresy to imperial law and mandated death by burning as the penalty for recalcitrant heretics. Thus the pyre became the universal punishment for lapsed or unrepentant heretics throughout Christendom as heated debates and dialogues about heresy and law continued. By mid-century, English scholar and bishop of Lincoln, Robert Grosseteste, had contributed an enduring definition of heresy as "an opinion *chosen* by human perception, *created* by human reason, founded on the Scriptures, contrary to the teachings of the Church, *publicly* avowed, and *obstinately defended*" (emphases added). His point was that heresy consisted not of error or theological confusion, but was defined by the stubbornness and public pridefulness of a willful Christian gone astray.[8] By the end of the

thirteenth century, these fierce and focused conversations had yielded a sophisticated body of juridical assumptions and procedures for dealing with heresy.

Upon his ascent to the see after Honorius III's death in 1227, the distinguished canon lawyer Pope Gregory IX (1227-1241) quickly ascertained that the Church's battle with heresy, particularly in the south, was not going well. the Albigensian Crusade had been raging for nearly twenty years, and the preaching campaigns of Cistercians and Dominicans had not uprooted Good Christian communities and traditions in Languedoc. Innocent's measures, although foundational in so many ways, were not taking full effect and the pope needed a new strategy. The early years of Gregory's pontificate witnessed a turning point on both issues.

The Council of Toulouse (1229 C.E.)

In 1229, two developments took place that deeply affected the spiritual politics of Western Christendom. First was the end of the Albigensian Crusade. After years of only marginal attention to the devastation of the southern lands, the French monarchy finally intervened in the Albigensian affair and ended the crusade with the Treaty of Paris; the complicated negotiations left the defeated southern lands placed largely under royal authority. Although the crusade had smashed some of the leading families of Languedoc and devastated its population, it had not eliminated heresy.

In the same year, the pope and his staff turned their attention sharply to the problem of lay support for heresy in Languedoc, and, in November, the second major event took place: the council of Toulouse. Guided indirectly by Gregory IX, the council issued eighteen canons (nearly half of the total) dealing explicitly with heresy, setting forth new techniques for uncovering stubborn Cathar errors. In this new set of tactics, laymen of good repute were deputized along with a local priest to "seek out the heretics in those parishes, by searching all houses and subterranean chambers which lie under any suspicion."[9] It was a fearsome approach, in which homes and buildings associated with heretics were to be destroyed, all laity were required to swear an oath against heresy and confess three times annually to the local priest, and repentant heretics were forced to wear crosses sewn to their clothing as a badge of their sin and relocated to a town with no heresy. Above all, these were instruments of social penalty aimed at disrupting community bonds and re-forming them into an explicitly orthodox pattern.

But perhaps most striking among the canons of the Council of Toulouse was the prohibition against possession of biblical texts, a key indicator of the perceived relationship between lay access to Scripture and heresy:

> We prohibit that the laity should be permitted to have the books of the Old or the New Testament; unless anyone from motives of devotion should wish to have the Psalter or the Breviary for divine offices or the hours of the blessed Virgin; but we most strictly forbid their having any translation of these books.[10]

In contemplating Church control of Scripture, it is worth remembering that biblical books (Latin or vernacular translations) were frequently glossed with marginal comments and notations; notations by "unlicensed" Christians could be misleading or downright unorthodox, particularly within books circulating among suspect communities like the towns and villages of Languedoc. Thus the prohibition of lay access to the Word was, from the perspective of the clergy, an attempt to safeguard lay Christians from error and to protect Scripture from lay Christians.

The First Inquisitors

By the end of the 1220s, Gregory was well-aware of past failures—lackadaisical preaching and local heresy trials were ineffective, as were the other extremes of crusade and regional violence. What was needed, he decided, were specially deputized individuals willing to painstakingly and relentlessly unravel local heretical networks. In an early experiment, in 1227 he commissioned a secular priest named Conrad of Marburg, who had spent years preaching crusade and independently investigating heresy in Germany. Shortly thereafter, the pope also appointed a Dominican friar named Robert le Bougre, who had formerly been a Good Christian and converted before joining the order to smoke out heretics in northern France. Yet this first attempt at staffing papal inquisition was not a success; both men acted overzealously with little information, forced false confessions, and sent hundreds to the stake with little attempt at pastoral care or conversion.

Conrad, for example, notoriously forced stereotyped confessions of abominable practices and demonic worship from his victims and forwarded the accounts to the pope, who appears to have taken them at face value. In 1233, apparently in response to such reports, Gregory IX issued the decree *Vox in Rama,* in which he described a gathering of heretics in terms already familiar from ancient smears against early Christians and other "out groups." Because of the tenacity of such demonic accusations (to which we will return in chapter 6), the passage is worth quoting at length:

> The following rites of this pestilence are carried out: when any novice is to be received among them and enters the sect of the damned for the first time, the shape of a certain frog appears to him, which some are accustomed to call a toad. Some kiss this creature on the hind-quarters and some on the mouth; they receive the tongue and saliva of the beast inside their mouths. Sometimes it appears unduly large, and sometimes equivalent to a goose or a duck, and sometimes it even assumes the size of an oven. At length, when the novice has come forward, he is met by a man of marvelous pallor, who has very black eyes and is so emaciated and thin that, since his flesh has been wasted, seems to have remaining only skin drawn over the bone. The novice kisses him and feels cold, like ice, and after the kiss the memory of the catholic faith totally disappears from his heart. Afterwards they sit down to a meal and when they have arisen from it, from a certain statue, which is usually in a sect of this kind, a black cat about the size of an average dog, descends backwards, with its tail erect. First the novice, next the

> master, then each one of the order who are worthy and perfect, kiss the cat on its hindquarters; the imperfect, who do not estimate themselves worthy, receive grace from the master. . . . When this has been done, they put out the candles, and turn to the practice of the most disgusting lechery, making no distinction between those who are strangers, and those who are kin. Moreover, if by chance those of the male sex exceed the number of women, surrendering to their ignominious passions, burning mutually in their desires, men engage in depravity with men. Similarly, women change their natural function, which is against nature, making this itself worthy of blame among themselves. . . . They even receive the body of the Lord every year at Easter from the hand of a priest, and carrying it in their mouths to their homes, they throw it into the latrine in contempt of the savior . . . They acknowledge all acts which are not pleasing to the Lord, and instead do what he hates.[11]

Of course these crimes bore no relationship to reality, nor to any particular practices in Germany at the time; rather, they reflected ancient anxieties and fantasies in which the wickedness of one's declared enemies was presumed to manifest itself in the most heinous of all possible crimes: perverted, filthy sex. Nor have we seen the last of this stereotype, for we will encounter these accusations again later in the context of late-medieval magic and witchcraft. The pope appears to have taken them to heart, however, lamenting the extent to which such horrors had become rooted in the German lands.

Equivalent to Conrad in terms of minimal procedural restraint was the career of Robert le Bougre, who worked in both French and Germanic lands through the 1230s. His methods led frequently to burnings, such as in the towns of Cambrai and Douai in 1236; in 1239, he was instrumental in the unprecedented simultaneous execution of over one hundred eighty people in Mont Aimé in Champagne. It was not that he worked unsupervised, however: the king of Navarre, the count of Champagne, and sixteen local bishops were all present at the "spectacle." Evidently his methods appealed to some, probably resonating with local fears and ambitions. In terms of the intended inquisitorial model of persuasion over coercion, conversion over condemnation, however, both Conrad and Robert were failures. Because the aim of antiheretical activity before and after the papal inquisition was to bring straying sheep back into the fold, not kill them while they were still in error—the goal was always to obtain confessions followed by sincere repentance and penance. Despite pockets of support, contemporary outrage rippled back to Rome, and Robert was ultimately suspended by the papacy, whereas Conrad was murdered by his enemies before the pope could step in. Another method had to be developed.

