

A sort History of The Inquisition



A SHORT
HISTORY OF THE
INQUISITION

BY
SIR ALEXANDER G CARDEW,
K C S I , M A

LONDON
WATTS & CO ,
5 & 6 JOHNSON S COURT, FLEET STREET, E C 4

Printed in Great Britain
by C. A. Watts & Co. Limited 5 and 6 Johnson's Court
Fleet Street London E.C.4

CONTENTS

	PAGE
PREFACE - - - - -	VII
CHAP	
I —INTRODUCTORY - - - - -	1
II —ORIGIN AND COMMENCEMENT OF THE INQUISITION - - - - -	15
III —THE DEVELOPMENT OF THE INQUI- SITION - - - - -	28
IV —THE METHODS OF THE INQUISITION -	39
V —THE PENALTIES OF THE INQUISITION	56
VI —THE STAKE - - - - -	71
VII —SPREAD OF THE INQUISITION - -	77
1 Languedoc, 2 France, 3 Germany, 4 Bohemia, 5 Italy, 6 Spain, 7 The Netherlands, 8 The Spanish Colonies	
VIII —THE INQUISITION AND WITCHCRAFT -	106
IX —CONCLUSION - - - - -	109
<hr/>	
INDEX - - - - -	113

P R E F A C E

THIS brief sketch of the history of the Papal Inquisition is mainly based on the exhaustive works of the American writer, Dr Henry Charles Lea—namely, *Superstition and Force*, *A History of the Inquisition in the Middle Ages*, and *A History of the Inquisition in Spain*. It does not pretend to follow the fortunes of the tribunal after its reconstruction in the days of the Counter Reformation.

Dr Lea was a Quaker, a body which has been impartially persecuted both by Roman Catholics and by Protestants, and he should thus be free from suspicion of Protestant bias. If his condemnation of the Inquisition is severe, it is not to be impugned on the ground of partisanship. Indeed, his intellectual honesty can hardly be assailed, and, though his statements have been attacked on points of detail, his substantial accuracy is beyond dispute. The brief notice of the Inquisition in the Netherlands follows John Lothrop Motley's *The Rise of the Dutch Republic*, and for some details in the short section on the Inquisition in the Spanish Colonies I am indebted to Mr. A. Hyatt Verrill's work, *The Inquisition*.

Regarding the Cathari and Waldenses, whose progress in the twelfth and thirteenth centuries alarmed the Roman Church and led it to adopt its policy of persecution and to establish the Inquisition, I have not relied on Lea, but on the later researches of Dr. F. C. Conybeare and others.

The history of the Inquisition, involving as it does grave reflections on the policy of the Roman Church, has naturally been the subject of acute controversy. In these pages an attempt has been made to state an outline of the evidence from the unsectarian standpoint.

A. G. CARDEW.

January 1, 1933

CHAPTER I

INTRODUCTORY

"THE Inquisition," said Lord Acton, "is peculiarly the weapon and peculiarly the work of the Popes.

No other institution, no doctrine, no ceremony, is so distinctly the individual creation of the Papacy except the Dispensing Power. It is the principal thing with which the Papacy is identified, and by which it must be judged"¹ These words of the great Roman Catholic historian are sufficient to explain why this institution has been attacked with such passion by Protestants and defended with such enthusiasm by Catholics. If in the following pages the verdict is entered against the Inquisition, it is because the student of history should strive, using once more the words of Acton, "never to debase the moral currency and to suffer no man and no cause to escape the undying penalty which history has the power to inflict on wrong."²

In arriving at a judgment on the merits or demerits of the Inquisition care must be taken not to condemn it for acts or omissions which seem to us barbarous, but which were ordinary incidents

¹ *Letters to Mary Gladstone*, p 147

² *Lectures on Modern History*, p 24

of the age when the Inquisition was called into existence. The prisons of the Inquisition were undoubtedly horrible dungeons, without light, air, or sanitation, but it must be remembered that all medieval prisons were much the same, and that there can be no special blame attaching to the Inquisition for the use of cells which were in accordance with the normal standard of the day. The Inquisition fed its prisoners on bread and water, and failed to supply them with either warmth or bedding; but prisoners immured in the ordinary jails of the period suffered the same diet and the same hardships. The jailors of the Inquisition were venal and dishonest, but these qualities were not peculiar to the servants of the Inquisition. Even as regards the penalty of death by fire, so terrifying to the modern imagination, it should not be forgotten that in the Middle Ages other equally horrible methods of execution were in familiar use, such as burying alive, boiling in oil, breaking on the wheel, and the like. The Emperor Frederick II is said to have encased his prisoners in lead and slowly roasted them.

If, however, the Inquisition cannot be reproached for not being in advance of its time, and for having had recourse to methods which were then regarded as a matter of common usage, it will rightly be held responsible if it is shown that it departed from the prevailing practice and adopted new methods involving a substantial lowering of the current standards of criminal procedure.

Of these the most glaring instance is the introduction and use of torture.

Torture, though not unknown, was not customary in the early Middle Age. It had been allowed by Roman law, though subject to certain exceptions, but was foreign to the northern races. In the capitularies of Charlemagne there is no provision for torture, and in France it was not a recognized practice before the thirteenth century. The Church had discouraged resort to torture and had expressly prohibited torture to extract confessions.

But when the Inquisition was founded the Church, in defiance of its own rules and tradition, adopted the practice of applying torture, and in 1252 the then Pope, Innocent IV, actually ordered it to be used against heretics.

It has been suggested that the mercilessness of the Inquisition was necessary in order to secure a confession of guilt from the accused, so that he might be reconciled to the Church and that his life might be saved, for without a confession the Inquisition had no option but to hand the heretic over to be burned. "The most ferocious methods were employed," says one Roman Catholic writer, "in a spirit of quite genuine altruism."¹

This plea deserves little weight. If the Inquisition had no option but to hand over the unconfessing prisoner to be burned, that necessity was due to the decisions of the Church itself and

¹ *The Inquisition*, by A. L. Maycock, p. 157

cannot be used as an excuse for the resort to torture. Moreover, it must be remembered that in order to save the accused from the stake the confession had to include a full denunciation of all heretics known to the confessing penitent, thus bringing a fresh circle of victims within the power of the Inquisition. Which is the more likely explanation of the Inquisition's insistence on confession—this fact or an altruistic regard for the accused?

Other aspects of the Inquisition's use of torture are not less damaging to the Holy Office, as it was called.

As will be shown in subsequent Chapters, a rule was framed restricting the application of torture to a single occasion and a limited time. It is, however, admitted that this rule was systematically broken, and that, by what is allowed to have been a palpable equivocation, a renewal of torture, even on a second and third occasion, was held to be not a repetition but merely a "continuation" of the original application. By another rule, also dealt with in subsequent Chapters, confessions were not to be recorded during the application of torture, or if they were they had to be subsequently ratified by the confessing prisoner, the object being to ensure, or to make it appear, that the confession was freely made. There is, however, good reason to believe—and indeed it is not seriously denied—that the officers of the Inquisition habitually entered on the record that confessions which had in fact been extracted by torture were not so obtained, but

were entirely free and spontaneous. Men who thus systematically broke the rules laid down for their guidance and falsified their records, concealing by fraudulent entries their recourse to torture, can hardly have possessed much conscience or integrity.

We find, therefore, that the Inquisition not only introduced the habitual resort to torture, contrary to the previous rule and tradition of the Church, but it also infringed the rules intended to prevent the abuse of the practice. It must further be regarded as a grave aggravation of the Church's responsibility in this matter that its introduction of the use of torture was speedily followed by the adoption of the same methods by the secular Courts until in the fourteenth, fifteenth, and sixteenth centuries the use of torture became general throughout Europe. There can be little doubt that this was due to the evil example set by the Church.¹

A second matter of first-class importance in which the Church departed from the customary procedure of the thirteenth century and introduced new and lower standards of criminal procedure was the Inquisition's refusal to communicate to the prisoner the names of his accuser and of the witnesses against him, and the general secrecy which surrounded its proceedings.

This practice, as will be seen in later Chapters, was adopted from the very commencement of the

¹ In his *Superstition and Force* (p. 427 *et seq.*) Dr. Lea has shown the immense influence for evil which the practice of the Inquisition had on the secular law.

career of the Inquisition, and was always afterwards adhered to. It cannot be doubted that it must have greatly facilitated the bringing of false charges and have afforded opportunities for the secret gratification of private malice. Further, it must have seriously prejudiced the accused by keeping him in the dark as to who had made the charges against him, and by depriving him of the customary privilege of being brought face to face with his accuser.