### From *Accusatio* to *Inquisitio*

Even before the disaster of Conrad of Marburg's commission, Gregory IX was looking to the mendicant orders for an effective new solution to the problem of "the little foxes." During the

early 1230s, in one of his many attempts to find innovative solutions to fight heresy, he deputized some mendicant friars to staff antiheretical tribunals in Toulouse and Carcassonne; in doing so, he developed the single most effective approach for extirpating heresy in European history. Drawing on the ancient legal precedent of *inquisitio* or inquiry, a process revived largely under the pontificate of Innocent III, Gregory reconceptualized antiheretical methods into a new model which would profoundly influence European law for centuries to come. Before we consider its organization and mission, however, let us consider what the legal shift entailed, and what it meant for the goal of prosecuting heresy.

In the earlier Middle Ages, lay courts typically followed the process of *accusatio* (what has since been labeled "accusatorial procedure"), a system of law based largely on Germanic practices. As its name might suggest, the process began with a single accuser bringing a charge before the court. This person then had the obligation to prove the charge, essentially acting in the role of prosecutor, and meeting the accused face-to-face. In such situations, early courts often turned to judicial ordeals for proof of guilt or innocence. For example, suspected criminals might be required to grasp hot irons, and in several days their wounds would be examined to determine whether they were healing properly (little to no healing was a sign of guilt), or suspects might be bound and dunked in water to see how quickly they rose to the surface (floating too quickly was a sign of guilt). Such methods were not quite as irrational as they might initially seem. These rituals were performed publicly, and the ultimate determination of guilt or innocence often relied on the general acclamation of the gathered witnesses, who determined whether a burn was sufficiently scabbed over or a suspect had remained submerged for an adequate amount of time. Judgments in these cases would have been informed by the deep knowledge people living in tightly knit communities usually had of their neighbors' general character, as well as of the accused's own guilt or innocence.

Moreover, the accusatorial process contained a built-in protection for the accused. When suspects were acquitted or found innocent of the charge, their accusers faced legal retribution for bringing false charges—the principle of *lex talionis* (the law of retaliation). Thus in the absence of clear physical evidence or eyewitnesses, there was a strong disincentive to make any accusation unless the accusers were absolutely sure that they stood in higher regard within their communities than did the accused. Certainly if an entire community regarded as individual with suspicion, punishment could occur, and it was often severe (and noninstitutional, with punishment meted out by the lay mob).

By the twelfth and early thirteenth centuries, a shift away from the accusatorial model was already underway. Instead of an individual making accusations based on first-hand knowledge, judges now took on the prosecutorial role based not on personal experience but on collected information pertaining to a suspect. Under inquisitorial procedures, guilt or innocence was proved by the active inquiry (*inquisitio*) of said judge into the details of a case. Although an investigation could still be initiated by an accuser, in most cases a deputized officer conducted an investigation on his own initiative, based largely on general reports of an individual's reputation (*mala fama*)—which was exactly the sort of vague disrepute that often hovered around those

suspected of heresy. In 1215, Pope Innocent had decreed that the trial form of *inquisitio* was to replace *accusatio* broadly, and not only in cases of heresy. "The *inquisitio* was used at all levels, from the courts of archdeacons and rural archpriests or deans charging rustics with fornication or adultery to papally commissioned trials presided over by cardinals on charges brought against kings and queens."[12] Far from a minor legal detail, the shift from personal to official criminal inquiry went hand-in-hand overarching trends toward bureaucratization in the central and later Middle Ages, and is thus a crucial strand to unravel in the history of premodern religious and institutional history.

## The Birth of Inquisitorial Tribunals in the 1230s

After the failure of Conrad of Marburg's commission (and even prior to Robert's excesses in France), Gregory shifted gears and recruited specially trained judge-inquisitors from the ranks of the Franciscans and Dominicans so recently welcomed into the fold of the Church. The Dominicans demonstrated a particular affinity for the work, emphasizing as they did preaching, learning, and the unflagging care of souls. In 1231, Gregory IX took the first step by calling upon a Dominican prior in Regensburg, Germany, to pursue suspected heretics in the area. Shortly thereafter, he appointed papal inquisitors in Languedoc, and by 1233 he had directed the local Dominican priors to choose likely inquisitors from among their subordinates to staff tribunals established in cities throughout Europe.

In 1237, a tribunal was established at Carcassone, and within a few years others were being set up in central Italy and Lombardy. By the early fourteenth century, Franciscans headed tribunals in Savoy, Provence, the Dauphine, central and southern Italy and Sicily; Dominicans took the rest of the territories, particularly Spain, Germany, and Bohemia. These tribunals operated independently, however, and should not be thought of as interchangeable elements of a single office, or as even coordinated functions. Each scattered tribunal staffed largely by mendicant papal delegates worked locally, on its own authority, and without formal contact or communication with other tribunals.

Even though they were not part of a single, uniform institution, however, such tribunals did have features in common.[13] For example, the inquisitors were directly subject to the pope and therefore exempt from episcopal oversight; they were licensed to proceed against suspects by virtue of the authority of their office; they were allowed to take depositions from people typically prohibited in canon law from testifying (including children, criminals, and accomplices); the accused who were summoned to testify were required to swear an oath making them liable to prosecution for perjury; and in one of the most significant departures from *accusatio,* the accused were not told the names of those who testified against them. Thus although the papal inquisition is perhaps best understood as a network of independently operating tribunals, inquisitors of heretical depravity did share a common understanding of the heretical threat, the seriousness of their task, and the techniques and procedures available to them. Although the tribunals were independent, the training the friars received within their own orders also helped to establish some

uniformity and consistency. And it was at these tribunals that precedents were set for inquisitorial activity over the next century.

Herein lies one of the oddities of the history of medieval heresy and inquisition: the process of *inquisitio* was actually not particularly suitable for ascertaining the inner beliefs and spiritual condition of Christians. *Inquisitio* simply meant that the judges launched cases themselves based upon reports of reputations in communities about which they initially had little knowledge, and that those summoned and accused had little recourse to defend themselves. Although the disconnect between deputized inquisitors and local villages was intended as an aid to their labor, ensuring that no ties of kin or kind would cloud their antiheretical mission, it also meant that inquisitors faced the daunting task of disentangling fact from fiction, certainty from suspicion, and dissemblance from mere confusion. Thus for officials pursuing heresy under inquisitorial procedures, by the mid-thirteenth century new tools were increasingly deemed necessary to secure confessions, contrition, repentance, and penance—to see, in other words, into peoples' souls. By the end of the thirteenth century, deputized inquisitors and their episcopal (and occasionally freelance) colleagues possessed a rapidly growing body of powers and texts to support their work. And despite the limitations of *inquisitio* as a legal process, it would prove far more effective in identifying, prosecuting, and punishing heresy than earlier methods of persuasion and crusade.

## Inquisitorial Profiles

Although the label of "inquisitor of heretical depravity" suggests a certain uniformity of background and experience, the men who acted in a inquisitorial capacity came from a variety of backgrounds, worked in a number of different regions, and conducted their business in unique ways. In most regions, episcopal oversight remained strong and, particularly in Germany, itinerant or freelance inquisitors outside of the papal bureaucracy took on the responsibility of pursuing heretics. Thus although the new thirteenth-century papal *inquisitio,* staffed largely with Dominicans and Franciscans, was a crucial development in our story, it never held a monopoly on medieval antiheretical efforts. And because each tribunal worked independently, we should consider the variety of local contexts and conditions to which the emerging new technologies of inquiry were adapted and aimed. We should also factor in the character and methods of individual inquisitors, because as the following profiles suggest, ecclesiastical agents were not much closer to a fixed or homogenous group than the "heretics" they pursued.

Étienne de Bourbon (c.1195–1261 C.E.)

One of the earliest appointed Dominican inquisitors of the thirteenth century, Étienne de Bourbon joined the friary in Lyons in about 1223 after his student years at the University of Paris. In keeping with the Dominicans' emphasis on preaching and teaching, he wrote many popular sermons as well as entertaining tales of his days as an undergraduate in Paris. A few years later (c.1235), he was appointed inquisitor, working primarily in the valleys of the Saône

and Rhone. He was present at Robert le Bougre's burning of 180 "Manichaens" in 1239, and was convinced of the effectiveness of the death penalty as a tool for distinguishing between Christian and un-Christian.