It has been urged in defence of this practice of the Inquisition that it was necessary in order to protect the accuser and witnesses from being attacked by the prisoner's friends. In a rude age such as the thirteenth century every accuser was exposed to a certain amount of risk if his identity was known, but it can hardly be seriously asserted that the Church and the Inquisition were therefore justified in making this grave departure from contemporary standards, and in sanctioning the practice of secret denunciation and trial.

Roman Catholic apologists have pleaded on behalf of the Inquisition that condign punishment was always meted out to persons shown to have brought a false accusation of heresy. But an enemy who desired to cause injury had only to frame his information shrewdly in order to be practically secure against risk, nor is it likely that there would be any great desire on the part of inquisitors to follow up investigations of this infructuous character.

We thus find a second time that the Church and the Inquisition were guilty of a serious departure from the practice of the age, and that this tended definitely to worsen and make more unjust the standard of criminal procedure.

Many other practices of the Inquisition touched on in the following Chapters are equally impossible of valid defence. Mention may be made of the refusal of legal aid to the prisoners of the Inquisition, the practice of withholding from an accused person knowledge of the fact that evidence given against him had been retracted, the rule that the evidence of servants might be used against a prisoner but not in his favour, the refusal to allow an accused to question evidence against him except on the ground that the witness was a mortal enemy, while keeping him in ignorance of the name of the witness. It must be concluded that the procedure of this institution created by the Church in the supposed interests of religion was marked by a deep-seated disregard for the principles of justice and equity.

No profound psychology is required to explain this phenomenon. "Jamais on ne fait le mal si pleinement et gaïement," said Pascal, "que quand on le fait par un faux principe de conscience." The Roman Church, resolved on the maintenance of its doctrines and supremacy, considered itself justified in abandoning every moral principle in so good a cause. Thus we find Pope Innocent III declaring that, according to the Canon Law, "faith

is not to be kept with one who keeps not faith with God"—i.e., with infidels and heretics. He himself in his dealings with Raymond, Count of Toulouse, practised and permitted repeated forms of deceit. The Latin Crusaders gained an unenviable reputation with their Saracen opponents for bad faith. The Manuals written by inquisitors prove that they considered that any trick, subterfuge, or direct deceit might legitimately be used in order to entrap a person accused of heresy into an admission of guilt, or entangle him so that he might be forced to acknowledge himself to be guilty.

Such disregard of moral principle cannot be excused by the practice of any age. "Justice," says Goldwin Smith, "has been justice, mercy has been mercy, honour has been honour, good faith has been good faith, truthfulness has been truthfulness, from the beginning"¹ If the Roman Church in the thirteenth century, when dealing with heretics, refused to recognize the obligations of justice, mercy, honour, good faith, and truthfulness, it is plain that no reliance can be placed on its word in any disputed matter.

This becomes a crucial question when we have to consider the accounts which the Church has given us of the heretic bodies it attacked and destroyed. It was a matter of primary importance for the Church that it should prove that these sectaries were persons of pernicious views and

¹ Quoted by Acton, *Lectures on Modern History*, p. 27

abandoned life. If either the Cathari or Waldenses were men of harmless character, honestly striving after a purer and better life, the responsibility resting on the Church for having destroyed them would be very heavy.

Now, the Roman Church was not content merely to take the lives of the heretics who refused to conform, it also took the utmost care to burn and otherwise destroy all their books, writings, and memorials. The result is that for our knowledge of what the heretics believed, as well as of their lives, we are almost wholly dependent on Roman Catholic witnesses. If, as has been above shown out of the mouth of the Church itself, there was no obligation to adhere to the truth in any matter connected with heretics, what reliance can be placed on anything which has been written by any Roman Catholic against the heretical sects? It seems clear that the whole of such evidence is suspect, and must be rejected unless it is supported by independent and irrefragable witnesses.

A brief account of the doctrines and character of the heretical sects is given in a later Chapter. It is sufficient to show that the charges brought by Roman Catholic writers against these unfortunate persons were largely false and malicious. Having destroyed the lives of the sectaries, the Roman Church proceeded to blacken their characters, thus giving further proof of lack of scruple and conscience.

A second question on which the Church's avowed

rejection of moral restraints becomes of crucial importance is the Albigensian War. As will be seen in later Chapters of this book, Pope Innocent III in 1208 authorized a crusade against the Albigenses which carried fire and sword into Provence, a Christian and peaceful land.

Innocent III had come to the papal throne early in 1198, and had at once sent two monks to work against heresy in the Languedoc. Subsequently he increased the number to four or five. But at no time does it seem that any serious attempt at missionary effort to convert the heretics was made. What was attempted was to force the local princes to suppress heresy. No real work of conversion was tried. From the beginning force was relied on. In the Languedoc heresy had been endemic for a hundred years. After less than six years' endeavours to get the Count of Toulouse and his fellows to put down heresy, Innocent's patience failed, and in 1204 he wrote to Philip Augustus of France, offering him full indulgences and territorial acquisitions if he would undertake a crusade against the Albigenses. He repeated the appeal in 1205. It was only due to Philip's reluctance that the crusade did not take place in 1204.

Innocent III was well aware of the corruptions of the Church in the Languedoc. He had himself written to his legate in Narbonne in 1204 calling attention to the demoralized condition of the clergy in that province, and adding "And hence the insolence of the heretics and the prevailing con-

tempt both of seigneurs and the people for God and his Church " It would have been more in accordance with the duty of the Pope, as the Head of Christendom, not to embark on the work of destruction before he had first tried to reform those abuses in the Church which gave the heretical sects their strongest argument

Innocent III was a man of great talent, energy, and force of character He was not incapable of generous impulse and of magnanimous action An enthusiastic Roman Catholic writer has called him "the giant of the whole medieval story"¹ But his proclamation of the crusade against the Albigenses, after a brief and wholly inadequate trial of other methods, was a crime which must ever blacken his memory On him rests the responsibility for all the bloodshed and horrors which followed in the Languedoc during the next twenty years, and which ended in the destruction of Provençal civilization.

Nor is it easy to escape from the conclusion that he did it willingly and without compunction His address to the people of Viterbo in the first year after his accession breathed the true spirit of persecution During the course of the Albigensian campaign he was kept advised by his legate Arnauld and by Simon de Montfort of the course of events, including such incidents as the massacre at Béziers. To the latter the Pope wrote a reply,

¹ *The Inquisition*, by A L Maycock, p 73

thanking God for the work "which He hath mercifully and marvellously wrought through thee and through others whom zeal for the orthodox faith had kindled to the work against His most pestilent enemies " We seem to be listening to some bloodthirsty old Hebrew of one thousand years before Christ glorying in the destruction of the enemies of the Lord.

In defence of this and similar sins of the Papacy Catholic apologists have urged that if we rightly exercise historical imagination we shall find Innocent and his successors to have been guided by a lofty ideal—the conception of a *Civitas Dei*. Christendom was still one and undivided, and the Popes were justified in any sacrifice to maintain the unity of the faith. That a vision of a theocracy in which Rome should rule the world animated Gregory VII and his successors is undoubted, but was this indeed only an unworldly ambition? Was there not much less of the City of God about it than of a thirst for papal aggrandizement and mundane supremacy—in a word, for power? Was not the period of the Church's greatest worldly dominion also that of its rulers' deepest moral degradation? It was not until Rome lost its monopoly that the real reformation of the Church began, and the world has made more progress in the essentials of civilization—the freedom of the mind, toleration, religious and political, and humanity—in the last four hundred years than in the Church's previous millennium. Few outside the Roman Church are likely

to find the dark history of the Inquisition to be justified by this excuse.

When the defence of the Inquisition fails it is still sought to secure a favourable verdict by investing the medieval world with a romantic halo. Attention is drawn to the charm of medieval art, architecture, and poetry, and we are dazzled by the great names of Dante, Giotto, and St Francis. The Ages of Faith are represented as an age of gold—the glorious Middle Ages. One Roman Catholic writer assures us that the thirteenth century “was the greatest of all centuries in the annals of our race ”¹ The real facts are, however, very different.

In the thirteenth century the greater part of the population of Europe was still engaged in agriculture, and the bulk of these agriculturists were villeins bound to the soil, living in a state of serfdom which often bordered on slavery. In England agricultural wages, whether measured by their nominal amount or by their power to purchase bread, were lower than they have been at any subsequent period.² The mass of the people were poor, with few legal rights, and at the mercy of the upper classes and the clergy. They were also illiterate, and as such an easy prey to any imposture which monks, magicians, astrologers, alchemists, or other charlatans, might invent. Credulity and superstition were rife, childish stories of miracles were

¹ A. L. Maycock's *The Inquisition*

² Meredith's *Economic History of England*, Appendix I

received with open-mouthed belief; relics, however dubious, were accepted without question; dreams and portents were regarded with respect. Historical knowledge was at a low ebb—such fabrications as the Donation of Constantine or the Translation of the Empire from the Greeks to the Franks by Leo III were readily accepted—Science had scarcely begun, and Scholasticism supported both magic and witchcraft. St Thomas Aquinas believed in demons, and held that demoniacal spirits, Incubi and Succubi, could have sexual relations with human beings. Epidemic disease swept unchecked over whole countries. War was incessant, and was waged with shocking barbarity. The intellectual activity of the favoured few was carried on at the expense of the down-trodden many.

If such are the facts, the glorification of the thirteenth century is a species of clerical camouflage. The vessel is painted rose and blue that we may not see the dark and gloomy reality. We are shown a gay and golden bark, whereas it was more like a slave-ship, with music and dancing on the deck.

The times were, in fact, barbarous, and that is perhaps the best excuse that can be made for the Inquisition.

CHAPTER II

ORIGIN AND COMMENCEMENT OF THE INQUISITION

THE word "inquisition" means investigation or inquiry. We are still reminded of it by the use of such phrases as "the Coroner's inquest." As used in the Middle Ages, it might be applied to many legal investigations. The Papal Inquisition was the name popularly given to the special organization created by the Popes of the thirteenth century to search for and discover heretics. Its fuller title was "The Inquisition of Heretical Perversity." The Spanish Inquisition was a reproduction of this Inquisition in Spain modified to suit local conditions.

Heresy is derived from a Greek word meaning choice or choosing. When a man ignored the teaching of the Church and set up an opinion of his own his opinion was heresy and he was a heretic.

A Church, like any other organization, is naturally entitled to define its own rules and doctrines, and to require anyone who refuses to accept its teaching to leave its communion. Among religious bodies such dissent has seldom been regarded philosophically. Either because of the importance supposed to attach to the issues or owing to the extraordinary certitude of the disputants, the dis-

sender is soon regarded as an enemy and the word "heretic" becomes one of bitter reproach.

A tendency to such bitterness was early manifested by the Christian Church. St. Paul delivers his opponents to Satan (1 Tim. i, 20), and St. Peter denounces "false teachers who shall privily bring in destructive heresies bringing on themselves swift destruction" (2 Peter ii, 1). Polycarp, Bishop of Smyrna, in the second century, regarded heretics as the offspring of the Devil, and Jerome (340-420) wondered that Vigilantius, who had forbidden the worship of relics, was not destroyed in the flesh.

So long as the Christian Church was in a subordinate position it naturally advocated toleration, but as soon as it had become the dominant religion its tone changed. The heathen, as the worshippers of the older gods and goddesses were called, now found their faith proscribed. But special severity was reserved for the dissident Christian sects. Constantine ordered that heretical priests should be deprived of privilege and be prohibited from holding meetings. Theodosius I subjected heretics to exile and confiscation. The Donatists were punished with death. Augustine, the greatest of the Latin fathers (354-430), though at first unwilling to persecute, changed his view and declared himself convinced by experience of the necessity of compulsion. He advocated, however, only a moderate severity, such as scourging, fines, and exile. When in 385 the Spanish bishop,

Priscillian, whose views had been pronounced to be heretical, was burnt alive, with six of his followers, there was a feeling of horror, and St. John Chrysostom declared that to put a heretic to death was to introduce upon earth an inexpressible crime. Thus, although there was nothing approaching toleration, and though the principle of religious persecution was unquestioned, for many centuries there was little active persecution in the West.

In the West, indeed, there was no great reason to persecute. The rude tribes of Northern Europe were not gifted with what Lea has called "the perverse ingenuity" of the Eastern races.¹ Even Arianism died out among the German peoples without any violent spasm. The West was barbarous but obedient.

The Church meantime was busy consolidating its power. The fall of the Roman Empire had given it an unprecedented opportunity. The Popes, armed with the great name of Rome, stepped into the place left vacant by the Cæsars. They substituted their own organization for that of the Empire, and aspired to wield the control which the imperial power had once possessed. By the end of the Dark Ages they were ready to set forth a claim to world-wide supremacy.

A powerful impetus in this direction was given by Gregory VII. This remarkable man was responsible for two great developments. He laid

¹ *The Inquisition of the Middle Ages*, 1, p. 217

down the principle that investiture to ecclesiastical office must come from the Pope and not from any lay authority, and he stood out strongly for the enforcement of the celibacy of the clergy. The first step was necessary for the establishment of papal autocracy, the second to ensure the isolation of the clergy from the lay world. By the combined effect of these measures a vast celibate army was created owing allegiance only to Rome, and directed by the centralized machinery of the Curia. Gregory was not able completely to accomplish either of his objects, but his rule left an impress on the Church which was never obliterated.

Gregory VII also essayed to purge the Church of the moral evils which had invaded it, but in this he was less successful, and his measures tended to aggravate its disorders. The concentration of power in a single caste responsible only to its own leaders led naturally to abuses. Of the existence of these evils there is ample contemporary evidence. The papal Court itself was corrupt, and the Popes often set an example of evil living. The luxury and licence of the higher ecclesiastics were continually denounced by the writers of the day. With such examples set by their superiors, the inferior clergy could hardly be expected to attain a very high standard. The effect of the enforcement of the rule of celibacy was too often to substitute a mistress for a wife, and so was actually detrimental to morals. So long as a priest refrained from flinging defiance in the face

of the Church by marrying, his private conduct was passed over with little question. The Confessional was largely used for the seduction of female penitents, and the punishments imposed on priests proved guilty of such offences were scandalously inadequate. The finer spirits in the Church deplored but were powerless to prevent these evils.

The methods of recruitment of the clergy were gravely defective. Simony—i.e., the sale of benefices and preferment—was widespread, partly due to the secularizing influence of the Church's great worldly possessions. Sometimes ecclesiastical offices were handed on from father to son. Not infrequently children still at school were nominated to high office, dispensations being obtained from Rome. A single family in France secured from Pope Clement VI five dispensations enabling canonries and other benefices to be held by boys aged respectively eleven, ten, nine, eight, and seven years. Pluralities were common and absenteeism rampant. The holders of well-paid benefices left their duties to be performed by ignorant and starveling curates. Out of seventeen curates tested at Salisbury in 1222, five could not construe even the first sentence of the Mass.

Meantime the laity was subjected to many kinds of fraudulent exaction. Dying men were cajoled, threatened, and persuaded to leave their property in whole or in part to the Church. Exorbitant fees were extorted for all the services which the priest alone could perform. Dispensations and

indulgences were openly sold, and the profession of the pardoner who retailed pardons for sin became a recognized calling.

While these multiple evils gave rise to widespread discontent and anti-clerical feeling, the close of the Dark Ages saw the awakening of a new spirit of inquiry. The Crusades had brought the barbarous West into contact with the more civilized East. The Moslems in Spain sent into Europe not only the works of Aristotle, but those of the Arab philosophers, al Farabi and Avicenna, Avempace and Averroes. The Universities were founded—Paris in 1150, Bologna in 1158. Speculative thought began to revive, and the Church's monopoly of education was invaded.

Numerous heretical sects now made their appearance. Many of these were extravagant and some immoral. But neither charge can truthfully be brought against the two most important movements—viz., the Waldenses and Albigenses. The Waldenses were followers of a wealthy merchant of Lyons, Peter Waldo, who, revolted by the vices of the clergy, sold all his property and set out to preach purer morals and a closer realization of the teaching of the Gospels. He inculcated a life of purity and poverty, and he laid down the principle that the ministrations of a priest of impure life were worthless. Although not at first hostile to the Church, his views soon brought him into conflict with the ecclesiastical authorities, and he and his followers were branded as heretics and

excommunicated. Under the impulse of this treatment, the Poor Men of Lyons, as they were called, went further in the direction of revolt against Rome. They denounced the worship of saints, the payment of masses for the dead, and the sale of Indulgences, or pardons for sin. The simplicity of their teaching and the purity of their lives constituted a strong appeal to the humbler classes of society, and the sect spread widely in France, Germany, and North Italy.

The Albigenses, so called from the town of Albi near Toulouse, represented a primitive form of Christianity, which had existed for centuries in outlying parts of Eastern Europe and Western Asia. They retained the Adoptionist view of Christ, which goes back to the second century and is expressed in *The Shepherd of Hermas*, a work at one time included in the Canon. Their literature has been so completely destroyed by their enemies of the Roman Church that there is some difficulty in ascertaining their beliefs and in distinguishing between their real doctrines and the libels of their enemies.