Active in Lyons only a generation after Valdès lifetime, the inquisitor gathered testimony from followers who had known the man personally and recorded one of the most reliable accounts of the movement's early years.[14] He also targeted (sometimes mocking) superstition: "I also heard of a Spanish schoolman who believed in auguries. He was all ready for a journey to return to his homeland, when one of his companions stopped him from leaving by crowing outside the house door as if he was a crow. He thought it was an evil omen!"[15] Across his writings and *exempla,* he recounted many tales of inquisition and execution, gathered to disclose the wickedness of heresy and reinforce a "Christianity of Fear"—a theological stance employing terror of sin as motivation for seeking salvation.[16] Étienne's collection would later serve as the basis of a similar collection of anecdotes, *De dono timoris* (On the Gift of Fear), written between 1263 and 1277 by the Dominican Master General Humbert of Romans.

Rainier Sacconi (d.1263 C.E.)

In contrast to Étienne de Bourbon, whose path to the Dominican inquisitorial office was relatively straightforward, Rainier Sacconi's journey was more complicated. A native of Piacenza, one of the northern Italian cities torn by civic and spiritual turmoil, he described himself as a "former heresiarch" and was evidently deeply involved with local heretical circles. Around 1245, he was converted by the Dominican preacher Peter of Verona, and made a surprise about-face by joining the order himself. Within ten years he had so demonstrated the sincerity of his conversion and extent of his abilities he was named inquisitor for Lombardy and the March of Ancona (1254–59). In 1250, he composed the *Summa de Catharis et Pauperibus de Lugdano* (*Summa* on the Cathars and the Poor of Lyons), containing detailed information regarding heretical churches, communities, and catalogues of their tenets. The text became the most widely circulated tract on the Cathars and Waldensians in the thirteenth century, and highly influential among both inquisitors and historians for decades and centuries to come.

Bernard Gui (c.1262–1331 C.E.)

Born at the time of his predecessors' deaths, Bernard Gui represents the second generation of Dominican inquisitors and was one of its most influential participants in both contemporary and historical terms. Having grown up in Limousin, he entered the friary of Limoges as a teenager and took official vows at the age of eighteen (c.1280). His early years were spent studying grammar, logic, philosophy, and theology in both Limoges and Montpellier. After gaining a reputation for both his scholarship and administrative skills, by 1294 he had been made prior of the convent of Albi, followed by positions at Carcassonne (1297), Castres (1301), and Limoges (1305). Despite over a half-century of inquisitorial effort, orthodoxy had never been successfully enforced in the region, and Gui would become one of the most active and influential inquisitors of the era. Over his career, he pursued a wide variety of accused peoples

with a rigorous and methodical system geared toward securing confessions and penitence. Records suggest that he pronounced 536 separate judgments, of which 45 were death sentences.

A theologian and career ecclesiastical diplomat as well as inquisitor, Gui was also a prolific writer whose works include volumes of sermons, a history of the Gauls, and a biography of Thomas Aquinas. Gui's extensive experience and secondary reading shaped his practical manual on inquisitions, *Practica officii Inquisitionis heretice pravitatis* (Conduct of the Inquisition into Heretical Wickedness). Although it is uncertain when he wrote the manual, scholars have made a persuasive case for the later years of his career, around 1323 or 1324. Just as a modern manual might include boiler-plate templates for administrative purposes, so too did the *Practica* supply standard formulae for abjuration or recanting of heresy. For example:

> I, such a one, N., of such a place, such a diocese, on trial before you, N., inquisitor into the evil of heresy, with God's most holy gospels placed before me, utterly abjure all heresy which rebels against the Catholic faith of the Lord Jesus Christ and the holy Roman Church, together with every belief held by heretics of whatever sect condemned by the Roman Church, under whatever name, especially such and such a sect [this may be specified], including all support, help, shelter, defense or association with these persons, on pain of the punishment lawfully imposed on those who relapse into a heresy they have abjured in court.[17]

The manual opens with directions "of the manner, skill and method to be used in the examination and interrogation of heretics, believers, and their supporters," followed by specific categorizations of the errors of "today's Manichaeans," "the Sect of the Waldensians" (also known as "the Poor of Lyon" or "the Sandallers), "the Sect of the False Apostles" (the Dolcinites, "the Béguin sect" (both of which are discussed in chapter 4), and "the Jews." Although Jews were not initially associated with Christian heresy, the fourteenth century witnessed an escalation of the anti-Semitic hostility had been formalized in the canons of Fourth Lateran Council. Gui's manual refers repeatedly to the treachery of Jews, noting that "Christians who transfer or return to the Jewish rite . . . shall be proceeded against as heretics."[18] Because Gui also concerned himself with magic and demonology (discussed in chapter 6), he offered guidance for interrogating "sorcerers, fortune-tellers and those who summon demons." For his service, Gui was rewarded with promotion to procurator general of the Dominicans, in which capacity he served the new pope, John XXII, and with a bishopric in 1323. He died in office in 1331, still supervising the sixty-one parishes under his administration.

<u>Jacques Fournier (d.1342 C.E.)</u>

A contemporary of Bernard Gui, Jacques Fournier (who was to become Pope Benedict XII) was a Cistercian monk who studied at the University of Paris as a young man. In 1311 he became an abbot, and in 1317 he ascended the episcopal seat of Pamiers. Fournier's fierce persecution of Cathar communities in the mountainous regions under his spiritual authority is

documented in the enormous *Register* preserved in papal archives. By all accounts, he was a vigilant, detailed, and tenacious inquisitor who picked up on discrepancies, posed penetrating questions, and (like his colleagues across Christendom) sought to save souls. From this mass of source material, Emmanuel Le Roy Ladurie famously reconstructed the local culture, spiritual climate, and consequences of inquisitorial activity in the small village of Montaillou:

> After dinner there would begin the long country-style evening around the fire. Those present included the hostess's two grown-up sons when they were not out keeping their sheep . . . there would also be a little group of passing *parfaits,* or some merry priests with their women . . . [t]he newcomers, to create a good impression, brought their own wine with them. Discussion would range over various topics. When only friends were present, the subject could be heresy. The veterans of Catharism would go over old memories: tricks played on the Inquisition by some woman heretic cleverer than its myrmidons; plots to murder a traitor or a bad daughter . . . ; or merely the problems of marrying off a son, questions of health or of removing a spell from some sheep which had been bewitched.[19]

The painful consequences of Fournier's antiheretical activity for Montaillou and other neighboring villages is considered at greater length below.

With the fall of the final Cathar stronghold in 1326, the inquisitor's career trajectory quickly escalated: in that year he was made Bishop of Mirepoix, in 1327 cardinal, and in 1334 he was elected pope to succeed the deceased John XXII. The new Pope Benedict XII quickly adopted a reformist stance in Avignon, where he would play an important role in healing a growing rift between the papacy and Franciscans (see chapter 4).

Peter Zwicker (mid-fourteenth to early fifteenth century)

Our final inquisitor was also no French Dominican, but a German-speaking Celestine monk named Peter Zwicker. Of his origins, we know little for he first appears in the historical record as an independent inquisitor in the final decade of the fourteenth century. In 1391, he pursued Waldensians in the city of Erfurt, and for the next few years (1392–94) he interrogated nearly two hundred suspected Waldensians in Stettin, Pomerania, and Brandenburg. From there he moved on to Styria (1395) and Hungary (1400–1404). Rather than operating as a formally deputized "inquisitor of heretical depravity," Zwicker and colleagues (several of whom operated in fourteenth-century Germany) would request permission from local bishops to pursue heresy within the diocese. One might think of this as an inquisitorial freelance or consulting position, which frequently yielded results in dioceses in which bishops were otherwise occupied, needed assistance, or for whom heresy did not constitute a major concern. In the diocese of Cammin in the Uckermark (between Berlin and Stettin) in 1392, he recorded discovering communities of over four hundred Waldensians. In the southwestern region and Switzerland where the Poor

flourished in urban rather than rural settings, he identified communities in Mainz in 1390, Augsburg in 1393, and Strasbourg, Bern, and Freiburg im Üchtland in 1399.