The reproach of being Manichean has been constantly levelled against them, but, as this was a term of abuse applied to every dissenting sect, it does not merit much attention, and there is some evidence that it was untrue. Another charge brought against the Albigenses was that their doctrines were anti-social. This charge seems to be chiefly based on the fact that the priests of

the religion, called Perfecti, were strictly celibate. As the Roman priesthood also professed celibacy, there seems no reason to regard the practice of the Perfecti as more anti-social than that of their opponents. The story that the Cathari, as the Albigenses called themselves, advocated suicide is probably a libel, based on the fact that a member who had received the rite known as the *consolamentum* on his death-bed would sometimes starve himself to death rather than fall into the hands of his persecutors. There is clear evidence that the lives of the Cathari were much superior to those of their Catholic enemies, and the monkish stories of sorcery, devil-worship, and immorality may be dismissed as fictions.

The Albigensian priests, or Perfecti, were indeed pledged to a life of great austerity, which involved not only abstention from all intercourse with the other sex, but also from all forms of animal food, including eggs, milk, and meat. These ascetic practices did not extend to the ordinary believers or Credentes, who seem to have lived peaceably with their Catholic neighbours and to have been regarded as good subjects by the Princes in whose territory they resided.

There is no doubt that Catharian doctrine had spread widely in many parts of Southern Europe, and that by the end of the twelfth century it had become in some regions a serious menace to the Roman Church. Both in the Languedoc, now part of Southern France, and in Northern Italy,

they sometimes openly challenged the supremacy of Rome, and their preachers held public disputations with Catholic priests. The Popes were genuinely alarmed at the position, and it was evident that they would have to choose between drastic internal reforms, which would cut away the main ground of anti-clerical feeling, and an attempt to suppress the competing sects by force.

Towards the end of the twelfth century the Roman authorities seem definitely to have decided on the latter alternative. In 1184 Pope Lucius III, in the bull *Ad Abolendam*, demanded the systematic pursuit and punishment of heretics. In 1198 Innocent III despatched special agents into the Languedoc to attempt to stem the rising tide of Catharism. Little progress was made, and in 1204 and 1205 the Pope endeavoured to induce Philip, King of France, to enter on a crusade against the heretics, but without success.

A few years later, however, an accident favoured the Pope's designs. One of the papal Commissioners, irritated at the reluctance of the Count of Toulouse to harry his heretical subjects, excommunicated him, and was shortly afterwards assassinated, with or without the Count's connivance. The murder was promptly exploited by the Roman authorities, and a holy war against the Languedoc was preached from every pulpit. The cause possessed, indeed, attractions of its own for the French, as the wealth and culture of the Languedoc was much in advance of that of the north, and

the kings of France were only too pleased at the idea of bringing the semi-independent Counts of Toulouse under their sway. Policy and religion combined to make a crusade against the South a popular enterprise.

It is impossible to describe here in detail the war which followed. A large army was launched against the unhappy country, and the campaign was conducted with the utmost barbarity. When the Crusaders took the town of Béziers twenty thousand people were put to the sword. The papal Legate, being asked what should be done if any should be Catholics, is said to have replied: "Kill all, the Lord will know his own." At Chasseneuil the Cathari who were captured were pitilessly burnt. Similar atrocities were perpetrated at Lavour, Minerve, Casser, Termes, Castres, and elsewhere. The war lasted many years, and the brilliant Provençal civilization was effectually destroyed. In the end the Counts of Toulouse were subdued and the country incorporated in the kingdom of France.

Meantime the Church had been busy developing the more peaceful methods of persecution. In 1215 Innocent III summoned a great Council at the Lateran, attended by five hundred bishops and archbishops, at which decrees against the Cathari and Waldenses were formulated. It was laid down that every secular ruler was bound to exterminate all heretics in his dominions when called on to do so by Holy Church, and failure to perform this

duty rendered any such ruler liable to be excommunicated. Excommunication, when it had lasted a year, made the ruler himself a heretic and released all his subjects from their allegiance to him.

Innocent III died the next year (1216), but his policy was vigorously continued by his successors. The search for and the discovery of heretics had hitherto been regarded as part of the work of the Bishops. But these officials had other duties to perform, and could not devote sufficient time to the task of persecution. The need for a special agency was felt. At this moment chance, or rather the zeal of two men, each anxious to do something to counteract the corruptions of the Church, supplied the necessary instrument. In 1215 Dominic had founded his order of Dominican Friars, and in 1219 the Franciscans were founded by St. Francis. Both orders were pledged to poverty, in conscious or unconscious imitation of the heretical sects against whom they were later to be employed. Large numbers of young and enthusiastic adherents entered these new Orders, and the Popes found in them the very agency they required for the work of persecution.

In 1229 the long war waged by the French for the conquest of the Languedoc came to an end. The Count of Toulouse, beaten by the combined forces of orthodox religion and political greed, was forced to surrender two-thirds of his dominions, and to bind himself in future to persecute heresy.

with his whole strength The papal Legate, who arranged the concluding negotiations, summoned a Council at Toulouse in November, 1229, and a decree for the extirpation of heresy in the Languedoc was there promulgated An *inquisitio*, or inquiry, was ordered to be made into the case of every person suspected of heresy, and the penalties to which heretics were liable were defined Most important of all, the rule, ever after maintained by the Inquisition, was laid down declaring that the names of informers or denouncers of heretics should be kept secret The task of discovering and destroying heresy was committed to Dominican friars

These steps, when taken, were of local application, and it may be that no design of wider extension had yet been formed. But the experiment thus inaugurated in the Languedoc was too opportune not to suggest to the Pope the expediency of extending it In April, 1233, Gregory IX, who since his accession to the Papacy in 1227 had proved himself a vigorous promoter of persecution, issued two bulls or papal letters One of these was addressed to the Bishops, and announced that the Holy Father, noticing the multifarious burdens laid upon them, had determined to afford them relief by sending members of the Dominican Order of Preaching Friars to aid them in their strife against heresy The other letter was addressed to the Priors and Friars themselves. In it they were expressly described as inquisitors, and were em-

powered, wherever they happened to be, to inquire and proceed against heretical clerks, or other heretical persons, without appeal, calling in the aid of the secular power whenever needed, and utilizing the censures of the Church as might be found necessary. Thus the persecution of heresy was made the special function of the Dominican order, its jurisdiction was unlimited, and there was to be no right of appeal from its decisions. Although the Episcopate was still left in possession of co-ordinate jurisdiction, there can be no reasonable doubt that the creation of a professed special body of inquisitors under direct control of the Supreme Pontiff marked the definite creation of the Inquisition, which may thus be said to owe its existence to Gregory IX and to date from 1233

CHAPTER III

THE DEVELOPMENT OF THE INQUISITION

ALTHOUGH the legislation of Gregory IX may rightly be regarded as marking the commencement of the Papal Inquisition, a considerable time elapsed before it attained its full development.

Before that could occur it was desirable for the Church to secure from the secular authorities sufficient assurance of support to enable the machinery of persecution to work efficiently. This necessity had already been foreseen by the Church. When in 1220 Frederick of Hohenstaufen was conducting the difficult negotiations with Rome which were to ensure his being crowned as Emperor by the Pope, an opportunity presented itself of procuring from him the desired legislation against heresy. Shortly before the coronation ceremony a draft of the proposed law was drawn up by the Roman Curia, and was sent to the papal Legate in the imperial camp with instructions to obtain Frederick's signature to it, so that it might be published in St. Peter's in the new Emperor's name. Frederick himself was a sceptic and unbeliever, who was as ready to welcome a Muhammedan as a Christian if he were a man of

intelligence and education. But his negotiations with the Pope over matters of high policy were too important to be jeopardized for such a trifle as the possible effect on heretics, who might after all be troublesome persons politically, and Frederick signed the decree ¹ The Pope sent it to the University of Bologna to be taught in the schools, and it was finally incorporated in the civil code of the Empire and in the Canon Law. A series of later decrees issued by the Emperor between 1220 and 1239 created a complete code of persecution.

The principal provisions of this code were that any person suspected of heresy must purge himself at the command of the Church. If he failed to satisfy the Church, he was deprived of all civil rights, and after such deprivation had lasted a year he became liable to be regarded and treated as a heretic. All heretics were outlawed, their property forfeited, and their heirs disinherited. Their houses were to be destroyed and the site declared incapable of being again built on. The heretic himself, after being condemned by the Church, was to be handed over to the civil power to be burnt. If through fear of death he recanted, he was to be imprisoned for life, and should he relapse he was to be sent summarily to the stake. His children, to the second generation, were rendered incapable of holding any

¹ Mgr Douais has suggested that Frederick II's legislation against heresy was an attempt to encroach on papal prerogatives, and that Gregory IX started the Inquisition as a counterblast to imperial pretensions. But this ingenious theory is not generally accepted.

30 DEVELOPMENT OF THE INQUISITION

position of emolument or dignity, unless indeed they should win mercy by betraying their father or some other heretic. All fautors, defenders, or favourers of heretics were liable themselves to be treated as heretics. No evidence given by a heretic might be accepted in Court unless it was given against another heretic and on a charge of heresy. All rulers and magistrates were to take oath to exterminate all heretics within their dominions. If any temporal lord neglected to carry out this duty when called on by the Church, he might be excommunicated, and when excommunication had lasted a year his subjects were released from their allegiance and any good Catholic might seize the country, always provided that, if he succeeded, the duty of exterminating heretics would rest on him.

Roman Catholic apologists have contended that the word "exterminate," as here used and as used also in the third Canon of the Fourth Lateran Council of 1215, did not mean to extirpate and destroy, but retained its primary meaning of "to expel" or "drive out." This plea has, however, been effectually disposed of by Dr. G. G. Coulton,¹ who has shown that of thirty-six occasions on which the word "exterminare" occurs in the Latin Vulgate it is translated in the authoritative Douai English version by "destroy" in twenty-nine cases and by "cut off" in five cases. There can thus be no reasonable doubt as to what Pope

¹ *The Death Penalty for Heresy*, p. 13

DEVELOPMENT OF THE INQUISITION 31

Innocent III and his Council or his successors meant when they used the verb *exterminare*. Again it has been asserted that the penalty of death by fire for heresy was an invention of Frederick II, and that the Church was not responsible for it. But Gregory IX, in his bull *Excommunicamus* of 1233, said that the heretic "relaxed" or surrendered to the civil power should be punished "with the due penalty." What was this due penalty which the Inquisition itself could not inflict? It was certainly not imprisonment, exile, fine, or any other of the penalties which the Inquisition could and did impose. Therefore it must have been death, and the appropriate form of death in the case of heresy was by fire. So universally was this recognized that medieval jurists and writers of inquisitional manuals assume it as a matter of course.

It would be a mistake to suppose that the ferocious legislation of Frederick II against heresy outraged the public opinion of the day. In the Middle Ages the mass of the people were uneducated and readily accessible to the suggestion of their priests. Under this instruction the word "heretic" had become a word of hateful connotation, just as "bolshhevik" and "blackleg" are in some circles to-day. A charge of heresy at once enlisted popular prejudice against the accused. The heretic was represented as a man leagued with Satan to destroy good Catholic souls. No pity was felt at his punishment, and no remorse for his fate.

32 DEVELOPMENT OF THE INQUISITION

The Church, having secured a firm grip on the civil law by means of Frederick's Constitutions and being assured of popular support, was in a position to go steadily forward with the work of stamping out heresy. At first there was naturally some bungling and hesitation.

The new inquisitors represented an encroachment on the jurisdiction of the Bishops, and were not in all cases received with favour. In 1234 the Archbishop of Sens wrote to the Pope complaining of the intrusion of inquisitors into his diocese. The Pope tactfully gave way and ordered them to withdraw. But he added a suggestion that the Archbishop might call them in if he thought that their superior skill in confuting heretics might be useful.

This suggestion is significant of the real position. The Bishops were general practitioners encumbered with many branches of ecclesiastical business and unable to concentrate on any one subject. The inquisitors were specialists. They were trained in the peculiar art of cross-examining, confusing, and entrapping heretics. They devoted their lives to this special study and became experts. Obviously the Bishops could never vie with them on their own chosen terrain. Hence, although occasional local reaction might occur, the new machine went steadily forward. By 1250 the inquisitors had penetrated throughout a great part of Europe.

The jurisdiction of the Bishops not having yet been superseded, the inquisitors at first looked to them for support and assistance. They expected

DEVELOPMENT OF THE INQUISITION 33

the Bishops to defray their expenses and to provide prisons for their prisoners. So late as 1244 an episcopal council of the provinces of Narbonne, Arles, and Aix drew up and issued an elaborate series of rules for the guidance of inquisitors. It is clear from the tone of instruction and command therein employed that the Inquisition was still under episcopal tutelage.

The same conclusion is suggested by Pope Innocent IV's celebrated bull *Ad Extirpanda*, which was issued in 1252, and which constitutes an important landmark in the Church's policy of persecution. In the first place, it declared afresh the duty of all rulers to extirpate heresy. Secondly, it required every chief magistrate to appoint, within three days of his assuming office, a body of twelve persons, to be nominated by the Mendicant friars, whose sole duty it would be to search for and arrest heretics, seize their property, and hand their persons over to the Bishops. These persons were entitled to one third of the sale proceeds of the heretics' goods, or of any fines imposed on them, they were entitled to the support of the civil authorities, and every inhabitant was also bound to assist them when required. There was thus constituted in every locality a net-work of searchers directly interested in the detection and arrest of heresy. The bull contained many other provisions, but it is noticeable that the functions of the Bishop and the inquisitor are still far from being clearly distinguished.

34 DEVELOPMENT OF THE INQUISITION

This period of transition was, however, passing away. In 1265 Pope Clement IV made a careful revision of the bull *Ad Extirpanda*, in which he inserted the word "inquisitors" in those passages where Innocent IV had mentioned only bishops and friars. This marks the progress which the Inquisition had made. In the following year Clement IV repeated to the inquisitors the order requiring them to see that the bull was duly inscribed upon the Statute book of all states. By these processes the Inquisition was made supreme throughout Italy.

The bull *Ad Extirpanda* did not extend to other countries, but in France, Germany, and elsewhere equally efficient means of aiding the Church in the search for heretics were provided. All rulers were already bound by the bull *Ad Abolendam* to aid the Inquisition and to carry out its sentences of confiscation or death. Every inquisitor was armed with royal letters empowering him to call upon all officials for safe conduct, escort, and aid in the discharge of his functions. These letters were exhibited to the officials, who were made to swear to obey the requirements of the inquisitor to the utmost of their power. Thus the whole force of the State was placed at the command of the Holy Office, as the Inquisition came to be called.

Another important advance had been made by Pope Urban IV in 1264. The bull *Ad Extirpanda* had laid down that any laws tending to impede or delay the operations of the Inquisition

should be annulled. Urban IV made this of general application both in Italy and elsewhere, so that the Church now assumed the power to abrogate any laws which interfered in any way with the free action of the Inquisition

By these steps the Inquisition was practically relieved from all control by the secular authorities. Further papal legislation also freed it from all ecclesiastical control other than that of the Pope. The Bishops were not subject to the jurisdiction of the inquisitors, but in the letters of commission issued to the latter all Archbishops, Bishops, and lesser ecclesiastics are required to obey them in every matter relating to their office under pain of excommunication and interdict. The inquisitor claimed, indeed, to be the superior of the Bishop, as being a direct delegate of the Pope himself. If anyone was cited simultaneously by a Bishop and by an inquisitor, he ought to attend to the latter's summons first. Inquisitors were released from obedience to the provincials and generals of their order, and, lest they should be injured by intrigue at headquarters, they were authorized at any time to proceed to Rome and remain there as long as might be necessary. In 1245 inquisitors were invested with power to grant absolution to their familiars (or servants) for any irregularity that might have been committed, and in 1261 they were declared competent to absolve each other from any excommunication, save that of the Pope himself. Finally, in 1267 it was laid down that their com-

36 DEVELOPMENT OF THE INQUISITION

missions, which had hitherto expired with the Pontiff issuing them, should remain valid continuously.

Thus, freed from all restraint, enjoying entire immunity, and exercising unlimited jurisdiction, the officers of the Inquisition could assail any person, however nobly born or highly placed. Not even kings were exempt from their power, though in such cases it was held to be more prudent to seek the instructions of the Pope. As showing the lengths to which the Holy Office would go, it may be noted that in 1347 the Sicilian inquisitor placed under excommunication the Pope's own Chaplain. This was too much for the reigning Pope, who issued a decretal forbidding inquisitors to attack in any way the officials and nuncios of the Holy See without special letters of authority ; but the fact that the attempt was made shows the power and boldness of the Inquisition.

It was definitely laid down in the Canon Law that anyone from the highest to the lowest who opposed or impeded the functions of an inquisitor, or who gave aid or counsel to those who did so, became *ipso facto* excommunicate. After a year in this condition he was to be regarded in law as a heretic, and could be handed over without further inquiry to the secular arm to be burnt. The very vagueness of the words "impeding or opposing" the Inquisition added to the danger of all who came in its way, and no one of ordinary sanity would risk a conflict with so powerful a body.