Like many of his peers, Zwicker compiled an extensive collection of recorded evidence, as well as procedures focused on eliciting confessions and conversions. He also wrote an influential treatise on heresy, *Cum dormirent homines* (While men slept [the enemy came and sowed tares]). According to surviving source material, Zwicker seems to have been a talented preacher who employed practical arguments and homey images familiar to the people with whom he argued, and whose method rested more on persuasion than conversion. He was unusually successful in securing large numbers of conversions: by his own account "around a thousand Waldensian heretics were converted to the Catholic faith" within the space of two years; and a contemporary treatise noted that "Brother Peter within the space of one year called back to the faith around six hundred of these heretics."[20] Such figures are less useful for numerical precision than they are for the contemporary sense that Zwicker was remarkably good at his job.

Among the ranks of those actively working as inquisitors in late medieval Europe should also be added those who served temporarily or on a freelance basis. Bishops might allow itinerant inquisitors to conduct proceedings in their dioceses, particularly if such had proven successful in neighboring regions. Members of the cathedral clergy might also participate in local interrogations, armed with precise knowledge of the parish and its membership; and faculty from universities such as Heidelberg and Paris were frequently involved when theologians and canon lawyers were called to serve on various types of panels or hearings. Thus although the category of medieval inquisitor was developing more visible administrative contours, it was far from an exclusive designation.

## Reading Inquisitorial Records

One of the most important elements of the development of medieval inquisitorial activity was its use of texts—its painstaking recording and copying of interrogations, their organization and cross-referencing for easy use, and the collection of supporting written materials on issues of law and theology. Each tribunal had archives of registers into which confessions and information were copied, and these provide some of our best sources for the history of inquisition. Notaries kept journals of day-to-day activities, summaries of penances, and full legal accounts of the most severe sentences. Staff also kept copies of relevant papal documents, acts of councils, and procedural documents in a kind of inquisitorial reference library, often aided by finding tools, indexes, and other means of retrieving needed information at a moment's notice.

Of particular value over the course of the later thirteenth and fourteenth century were procedure manuals for inquisitors, texts not so very different in structure and purpose from the confessors' manuals long used to aid priests in their pastoral aim of eliciting confessions and applying appropriate penance to their parishioners. One of the first was compiled at Carcassone in the 1240s and provided a brief description of their pattern of investigation and sentencing, but

they rapidly became more complex and elaborate after that. A decade later, another (the Ordo Processus Narbonensis) provides information on over 5,600 interrogations conducted by two inquisitors near Narbonne.

Before we move on to consider at greater length the tools and techniques employed by inquisitors in their work, and the consequences of those processes for those who found themselves under interrogation, it would be wise to pause and ask "How do we know any of this"? Where does this information come from? And how reliable is it? The answer is both simple and complicated, for most of historians' current knowledge of the Church's categories of heresy and antiheretical procedures comes from inquisitors' records. As we will discuss below, inquisitors developed scrupulous techniques of record-keeping and copying in order to track the testimony of suspects and build documented cases against them over time. Thus inquisitors like those introduced above not only compiled lengthy registers of names, dates, geographical locations, kin relationships, and sentences, but also gathered them along with trial notes and records of testimony. Although many such collections were dispersed or disposed of over the centuries, a few remained in local archives, or were fortuitously transferred to libraries for safekeeping. As a consequence, modern historians have access to several different collections of medieval inquisitorial sources, most of which have now been subjected to analysis by multiple scholars. Other examples of relevant surviving sources might include urban or monastic chronicles penned by local observers, episcopal or parish records, or scholarly treatises or histories referring to the events.

However, it should be evident that all of these represent elite perspectives, and none give direct voice to the thousands of (largely illiterate) suspects interrogated over the centuries. For although the records may seem to report testimony directly, remember that the conditions under which they were written can hardly be described as conducive to free expression. The men and women being interrogated were usually not there out of choice, the inquisitors asked specific questions geared at particular types of answers, and fear and intimidation certainly influenced the form of response given. Within a few decades of the establishment of papal inquisition, how-to guides or manuals began to circulate that further influenced the shape of interrogations and testimony by describing and reinforcing stereotyped profiles of certain heresies—Cathars believe this, Waldensians will say that, one can know a "master" by this statement, or one can trap a perfect by asking him this question. Having triggered the inquisitor's suspicion according to one of these profiles, a suspect was usually subjected to intense and predefined questioning *based upon that imagined category of heretic.* In other words, even if we had access to the exact words, inflections, gestures, and expressions of the conversation, the inquisitors' assumptions and power position always skewed the course and direction of interrogation.

The process of recording and translating testimony added further layers of obscurity onto this already problematic text: although interrogation took place in the vernacular, the notes or protocols were jotted down in Latin, and later transformed into an official past-tense document written in the third person and in even more formal Latin. Thus, as a suspect carefully answered an inquisitor's questions (perhaps employing some of the evasive or manipulative strategies

discussed below), a third party—the notary—was simultaneously translating the exchange into an entirely different linguistic structure. If you have ever tried to report a conversation exactly with all its nuances and gestures, you know how difficult it is: now imagine translating and abridging as you go! As a consequence, the utility of inquisitorial documents for historians is complicated. It is difficult to know whose voice we are hearing, or to evaluate to what extent their words are shaped by the inquisitorial discourse itself, and we do the past a disservice if we pretend otherwise. And yet, historians must make do with the available evidence, so with these qualifications in mind, let us proceed carefully to consider these records, and to what extent we may use them to enrich our understanding of the interplay between "heresy" and "orthodoxy" in the thirteenth through fifteenth centuries.

## "Inquisitors of Heretical Depravity" at Work

So how did the "inquisitors of heretical depravity" conduct their work? Papally appointed inquisitors developed a relatively standard procedure for launching their investigations, which was adopted (and sometimes modified) by itinerant inquisitors and episcopal appointees. At first, one or two inquisitors, along with a small staff or entourage, would travel from one town or village to another in order to launch an investigation. However, such vulnerability quickly turned out to be unsafe in certain regions, and after years of suffering attacks, many inquisitors stopped traveling and began insisting that witnesses appear at tribunal headquarters instead. Some bolder souls, such as Peter Zwicker, continued to travel. Enlisting the support of local clerics and secular officials, an inquisitor would generally preach a public sermon—a pointed one focused on the evils of heresy—and then call for people to come to him with confessions, accusations, or even just suspicions. The message was repeated from the pulpits of parish priests who could be called into the service of the inquisitors, delivering summons to individuals with whom they wanted to speak. No one over the age of twelve for women and fourteen for men was exempt, and failure to respond to a summons could result in excommunication. Because the purpose of the investigation was to identify the "little foxes" and turn them back into sheep, there would usually be a grace period of a week to a month during which time people could voluntarily confess in exchange for light sentences.

### Interrogation

Once a list of suspects has been created, an inquisitor would proceed with his investigation, questioning the accused and calling people to testify or confess. Under this procedure, accusers were not responsible for the veracity of their accusations, and of course inquisitors would not suffer legal reprisals for proceeding with questionable investigations that ultimately resulted in acquittals. Interrogation was the same for suspects and those who responded to the general summons. It took place in the presence of at least two witnesses and, interestingly, its purpose was not only to discover wrong beliefs and doctrines but—perhaps even more importantly—to reveal peoples' acquaintance with heretics and their sympathizers. It

could be a daunting responsibility, as in the case of inquisitors Bernart de Caux and Jean de Saint-Pierre who questioned over 5,400 men and women in Toulouse in 1245-1246.[21] Inquisitors were charged with the difficult task of uncovering *what a person knew, and about whom*—not only what they knew about Christian doctrine and orthodox praxis, but also what information they possessed about the belief and practices of their family members, friends, and neighbors. To put it another way, they sought potential joinings of hell and earth, and they hunted those joinings in people—in their errors, in their stubbornness and pride, and in their influence over others.