DEVELOPMENT OF THE INQUISITION 37

The organization of the Inquisition was international in character. Its agents were spread over most of the countries of Europe, and they acted in concert. If an accused person fled, his description was circulated to all the inquisitorial branches, so that wherever he went he might be recognized and seized. Trained spies were everywhere on the look-out for such fugitives, and handsome rewards, both in this world and the next, were promised to any who would reveal their hiding place. Thus a heretic had little chance of making good his escape, and, if captured, he was promptly sent back for trial at the place whence he had fled.

Carefully indexed records were maintained to ensure that no heretic or person suspected of heresy was lost sight of, and the trail of any such person was followed up with steady persistence. If he died, his bones might still be dug up and burnt, and even if he were lost sight of his family could be proceeded against. The disability attaching to the children and descendants of heretics has already been mentioned (p 29), nor was it a mere formality. In 1292 a sergeant-at-arms to the King of France was proceeded against on the ground that his father and mother had confessed nearly forty years before to acts of heresy, and that his uncle had been burnt as a heretic. The taint thus passed from one generation to another, so that no descendant of a heretic could ever feel secure against sudden attack. The Inquisition, with its carefully maintained system of records,

38 DEVELOPMENT OF THE INQUISITION

could trace and follow up every member of a heretic family.

No circumstance connected with the Holy Office was more terrifying than the impenetrable secrecy in which its proceedings were shrouded. Unless some need occurred to make public proclamation, as, for instance, for an absentee, the citation or arrest of a suspected heretic was done secretly. All witnesses were sworn to complete secrecy, and were liable to be sent to the stake as relapsed heretics if they broke their oath. The inquisitors were bound by similar oaths, so that it was difficult even to ascertain by whom any sentence was passed.

Such was the dread organization which overran a great part of Europe in the thirteenth century. Its tireless and relentless energy, the secrecy of its proceedings, the ubiquitous character of its agents, and the irresistible power they wielded spread terror throughout Christendom. No name, however noble or venerable, was safe from attack. No innocence, however complete, was a guarantee of security. The Holy Office struck at low and high alike. Like some mysterious natural force, such as disease or death, it marked down its victims silently and secretly, and there was no appeal. Little wonder that men trembled at the very name of the Inquisition, and that its agents were addressed as "Your Religious Majesty." It is now to be seen how this sinister body conducted its actual proceedings.

CHAPTER IV

THE METHODS OF THE INQUISITION

UNDER the Canon Law there were three forms of action in use in criminal cases before the Ecclesiastical Courts. The first of these was called *accusatio*. In this there was a definite accuser, who formally accepted responsibility for the charge, and who was liable in damages if it failed. The second form was *denunciatio*. Here, too, there was a definite accuser, in this case a public official, who brought the case before the Court. In the third form there was no accuser, but the Judge or Ordinary himself initiated the proceedings against the accused. It was called *inquisitio*.

The last-named form of proceeding was at the best open to grave objections. It combined in one person the functions of prosecutor and magistrate, so that the accused felt from the beginning that his case was prejudged, for no one would start a criminal case against a man without being already fairly convinced of his guilt.

In order to furnish some security to the accused against abuse of the procedure of *inquisitio*, certain safeguards existed in the older courts. The first of these was that the Judge who initiated the case had to give the accused due notice in advance. In

40 THE METHODS OF THE INQUISITION

the second place, the accused was entitled to be furnished with the names of the witnesses, and with copies of the evidence which they gave against him. In the third place, he was allowed to be defended by counsel. Lastly, the judgment of the Court had to be delivered within thirty days. It will be seen from the account which follows that in the Inquisition's procedure every one of these safeguards was abrogated or disappeared.

In the first place, no notice was given by an inquisitor to an accused person before the accused's citation or arrest was ordered. To have given such notice would have endangered the secrecy which was one of the most cherished practices of the Inquisition. The Holy Office received denunciations of accused persons in secret. Any informer might bring to the inquisitor a charge of heresy with complete assurance that his own identity would be concealed.

Not that there was any need of a definite informer in order to initiate proceedings. The inquisitor could take action on mere rumour. Great weight was indeed attached to popular repute, so that persons appearing before the Inquisition for any cause were encouraged to speak freely, on the chance that their conversation might contain useful information. Nor was it necessary that such information should be based on personal knowledge. General reputation or private suspicion sufficed, for it was an accepted maxim of the Inquisition that the evidence to be required in a matter of

heresy was to be scrutinized less rigidly than in regard to other crimes.

It was also an established rule that no one could refuse to give evidence to the Inquisition of what he knew. No relationship, however sacred or intimate, could release a person from this obligation. A husband was bound to inform against a heretic wife, and a wife against a heretic husband. Failure to do so rendered the defaulter liable himself to be regarded as a heretic. The evidence of near relatives was indeed considered to be peculiarly valuable if it bore *against* an accused, while by an aggravation of injustice the evidence of near relatives or servants *in favour* of an accused was declared to be inadmissible.

With such principles of evidence an accused was, at the best, heavily handicapped. But the disadvantage under which he laboured was immensely increased by the Inquisition's rule, already referred to, which forbade the accused to be furnished with the names of the witnesses against him, and generally with copies of their statements.

Such a prohibition must in any trial have been almost equivalent to a denial of justice. But it worked a special hardship in the case of inquisitorial trials by reason of another of the Holy Office's ingeniously contrived rules. This was that the evidence against an accused could be impugned only on the ground that the person who gave the evidence was an enemy, and an enemy of so deadly a character as to seek the life of the accused. As the latter was not

42 THE METHODS OF THE INQUISITION

furnished with the names of the witnesses against him, he had to conjecture who was most likely to have denounced him. Should he guess aright, the inquisitor would then cross-examine him as to the grounds of enmity between him and the accuser, with the object of showing that they were not so serious as to warrant the rejection of the informer's evidence on the ground of mortal enmity. Later it became an invariable rule to ask an accused at the beginning of his examination whether he had any mortal enemies. If he said no, he could not afterwards impugn any of the evidence given against him.

If a witness against an accused person subsequently retracted his evidence, it was a rule of the Inquisition that the retraction was not to be made known to the defendant "lest it should encourage him in his defence." All that was required was that the judge should bear the retraction in mind.

The refusal to furnish the accused with the names of the witnesses against him was defended on the ground that to give them might expose the witnesses to the danger of reprisals by the accused's friends. In the early days in Languedoc, when the Cathari were still numerous, there was possibly some foundation for this plea. But it came to be applied everywhere, and long after any such reason existed. In some of the papal instructions inquisitors were, indeed, warned not to refuse the names if there was no risk in giving them, but the decision was left in the hands of the inquisitor. The inquisi-

torial manuals always assume that, as a matter of course, the prisoner is kept in ignorance of the names of the witnesses against him. Eymerich and Bernardo di Como both lay down that it is rarely possible to give the names of witnesses without risk. If, they say, the danger is great when the accused is rich and powerful, it is still greater when he is poor and has friends who have nothing to lose.

A prisoner of the Inquisition thus kept in ignorance of the names of his accusers, and often of the nature of their evidence, would not perhaps have benefited very much if he had been allowed legal assistance, but in any case it was not permitted. Innocent III, in a decretal which was embodied in the Canon Law, ordered advocates and scriveners not to undertake the cause of heretics, and to give them no aid or counsel. Bernard Gui declared that an advocate who excused or defended a heretic was guilty of "fautorship" or abetment of heresy. Eymerich remarks that, while an accused had a right to employ counsel, it was open to an inquisitor to take action against any advocate or notary who appeared in defence of a heretic. Obviously such views were tantamount to a prohibition of the employment of counsel, and inquisitors later adopted the rule that advocates were not allowed in inquisitorial trials.

The first step, when an accused appeared before an inquisitor, was to call upon him to take an oath binding himself to answer truly all questions that

44 THE METHODS OF THE INQUISITION

might be put to him, whether they implicated himself or not. Great importance was attached to the extraction of this oath, for it rendered refusal to answer a question proof of contumacy. Bernard Gui, in his *Manual for Inquisitors*, is loud in his denunciation of the "malice and astuteness" of heretics who sought to evade taking the oath or who tried to couple with it some qualifying phrase. All possible means, he says, should be used to compel them to swear "*simpliciter et absolute*." If an accused should refuse to swear at all, he might at once be treated as being a heretic in view of the Cathari's well-known abstention from all oaths. But if he took the oath, yet obstinately appended to it some qualification, then the proper course was, after due warning, to excommunicate him. Should he, on being questioned, say that he did not recognize the excommunication, it was once more clear that he was a heretic, and he could forthwith be dealt with accordingly. If, however, he replied otherwise, yet still refused to swear without qualification, he could now be subjected to fresh excommunication for contumacy, and at the end of a year he could be condemned by clear right as a heretic. "Against an accused of this kind," remarks Gui, "there will be leisure either to proceed with the hearing of witnesses, if there are any, or to extract the truth from him by coercion, reducing him to reason by hunger, by prison cells, by irons, or even by putting him to the question." So frank an avowal, by an

experienced inquisitor, of inquisitorial methods is more convincing than any other evidence.

After the initial oath to answer every question, however damaging to himself, had been taken by the accused, the next step was to subject him to an interrogatory. The prisoner was now pitted against the trained experts of the Inquisition. Unassisted by counsel and kept in ignorance of the evidence against him and of the names of his accusers, he had, as best he could, to resist the cross-examination of men who had made a special study of the best methods of entrapping an accused into an admission or of entangling him in a contradiction. The Manuals of Bernard Gui, Eymerich, and others, contain long and careful advice as to the subterfuges, false encouragements, and other snares by which an accused could be enticed to his undoing.

The great object of the interrogatory was to induce the accused to confess his guilt. This was desired for several reasons. As heresy was mainly a matter of private and personal belief, no external evidence could fully prove a man to be a heretic, he must be forced himself to confess it. Moreover, by obtaining from him a direct confession he became a penitent, and was bound to prove his sincerity by revealing the names of all associates and accomplices, so bringing fresh victims within the clutches of the Inquisition. Lastly, an accused who confessed and afterwards retracted his confession, or who even refused to implement it by disclosing the names of accomplices, could be

46 THE METHODS OF THE INQUISITION

regarded as a relapsed heretic, and so sent without further trouble to the stake. No effort should, therefore, be spared to secure a confession.

It was regarded as legitimate to resort to any device in order to attain this desirable end. Sometimes a prisoner's wife and children would be brought to his cell that their tears and entreaties might break down his determination. Sometimes he would be moved from the ordinary miserable cell, placed under more comfortable conditions and treated with a show of kindness, in the hope that the contrast might soften him. If this failed he would be threatened with being sent back to his former dungeon, and so be led to reflect on what he would lose.

Bernard Gui lays stress on the advantages of solitary confinement in order to induce a confession. Never shut up more than one prisoner in one cell, he says, for they confirm one another in their obstinacy. Every prisoner should be locked up separately, so that he can speak to no other.

Other plans for extracting a confession were to employ persons to visit the prisoner and advise him to confess, or to worm themselves into his confidence. Converted heretics were regarded as specially suited for this enterprise, for they would tell the prisoner that their confession had been a pretence, and that they were still heretics at heart. On occasion one of these agents would intentionally overstay the allotted time, and so get himself locked up for the night with the prisoner,

who could then be led on into confidential talk, while a notary and other witnesses would be secreted within earshot to take down what he said. Pegna, in his commentaries on Eymerich's *Manual*, has special rules for the guidance of such spies.

If these methods failed, the Inquisition could always fall back on delay. Time was seldom of importance in an inquisitorial process. The Holy Office could afford to wait. It had its prisoner in safe keeping. If a prisoner was obstinate, nothing was simpler than to send him back to his cell and keep him there. Inquiries which lasted three, five, or ten years were not uncommon. Lea mentions instances in which they were protracted to twenty or thirty years without a decision being arrived at. As the months or years passed, the prisoner in his solitary cell might well wonder whether it would not be better to submit. The "slow torture of delay," as Lea calls it, was one of the Inquisition's surest implements. If it failed to extort a confession, at least it kept the prisoner out of harm's way.

But delay also had disadvantages, as it cost something to feed a prisoner and accommodation was limited. The authorities might, therefore, think it best to fall back on one of the methods of compulsion mentioned in the extract given above from Gui's *Manual*. Of these the first was hunger. Reduction in the prisoner's food was not only a saving in expense, but it also weakened him and reduced his powers of resistance. When the papal Commissioners visited the prisons of the

48 THE METHODS OF THE INQUISITION

Inquisition at Carcassonne in 1306 they found that the prisoners were habitually forced to confess by deficiency in food, as well as in other necessities.

The diet provided for its prisoners by the Inquisition was bread and water. Prisoners were, however, allowed to receive food, clothing, and cash from outside, if they possessed friends ready and able to help them. As all the property of a heretic was confiscated immediately upon his arrest, such help had to come from sources other than his own. Prisoners who had no friends, or whose friends were unwilling to face the danger and discredit of helping a heretic, had to put up with the diet of bread and water.

Bernard Gui refers to prison cells and irons as further instruments for dealing with recalcitrant heretics. In the Middle Ages prisons were generally horrible places, and those of the Inquisition were no exception to the rule. When specially built for inquisitorial use, they were designed on as economical a scale as possible. By papal direction they were to be small and dark and suited for solitary confinement. The only restriction laid down was that the rigour of imprisonment should not be such as to extinguish life—a modest ideal. At Carcassonne, Clement V's commissioners found that the prison used by the Inquisition consisted of cells deprived of all light and ventilation. In these were forty prisoners, of whom three were women and several were ill. All complained of the insufficiency of the food and bedding, and of

the cruelty of their keepers At Albi the prisoners were confined in narrow dark cells, in which some had passed five years without their cases being finally dealt with Many were in chains

Naturally the treatment of prisoners when in confinement depended very much on the character of the jailor and the jailor's servants At Carcassonne in 1304 the jailor had been tried on charges of embezzling the money allowed for the prisoners' support, or paid to him for them by the prisoners' friends. He was acquitted, but Clement V's Commissioners a little later marked their sense of the situation by ordering all new jailors to take oath to supply provisions to prisoners without reduction When the reforms consequent on the Commissioners' inquiry were at last promulgated in 1317 it was directed that the bishop and inquisitor should each appoint a jailor, and that each jailor should possess a key to every cell Bernard Gui complained bitterly of this interference with the prisons of the Inquisition, and apparently the new regulations were not carried out. Eymerich in 1376 did not include them in his *Manual*, because he says they were nowhere observed owing to their cost and inconvenience.

The last method mentioned by Gui for dealing with obstinate heretics is torture—or, as it was termed in the euphemistic phrase of the day, putting the prisoner to the question As already noticed, torture to extort confession was not allowed by the Canon Law, nor does its use by

50 THE METHODS OF THE INQUISITION

the Inquisition appear to have been legalized until Pope Innocent IV in 1252, in his bull *Ad Extirpanda*, not only sanctioned the use of torture, but enjoined it. To this Pope may therefore be assigned the responsibility for the habitual resort to torture by the Inquisition. Torture, it is to be remembered, was not applied as a punishment for an offence proved, but it was inflicted on persons not yet found guilty in order to force them to convict themselves by confession.

At first some scruple was felt about allowing ecclesiastics personally to inflict torture, and secular persons were called in to perform this duty. The actual infliction of torture was held to render priests canonically unfit for their sacred functions until absolved. The employment of lay assistants in the infliction of torture was, however, soon found to be inconvenient and likely to endanger the secrecy which was one of the most jealously guarded characteristics of the Holy Office. It therefore became customary for priests themselves to inflict torture, and in 1256 Pope Alexander IV removed the difficulty of canonical disability by empowering all inquisitors and all assistants to absolve one another from the consequences of canonical irregularity. In this way any inquisitor could, after inflicting torture, speedily be fitted once more for his spiritual functions.

There were but few rules laid down to regulate the infliction of torture. One was that it must stop short of "mutilation and danger of death." It

THE METHODS OF THE INQUISITION 51

was also understood that there must be no effusion of blood, and the methods of torture were selected so as to comply with this prescription. It was further said that the torture must be moderate, but as no definition of moderate torture was possible the interpretation of the rule depended on the opinion of the individual inquisitor

Another and more important direction was that torture might be inflicted only *once*. Such a restriction, if observed, would have afforded some definite protection to the unfortunate victim, but this very fact made the limitation unpalatable to the Inquisition, and means were soon found to evade the rule. The fiction was adopted that a second application was not a repetition but "a continuance" of the previous torture. Thus did the officers of the Inquisition set at naught the restrictions imposed on them

When the prisoner was brought into the torture chamber he was first shown the instruments of torture and urged to confess. If he refused, he was stripped naked and bound by the assistants, and was then given a second opportunity of confessing. On a second refusal he was actually subjected to the torture. This was of various types. The rack needs no description. In the strappado the prisoner was hoisted up some six or more feet from the floor with a heavy weight attached to his feet, and was then allowed to drop some distance and was suddenly arrested, so that his arms were nearly torn from their sockets. In

52 THE METHODS OF THE INQUISITION

the water test, which was a device of the Inquisition in Spain, the prisoner was tightly strapped on to a frame which was tilted so that his head was a little below the level of his feet. His mouth was fixed open with an iron prong, his nostrils were plugged, and a long strip of linen was placed across his mouth. Water was then poured on this, so that the linen was carried into the mouth by the weight of the water until it choked him. When he tried to relieve himself of the suffocation by swallowing the water and so to obtain a breath of air, more water was poured in, thus keeping him always on the verge of asphyxiation. Other devices were the application of fire to the soles of the sufferer's feet, the constriction of the bones of the legs, and many more. Generally the application was begun comparatively lightly, and was increased in severity as the prisoner remained silent. If he continued obstinate, he was threatened with the infliction of new and worse torments unless he confessed.