Inquisitors were deeply aware of the relationship between heresy and social or kin networks, and a major purpose of their interrogations was to unravel those bonds through well-informed probing. Canon Three of the Fourth Lateran Council had already threatened anyone who received, defended, or supported heretics with excommunication; over time, these shades of guilt were codified into increasingly complex categories. At the Council of Tarragon (1242), for example, eleven categories of transgression were set forth, ranging from heretics and believers to suspects, hiders, receivers, defenders, and relapsers (those who had already confessed, received penance, and fallen into their error again). The inquisitor's task was thus to assess and diagnose the spiritual status of those who filed through the makeshift interrogation rooms, and to file away information about both their piety and personal connections.

Inquisitors' Questions

During the interrogation of suspected Waldensians in late fourteenth-century Germany, for example, questions fell into three categories. First was the subject's origins and family, followed by his or her relationship to the heretical community, length of membership, and his or her frequency of interaction with known masters or believers. According to Gui, one should ask

> whether he has anywhere seen or met one or more heretics . . . whether he has received any such heretics into his house, and who they were; who brought them, how long they stayed; who came to see them; who took them away and where they went. Whether he heard them preach and what they said and taught.[22]

An elderly woman named Bernarta Verziana, when questioned by inquisitors in c.1245, recalled that when she was eight years old, she lived for a year with her aunt at a Cathar house for Good Women; a man named Arnaud Picoc testified that, years earlier, he heard two heretic cobblers say "that nothing about that which God had created will corrupt or pass away."[23] Such statements were carefully recorded and filed away for future use. Once the suspect was located within the network of familial and heretical ties, the inquisitors systematically inquired into the final category of belief and practice. In the case of the Poor, for example, follow-up questions might involve their understanding of Purgatory, of the value of prayers for the dead, or of the efficacy of the clergy; or the inquisitor might ask them to give an oath, knowing the reluctance of many adherents to swear in any form.

Direct questioning was not the only strategy available to an inquisitor, because record keeping allowed for the tracking of others' confessions and testimony. After being summoned, people were often presented with evidence that others had supplied during interrogations. Such social pressure was very effective, particularly when the rewards for immediate confession were substantial, compared to the steep penalties for recalcitrance and relapse. The stakes were dramatically heightened for tightly knit communities bound by local ties and the visits of a revered master, for every now and then someone high on the list of transgressors (such as a master) would convert and ask for reconciliation to the Church. In such scenarios, the price of absolution was to tell all she or he knew about other believers and supporters. These kinds of disclosures created panic in the community. For example, the conversion of a former Good Man named Bernard dels Plas was said to have destroyed his hometown.[24]

Papal inquisitors particularly appreciated these kinds of leads, which could quickly unravel entire heretical networks. Some converts were actually so helpful that they were later employed on the inquisitorial staff themselves. The consequences for their former flocks were of course horrifying, because such close-knit solidarity meant immediate vulnerability when a member converted. In Germany one "frequently reads that thirty, forty, or fifty members . . . were brought before an inquisition, and there is unimpeachable evidence that hundreds of suspects were brought to trial on one occasion," a massive undertaking rooted in informers' testimony.[25] In Germany, inquisitors compiled a list of twenty Poor masters, of whom all but one had converted back to the Church by 1400; of these five became priests, and one even entered a monastery.

After the mid-thirteenth century, confessions could also elicited through the application of torture. Because *inquisitio* was not a particularly effective means of determining inner thoughts and beliefs, in 1252 Pope Innocent IV permitted inquisitors to employ torture to elicit information or confessions. Like the inquisitorial process itself, torture was an ancient Roman legal practice revived in Europe in the thirteenth century, employed to determine guilt in cases of secret belief when no eyewitnesses were present. Practitioners were aware of its shortcomings, however, and protocols controlled its use: it was not to be unnecessarily brutal or to inflict permanent injury; a medical expert was required to be present, as was a notary to take down an official record; and the torture itself was to be traditional (such as stretching or searing the body) rather than any novel methods.

Confessions elicited under torture were not in themselves sufficient proof of guilt, and had to be repeated by the suspect once removed from the place of torture. If, however, a suspect recanted once the torture was lifted, it might be applied again later. However, the role of torture in medieval inquisition should not be exaggerated. Despite its clear canonical legality, it is hardly mentioned in inquisitors' manuals and was not employed as a routine feature of interrogations. Readers might wonder if inquisitors simply kept information about torture out of the records, but evidence suggests otherwise: torture was legal, much was at risk, and inquisitors so painstakingly recorded their approaches and techniques that conscious and collaborative silence regarding the

application of physical force is most unlikely. Even when the balance shifted from persuasion to coercion, other methods (such as threats and imprisonment) seem to have proven more effective.

## Forms of Resistance

Although inquisitors held the upper hand in interrogations, deponents were not entirely helpless or without strategies for resisting such questioning. Over the centuries, the collected sources present evidence of the array of "weapons of the weak" employed by suspected heretics. Summoned Christians could of course choose to flee: several Poor interrogated in Mainz in 1390 fled to safety within sympathetic communities elsewhere on the Rhine. However, given the social solidarities of medieval communities and the difficulties of transience (particularly for women) flight was not always the option it might appear to be. Just as common was the decision to stay put and draw on the array of evasive measures employed consciously by canny suspects—and sometimes unconsciously by many deponents who simply did not understand the inquisitors' questions.

For example, the Aragonese inquisitor Nicholas Eymeric identified in his manual "ten ways in which heretics seek to hide their errors," including equivocation, adding conditions, redirecting the question, feigning astonishment, twisting the meaning of words, changing the subject, self-justification, feigning illness (including claims of "female trouble"), feigning stupidity or madness, and feigning holiness. Eymeric supplemented each of these with specific examples, apparently drawn from his own experience. Likewise, Gui offered a sample dialogue to illustrate how an accused Waldensian might dissemble, including not only linguistic tricks but also psychological manipulation of gesture and expression:

> When one of them has been seized and is brought up for examination, he comes as if without a qualm, as if conscious of no wrongdoing on his part, and as if he felt entirely safe. When asked if he knows why he has been arrested, he replies quite calmly and with a smile, "Sir, I should be glad to learn the reason from you." When he is questioned about the faith which he holds and believes, he replies, "I believe all that a good Christian should believe." Pressed as to what he means by "a good Christian," he answers, "One who believes as the Holy Church teaches us to believe and hold." When asked what he calls the Holy Church, he replies, "Sir, what you say and believe to be the Holy Church." If he is told, "I believe the Holy Church to be the Roman Church, over which presides our lord pope and other prelates subordinate to him," then he responds, "That I do believe," meaning that he believes that I believe this.[26]

One cannot help but sense Gui's exasperation.

In addition to the individual strategies of resistance outlined here (which also could include manipulation, lying, and playing inquisitors off of one another), communities could act

together in opposition to the inquisitorial process. As mentioned above, violence was sometimes directed at inquisitors, and sometimes at defectors or informants. According to one of Zwicker's reports, heretics in one eastern town fixed a burned block of wood and a bloody knife to the town gates as a symbol of their intent to resist; in a nearby town a vicar and his family perished when accused heretics set fire to his home in retaliation for inquisitorial cooperation. Anti-inquisitorial riots sometimes broke out in Languedoc, particularly between 1295 and 1302, and in one case, a woman was silenced by cutting out her tongue. Yet violence was not an enduring or particularly frequent response either to inquisitors or their procedures—such eruptions tended to coalesce around particularly troubled times or contexts, and often coincided with the final years of a hunted community's involvement with heresy. Far more common was a passive but determined collective resistance rooted in the very local structures that inquisitors attempted to break: deep spiritual connections, durable kinship groups, and the defensive ties of village, town, and manor.

## Penance

Once individual interrogations had been completed to the inquisitor's satisfaction and guilt was established, suspects were asked if they wished to abjure their heresy. If so, they were given a penance, such as penitential crosses to wear, private devotions, or other forms of spiritual purgation. Inquisitors had a wide array of penitential options from which to choose, including badges of shame and other physical markers, pilgrimage, and various conditions of imprisonment.

The penance doled out by inquisitors served a double role: first, and most obviously, it was intended to purify the penitent "heretic" and pave their way back into the orthodox community; second, and just as important for the inquisitors' purpose, penance served as a powerful method of social control. Such a flexible array of penitential punishments available to inquisitors allowed them to isolate, mark, humiliate, and segregate a social grouping—a powerful advantage in the tightly knit social worlds of medieval Europe, one that let them simultaneously purge transgressors of their sins, warn potential heretics of the dangers ahead, and demonstrate the spiritual authority of the institutional Church they represented.

Those found guilty but not imprisoned were frequently required to wear large yellow crosses on the front and back of their clothing as a sign of their lapsed spiritual status. Sometimes crosses were combined with another form of public shaming, in which the suspect's punishment became a form of public spectacle—for example, convicted heretics might be required to stand on scaffolds in front of the cathedral for a certain period of time or on special days, or subjected to public scourging by a priest. This kind of symbolic marking and isolation served to exclude the penitent from the local community, often exposing them to mockery and abuse, but it is important to note that the symbol of the cross also marked them specifically as members of—included in—the Church. For the central error of heresy was to argue for a space outside or beyond the Church—and the imposition of penance served to bring penitents back *into* Christendom, and thus to demonstrate the falsity of the "heretics'" position.

On a less visible level, confinement of various sorts was also a punishment frequently employed by inquisitors, who not only wielded it as penance, but were allowed to use temporary imprisonment as a tool for pressuring suspects before and during interrogations. Once guilt was determined, lifelong imprisonment was a frequent penalty, though it could range from a kind of free-range condition within a prison's many rooms to a lock-down within a single cell. Of the sentences in Gui's register, nearly half were for various types of imprisonment (all of which nonetheless involved the forfeiture of property, and thus the disinheritance of one's children and successors). Houses associated with heresy were also frequently torn down as both a spectacle and a sign of the disgrace of heresy. Because prisoners were required to pay for their own upkeep, such a sentence was financially devastating to entire families.

Inquisitors took full advantage of the theatrical opportunities afforded them: for example, sentences were often not announced in private, but publicly at large gatherings attended by an impressive array of secular and ecclesiastical officials, and local notables. Once the opening sermon was complete, the inquisitor would begin to hand out commutations or sentences to the accused among the gathered audience, building for dramatic effect from the least serious penance to the most draconian sentence. The inquisitors' public performance was not the only dramatic element of heretical penance, however, for the punishments themselves also served to enact the religious teaching and social marginalization crucial to the inquisitorial enterprise.

For penance did not always achieve its intended goal of conversion.  The most extreme penalty available in antiheretical proceedings was death, reserved for relapsed or stubborn heretics.  When someone found guilty of heresy refused to recant his or her errors, or was found to have lapsed back into heresy, they were deemed stubborn and recalcitrant and were "relaxed" to secular authorities for burning. The Church was not allowed to condemn anyone to death, and this pious fiction served to keep the inquisitors' hands theoretically free of blood. In reality, of course, they were perfectly aware of the fate to which they were handing men and women. Executions were carried out by officers of local secular rulers, and the only escape was a last-minute recantation. Evidence was also collected against people who already died—if their heresy could be proven, their bones were exhumed from consecrated ground and burned so as to remove all trace of them.

Such executions were perhaps the greatest spectacle in the Church's arsenal, shocking and horrifying events even in a world accustomed to violence and public punishment. The building of the pyre, procession of the condemned, fixing of living human beings to the stake (often friends and family members together), taunting or weeping or praying by onlookers, and the scrutiny of the condemned's conduct for signs of weakness made for a powerful experience. Fire was the chosen means of execution because, as first legislated at the Council of Verona in 118, it annihilated the body so that it could not be resurrected; canonical proscriptions against the clerical shedding of blood (reaffirmed at the Fourth Lateran Council in 1215) may also have been an influence.

In some cases only a single person or small group would be executed at once, whereas in other circumstances large numbers were burned together.  The methods employed and the

executioners' experience level also varied: sometimes people were affixed by the neck to a stake, or bound by other parts of their body; often garbed in penitential clothing or other marks of humiliation, some had pitch applied to the body to make it burn faster while others did not. And while condemned heretics were generally given a final opportunity to recant before the fires were lit, other last-minute appeals were denied. Sometimes the smoke asphyxiated victims before the flames lapped at their clothing and limbs, but not always; contemporary accounts of the agonized screams of the victims who did not die until they were fully engulfed in flames make for difficult reading. The historian's job, however, is to understand *why* this spectacle was regularly and repeatedly staged across Europe in the later medieval centuries. As tempting as it may be to dismiss the events as proof of medieval barbarism and irrationality, it is not that simple; the excruciating executions of condemned men and women were rooted in the period's confluence of precise Christian logic, deeply connected local bonds of society and spirit, and contests for authority: after all, Christ himself said that he came "not to bring peace, but a sword" (Matthew 10:34)

Executions were not as endemic as popular modern imagination might have it, however: of the 5,400 people interrogated in Toulouse between 1245-1246, only 206 were known to have been sentenced by inquisitors Bernart de Caux and Jean de Saint-Pierre. Of these, 184 received penitential yellow crosses, 23 were imprisoned for life, and none were sent to the stake.[27] Of the 633 imposed penalties for heresy described in Bernard Gui's inquisitorial register, the vast majority (about 90%) involved penitential yellow crosses, pilgrimages, imprisonments, or combinations thereof; only 41 (6.5%) of those whom Gui interrogated over the years were handed over to secular authorities for execution.[28] Authorities understood, however, that burnings represented failure rather than victory, and the Church's inability to bring lost souls back to Christ. Moreover, the stoic and pious deaths of many a "wicked heretic" simply reinforced their status as martyrs to their own communities. Violence would thus never elicit the spiritual uniformity sought by medieval ecclesiastics.

## Spiritual and Social Consequences

Within a century and a half after the foundation of the papal inquisition (and parallel efforts of itinerant and episcopal authorities), the spiritual landscape of Christendom was forever altered. The Good Christians' mountain strongholds in southern France were eliminated by the mid-thirteenth century (Montségur fell in 1244, followed by the mass burning of over two hundred people, and Quéribus fell to French knights a decade later), and focused inquisitorial efforts slowly but effectively disrupted the deeply rooted social bonds of kin and village. In 1245–46, two Dominican friars conducted trials in the Lauragais in which over five thousand individuals were interrogated and processed, and their testimony sifted and compared for stains of heresy. Between 1244 and 1300, local communities suffered tremendous blows (particularly in Languedoc at the end of the century), but were not wholly extirpated. Waves of prosecutions crested at the end of the century, culminating in the small village of Montaillou, presided over by

the inquisitor (and future Pope Benedict XII) Jacques Fournier; the ideas of Good Christians had so intermingled with Catholic and local culture as to be virtually inextricable. The arrest of the entire village in 1308 demonstrates the extent to which Fournier was willing to go in order to eliminate heresy from his realm.

In Lombardy, regional political conditions shaped the eventual success or failure of papal inquisition. Franciscan inquisitors in Orvieto, for example, were local men who appear to have targeted people truly associated with heretical circles and imposed penalties sufficiently reasonable as to not provoke an outcry. In contrast, inquisitors in Bologna initiated mass trials and burnings, and encountered significant hostility and resistance along the way. Sources suggest that the single most effective inquisitorial method in Lombardy for dismantling loyalty to "heretical" ideas was the imposition of financial penalties, and thus stripping of the wealth and security from families.

If the Good Christians of the south had been hounded out of existence in Europe by the mid-fourteenth century, the same could not be said of the Poor, for there were many communities in Europe that embraced one form or another of a now-familiar set of scripturally based reformist and anticlerical principles. Again, it would be a mistake to presume much uniformity across time and space by this point: by the fourteenth century the sociospiritual lives of peasant villagers in Alpine communities differed significantly from that of artisans in the urban Rhineland, or from merchants in Mediterranean ports. Nevertheless, many of these far-flung communities were in contact with each other through the travels and ministrations of their master, so it is not unreasonable to believe (as inquisitors did) that these were local manifestations of a broader sociospiritual tendency.

Communities of Poor or "Waldensians" were prosecuted widely in the thirteenth and fourteenth centuries, caught in the nets of papal inquisition in southern and northern France, as well as further north and east. Large populations in Germany, Austria, and Bohemia came under attack in the fourteenth century. Between c.1335 and 1355, the Dominican Gallus of Neuhaus tried what might have been thousands of people, including Poor members and lay religious women (discussed in chapter 5); of those trapped in the nets of interrogation techniques and careful record-keeping, hundreds were certainly sent to secular authorities for burning. In the following excerpt from an interrogation of one Heinrich of Jareschau from 1349, we observe Gallus' methods for unraveling bonds of family and faith. Heinrich's brother, Gotzlin, had already been burned for heresy.

> Inquisitor: Have you now decided to tell the whole truth about the others who were in your sect?
>
> Heinrich: But I have already told you the whole truth.
>
> Inquisitor: Is your brother Henzlin the cutler a member of your sect?

Heinrich: Henzlin is dead and I have not seen him for eight years.

Inquisitor: Do you dare to swear to that?

Heinrich: I do.

Inquisitor: Then swear.

Heinrich: I don't want to swear because you won't believe me anyway.

Inquisitor: That's right, because you're a liar and a perjurer, and lie even under oath. In fact I know that your brother Henzlin was in the village of Jareschau three or four years ago and stayed with you for many days and that before then he stayed with you for half a year.

Heinrich: My brother was not with me three years ago.

Inquisitor: Then how long has it been since you've seen him?

Heinrich: I haven't seen him for four years.

Inquisitor: Was Henzlin a member of your sect?

Heinrich: Yes.

Inquisitor: And how did you know this?

Heinrich: Whatever I say to you, you won't believe, so I won't say anything. [Then, after a pause]: He was in our sect and entered it before me. . .

The record is cut off, but we may presume that Heinrich went to the stake if he did not flee Bohemia immediately after the interrogation. For those interested in historical detective work, the story of Alexander Patchovsky's reconstruction of these from a couple of footnotes and manuscript scraps is an incredible account of scholarly sleuthing.[29]

Further west, inquisitors Peter Zwicker and Henry Angermeier unraveled German communities through a wave of masters' conversions in the 1360s. Prosecutions continued periodically as the itinerant inquisitors wound their way across southern and western Germany, individual efforts rather than the outcome of any coordinated ecclesiastical program. In the early 1390s, a long-standing community in the thriving Rhineland city of Mainz found themselves caught in a hinge between territorial politics, university authorities, and the ambitions of a local

cleric eager to make a name for himself. In 1392-1393, a total of thirty-nine men (including clergy) and women were burned at the stake for Waldensian heresy in one of the largest single executions of its day.[30]

## Politics and Inquisition

Inquiring into heresy was not, however, limited to the purview of inquisitorial deputies or tribunals in the thirteenth and fourteenth centuries. As you will recall, there was nothing about the legal format of *inquisitio* either in its Roman or medieval form that limited it to religious cases or to use by ecclesiastical authorities. Secular leaders were quick to perceive its value, whether for spiritual purposes or politically self-seeking ends. For an example of the latter, we need look no further than the reign of French King Philip IV (r.1285–1314). Philip and Pope Boniface VIII (1294-1303) had been locked in a power struggle for years over the issue of clerical taxation, each attempting to secure his authority over the other. In 1303, Philip seized the upper hand by first persuading a council of French nobility and ecclesiastics to charge the pope with heresy and demonic magic, and then sending soldiers to seize Boniface physically at his residence in northern Italy. The aged pontiff was so shaken by the experience that he died soon after, but the pseudo-inquisition continued; Philip pushed the new pope (Benedict XI) for a posthumous trial, and continued to smear Boniface's name via an expanded list of trumped-up heresy charges. Ultimately no trial took place, however, because Philip and Benedict reached a mutually agreeable settlement on the issue of papal and royal authority, and the matter was dropped.

Philip not only manipulated the construct of "heresy" as a powerful political weapon, but also for what historians have argued were explicitly financial purposes. Within a few years of the Boniface VIII affair, Philip trained his sights on the military order of the Knights of the Temple of Solomon, better known as the Knights Templar. Founded as a crusading order in the Holy Land during the early twelfth century, the order had grown both in membership and wealth from the many donations (particularly of land). Upon the fall of Acre in 1291, the last Christian-controlled city in the Levant, foes of the popular order began to claim that its *raison d'être* had passed and that it should be disbanded. Philip saw an opportunity, once again, to use accusations of heresy to achieve his ends—in this case, the relocation of Templar wealth into the royal coffers. In 1307, he filed an array of charges against the Templars that included heresy, demonic magic, and sodomy, and coordinated arrests across his lands; under brutal torture, many Templar knights confessed to the ludicrous charges.

Caught in a bind between royal pressure and "evidence" of heresy, Pope Clement V (1304-1314) formally disbanded the order in 1312; the order's extensive possessions were then indeed placed under the control of the crown. Two years later, several Templar leaders (including its grand master, Jacques de Molay) were burned alive as relapsed heretics, not for new crimes, but for having recanted their earliest confessions. It was a purely political affair, and serves as grim evidence of how powerful the late-medieval construct of "heresy" had become.

But the danger here lay not in the application of inquisitorial techniques, but rather in the absence of proper procedure. Indeed, the knights would have been safer in the hands of working inquisitors, men whose goal was almost always conversion rather than condemnation. In its disregard for due process, excessive use of torture, and politically charged context, the Knights Templar affair thus represents a precursor to the abuses for which later witch trials would become notorious. Nor would it be the last time accusations of heresy were wielded politically at the French court.

## Conclusion

For centuries after the establishment of inquisitorial tribunals in the thirteenth century, inquisitors worked with a growing set of bureaucratic tools and techniques to eradicate heresy from Christendom. Adopted widely as a legal technique in both secular and ecclesiastical courts, it became increasingly more sophisticated and developed an ever-more specific and detailed collection of methods and techniques and materials. Moreover, the inquisitorial approach came to be associated particularly with suppressing dissent. As bureaucratic resources and textual tools grew in sophistication, so too did the rigidity of heretical stereotypes and constructs.

To its officials and proponents, papal and episcopal *inquisitio* was a necessary and vital function that employed appropriate techniques for identifying and correcting error, for saving souls, and by extension, saving Christendom. With the exceptions of Conrad of Marburg and Robert Bougre, few of the inquisitors were fanatics. Most behaved properly according to the parameters of the role, in some cases even conservatively and carefully, and almost all functioned in accordance with the directives of both Church and secular leaders. Whether or not we may approve of those directives today is beside the point. In the intervening centuries, many, influenced by the Enlightenment and "progressive" rationality, have understandably decried the horrors of the inquisitorial process and lamented for the thousands of people burned alive for their beliefs. Yet historians must approach the past on its own terms—our role is not to excuse or to excoriate, but rather to explain, to answer the question of "why." Gui answered that question:

> The end of the office of the inquisition is the destruction of heresy; this cannot be destroyed unless heretics are destroyed. . . . Heretics are destroyed in a double fashion: first, when they are converted from heresy to the true, Catholic faith . . . secondly, when they are surrendered to the secular jurisdiction to be corporeally burned.[31]

The development of inquisitorial administration and bureaucracy would pave the way not only for the expanded Spanish and Roman Inquisitions of the fifteenth and sixteenth centuries, but also, as Given has argued, for state structures in the early modern period as well. It is not an easy history to read about and it is seductive to linger on the repugnance of their methods, the short-sightedness of their aims—not least perhaps because recent centuries have seen even

greater brutality harnessed to European ideology and institutions. But inquisition is not a closed chapter: it is not irrelevant in the twenty-first century to understand how past societies have "made visible who walks in light and dark," nor to consider with what methods, costs, and consequences one has forced them to speak.

Bernard of Clairvaux might have been pleased if he could have seen the extent to which many of "the little foxes" or Good Christians had been chased from the vineyard by the late fourteenth century; "Catharism" had been destroyed, for example, its social networks damaged beyond repair. Yet Bernard would also have perceived ongoing problems in the Lord's vineyard as well. Lay and clerical Christians alike continued to heed the call to apostolic life, to respond to the appeal of vernacular Scripture, to affirm and seek what they felt to be the vital intersections of heaven and earth. Pockets of "Waldensians" survived, and new spiritual threats mushroomed across Europe. By the end of the fifteenth century, innovative mystical writings challenged the institutional Church, theologians offered bold new interpretations of heaven and earth, lay women formed spiritual communities, elite theorizing about supernatural forces provoked explosive new fears of diabolical agency in the world, and bold voices of reform (both English and Czech) erupted within the privileged ranks of priest and scholar, even igniting revolution.

Perhaps most striking is the extent to which these long-standing tensions over poverty, preaching, and access to and interpretation of Scripture continued to rend the fabric of medieval Christendom in the fourteenth and fifteenth centuries—not only exacerbating rivalries between laity and clergy, but even erupting within approved religious orders. As new threats emerged and the powers of both sacral and secular authorities intensified, so too did inquisitors stretch their strategies of detection and record-keeping techniques. In particular, antiheretical activity would soon unfold geographically beyond central Europe to the east and north, including the standing inquisitions of Bohemia, localized proceedings in Hungary and northeastern Germany, and the English adoption of much continental procedure under joint royal and ecclesiastical authority.[32] Such expansion was both accompanied and bolstered by an explosion of writing, such that antiheretical sources and related literature become quite overwhelming in the fourteenth and fifteenth centuries, defying simple generalizations of content and genre.

To maneuver our way through the vast web of sticky spiritual problems in the later Middle Ages, therefore, let us now descend from the bird's eye view of inquisitorial activity and pick up with our exploration of that single vital thread in medieval piety central to so many debates over heresy and orthodoxy: apostolic poverty. Our next chapter explores how piety, reform, and arguments over scriptural authority ignited into heresy and inquisition not only among laymen and women, but even among Franciscan friars themselves—the same order founded by St. Francis and approved by the vigilantly antiheretical Pope Innocent III.

## SUGGESTIONS FOR FURTHER READING


Ames, Christine Caldwell. *Righteous Persecution: Inquisition, Dominicans, and Christianity in the Middle Ages.* Philadelphia: University of Pennsylvania Press, 2009.

Arnold, John. *Inquisition and Power: Catharism and the Confessing Subject in Medieval Languedoc.* Philadelpha: University of Pennsylvania Press, 2001.

—. "The Historian as Inquisitor: The Ethics of Interrogating Subaltern Voices." *Rethinking History* 2 (1998): 379-86.

Biller, Peter and Caterina Bruschi, *Texts and the Repression of Medieval Heresy.* Woodbridge: York Medieval Press, 2003.

Given, James. *Inquisition and Medieval Society: Power, Discipline, and Resistance in Languedoc.* Ithaca, NY: Cornell University Press, 1997.

Le Roy Ladurie, Emmanuel. *Montaillou: The Promised Land of Error.* Trans. and abridged by Barbara Bray. New York: Vintage, 1979.

Kelly, Henry Ansgar. *Inquisitions and Other Trial Procedures in the Medieval West.* Aldershot: Ashgate Variorum, 2001.

Kieckhefer, Richard. *The Repression of Heresy in Medieval Germany.* Philadelphia: University of Pennsylvania Press, 1979.

Lawrence, C.H. *The Friars: The Impact of the Early Mendicant Movement on Western Society.* New York, NY: Longman Press, 1994.

Pegg, Mark Gregory. *The Corruption of Angels: The Great Inquisition of 1245-1246.* Princeton, NJ: Princeton University Press, 2001.

Peters, Edward. *Inquisition.* Berkeley: University of California Press, 1989.

--. *Torture.* New York: B. Blackwell, 1985.

NOTES

1. Walter L. Wakefield and Austin P. Evans, *Heresies of the High Middle Ages.* (New York, NY: Columbia University Press, 1991), 133.

2. Edward Peters, *Inquisition* (Berkeley: University of California Press, 1989), 3

3. Edward Peters, ed. *Heresy and Authority in Medieval Europe* (Philadelphia: University of Pennsylvania Press, 1980), 178.

4. Patrick Geary, ed. *Readings in Medieval History,* 3rd edition (Peterborough, Ontario: Broadview Press, 2003), 445.

5. Peters, *Heresy and Authority,* 177.

6. Peters, *Heresy and Authority,* 176
.

7. Christine Caldwell Ames, *Righteous Persecution: Inquisition, Dominicans, and Christianity in the Middle Ages* (Pennsylvania: University of Pennsylvania Press, 2009), especially 5-10.

8. By referring to heresy as "founded on the Scriptures," Grosseteste explicitly excluded Muslims, Jews, and other non-Christians from the category of heretic.

9. Peters, *Heresy and Authority,* 194.

10. Peters, *Heresy and Authority,* 195.

11. Peters, *Heresy and Authority,* 115-16.

12. Henry Ansgar Kelly, "Inquisition and the Prosecution of Heresy: Misconceptions and Abuses," *Church History,* vol. 58, no.4 (1989): 439-51, at 441.

13. James Given, *Inquisition and Medieval Society* (Ithaca, NY: Cornell University Press, 1997), 15.

14. Wakefield and Evans, *Heresies,* 208-10.

15. Étienne de Bourbon and A. Lecoy de La Marche,
*apologues* (Paris: Librairie Renouard, H. Loones, 1877). Translation at http://falcon.arts.cornell.edu/~prh3/262/texts/Guinefort.html.

16. Caldwell Ames, *Righteous Persecution,* 213.

17. Bernard Gui and Janet Shirley, ed. *The Inquisitor's Guide: A Medieval Manual on Heretics* (Welwyn Garden City, UK: Ravenhall Books, 2006), 158.

18. Shirley, *Inquisitor's Guide,* 139.

19. Emmanuel Le Roy Ladurie, *Montaillou: The Promised Land of Error* (New York: Vintage Books, 1979), 247.

20. Euan Cameron, *Waldenses: Rejections of Holy Church in Medieval Europe* (Malden, MA: Blackwell Publishers, 2000), 140.

21. Mark Gregory Pegg, *The Corruption of Angels: The Great Inquisition of 1245-1246* (Princeton: Princeton University Press, 2001).

22. Shirley, *Inquisitor's Guide,* 43-44.

23. Pegg, *Corruption of Angels,* 88-89.

24. Given, *Inquisition,* 88.

25. Richard Kieckhefer, *Repression of Heresy in Medieval Germany* (Philadelphia: University of Pennsylvania Press, 1979), 57.

26. Wakefield and Evans, *Heresies,* 397-98.

27. Pegg, 126

28. Given, *Inquisition,* 66-71.

29. Robert E. Lerner, "A Case of Religious Counter-Culture: The German Waldensians." *American Scholar* 55 (1986): 234–47.

30. Jennifer Kolpacoff Deane, "Archiepiscopal Inquisitions in the Middle Rhine: Urban Anticlericalism and Waldensianism in Late Fourteenth-Century Mainz," *The Catholic Historical Review,* Volume 92, Number 3 (July 2006): 197-224.

31. Given, *Inquisition,* 71-72.

32. On the unfolding of inquisitorial activity to the Bohemian and Slavic east, a good starting point in English is still Henry Charles Lea, *History of the Inquisition of the Middle Ages,* vol. 2 (originally published in 1888) (New York: Cosimo Classics, 2005), though one must still be cautious of an anti-Catholic strain in his work.