It was laid down that a confession made under torture must be confirmed after removal from the torture chamber. The Church was, of course, desirous of being able to deny that the prisoner had confessed only because he was tortured. Accordingly a person who had consented, while under torture, to confess was unbound and carried, if unable to walk, into another room, where his confession was recorded. If, however, a confession had been recorded while the victim was still on the

rack or other instrument of torture, it was read over to him afterwards so that he might confirm it. The Inquisition was not, however, too exacting in this matter of confirmation. It was sufficient if the prisoner remained silent and did not actually repudiate the confession. If he did repudiate, he was liable to a "continuance"—i. e., to a repetition of the torture, but if he remained silent or confirmed the confession, an official record was made stating that the confession was true and was not extracted by torture.

It was well known that confessions extracted by torture were worthless. Eymerich, the famous Spanish Inquisitor, expressly said so. "*Quaestiones*," he wrote, "*sunt fallaces et inefficaces*." The Inquisition indicated its consciousness of the worthlessness of confessions so obtained by suppressing as far as possible all mention in the official records of torture having been used. This is proved by the fact that where the retraction of a confession made under torture is recorded the confessions themselves often give no indication of torture having been applied. It is, in fact, admitted that reliance cannot be placed on the official records as evidence of the extent to which torture was employed.

When a prisoner who had made and confirmed a confession subsequently retracted it, it was generally held by the Inquisition that such a retraction was equivalent to a relapse into heresy, and that the prisoner might therefore be handed

54 THE METHODS OF THE INQUISITION

over to the secular arm without further inquiry. So, when a man who had confessed and been released was subsequently discovered to have said that he confessed only through fear, he was held liable to be treated as a relapsed heretic and burned forthwith. But on a milder view the retracting prisoner was guilty of giving false evidence, and for this he was liable to imprisonment for life. He was thus on the horns of a dilemma. If the confession of heresy was true and he retracted it, he was a relapsed heretic, if it was false, he was a false witness. Either way there was no escape for him.

The extent to which torture was used cannot, for the reasons already given, be determined from the records of the Inquisition. In the proceedings of the Commissioners sent by Clement V to inquire into the work of the Inquisition at Carcassonne the use of torture is said by Lea to be so frequently alluded to as to leave no doubt as to its habitual employment.¹ When after long delay orders were at last issued by John XXII in 1317 on the Clementine inquiry, it was directed that torture was not in future to be used except with the concurrent approval both of the inquisitors and of the local bishop if the latter could be obtained within eight days. Bernard Gui objected strongly to this restriction, which he said would seriously impede the efficiency of the Inquisition, and there is reason

¹ *Inquisition of the Middle Ages*, i, 423

to believe that it fell into practical disuse. But in any case its effect would have been slight, for after an interval of eight days the inquisitor could proceed independently.

One of the most scandalous abuses of the Inquisition was the application of torture to witnesses who were believed to be keeping back what they knew. These unfortunates were in fact worse off than accused persons, for it was argued that the rules relating to the infliction of torture were intended to apply only to those who were accused. Therefore, the restrictions, if any, imposed by the rules did not apply to witnesses, and the inquisitor could torture them exactly as he saw fit.

Acquittals by the Inquisition were naturally not to be expected, as they would have involved a confession of error on the part of the inquisitor who had himself ordered the inquiry. If there was not sufficient evidence against an accused to justify a finding, and if he would not confess, the case stood over for more decisive evidence, possibly for years. If, however, in any case a prisoner was released, it was a recognized principle of the Inquisition that he should not be declared innocent, as such a finding would impede fresh proceedings in the event of further evidence against him being forthcoming. In every case the inquisitor reserved the right to re-arrest the prisoner and proceed against him *de novo*.

CHAPTER V

THE PENALTIES OF THE INQUISITION

IF there was no acquittal by the Inquisition, there was also no conviction. In theory, the Holy Office was merely the agent of the Church striving to bring a wandering sheep back to the fold. What it wanted was to save his soul and to reconcile him with the Church. Hence, if he confessed, he was not a convict, but a penitent. The sentence which might be pronounced against him was a penance, not a punishment. The distinction might seem somewhat fine to the unfortunate subjects of the Inquisition's attentions, but it bulked large in the theories of the inquisitor. Even the heretic, who obstinately refused to confess, was not condemned. He was simply "relaxed," or abandoned, to the secular power, as one in whose case the Church's efforts to save had been vain. He was not convicted. He was a heretic for whom the State was to provide the suitable punishment—death by fire.

The penalties of the Inquisition were penances, and there were many gradations and varieties of penance. Among the milder penances imposed by the Inquisition were such as the payment of a specified sum of money to a religious object,

the recital of prayers seven times a day, the observance of extra fasts, etc. Two or more of these penances might be combined. Thus a penitent might be ordered to abstain from meat on Saturdays, and to attend Mass at named churches on Sundays. In such a case compulsory attendance at Mass ordinarily involved scourging at the hands of the officiating priest.

Penance might also take the form of a pilgrimage. The severity of this penance varied greatly with the pilgrimage ordered to be undertaken. If it was to a local shrine, the task was proportionately light. The major pilgrimages ordinarily ordered by the Inquisition were four in number—viz., to Rome, to Compostella in the north-east of Spain, to St. Thomas of Canterbury, and to the Three Kings of Cologne. In one year 427 persons in one portion of Languedoc were ordered to make the pilgrimage to Compostella over some 400 miles of mountainous roads. Sometimes a pilgrim was ordered to go barefoot. Always he had to bring back a certificate of his visit, and he might have to undergo scourging at the shrine visited. When a pilgrimage was a long one it might occupy several years. During such absences the pilgrim's family was left to starve.

A heavy burden was imposed when the penance ordered was a visit to the Holy Land or to take part in a crusade. This was by no means uncommon. In Languedoc seventy-nine persons were ordered in a single year to serve in the

58 THE PENALTIES OF THE INQUISITION

crusades in Palestine for periods varying from one to three years.

After the recapture of Jerusalem by the Saracens this penance became less common, but it still continued to be sometimes imposed. An unfortunate offender, who had already spent thirty years in a dungeon, was ordered to go beyond seas and to stay there until recalled by the inquisitor. He might hire a competent fighting man to take his place, but even if he did so he was still required to expatriate himself. Failure to comply with the order was to be punished by perpetual imprisonment.

A form of penance frequently imposed was the wearing of yellow crosses on the clothing. Comparatively trivial as this sounds, it was found in practice to be very oppressive. A man with these unpopular stigmata could not get work. He was constantly exposed to contempt and derision. So serious were the effects that the Inquisition itself found it necessary to issue notices threatening action against anyone who should hinder a penitent wearing the cross from following his calling. It was even found expedient occasionally to relieve persons from this form of penance. Thus young women were sometimes exempted because it was impossible for them to find husbands while bearing the Inquisition's yellow cross, and men were occasionally relieved because they could not otherwise get work and support their families. The yellow cross was indeed far from a light burden.

Yet it was largely used, and when imposed the

order was generally for life. Moreover, the severest punishments followed any attempt to evade the penance by hiding the cross or omitting to wear it. In 1248 the Council of Valence decreed that a penitent omitting to wear the badge should be liable to the full penalty appropriate to impenitent heresy—the stake, but in fact this was not acted on.

To inflict penance by way of fine was open to obvious objections, seeing that the inquisitor was both prosecutor and judge, and that the proceeds of the fine might reach his own pocket. At first, therefore, efforts were made to prevent resort to this penance. Innocent IV forbade the levy of fines if any other form of penance was possible, and directed that if fines were imposed they should be paid to persons nominated by the bishop and inquisitor jointly, and should be utilized in building prisons for the Inquisition or in the support of its prisoners. Here again, however, the Inquisition proved too strong for papal orders. The instructions of Innocent IV were not observed, and the right to impose pecuniary penalties remained intact.

Closely connected with such penalties was the practice of commuting penances for money. This also was evidently open to abuse, but it was defended on the ground that the money so obtained was devoted to works of piety. Bernard Gui supplies a formula for such transactions in which dispensation from pilgrimages or other penances

60 THE PENALTIES OF THE INQUISITION

was to be conferred in consideration of a payment towards the building of a church, or even of a bridge, or "to be spent in pious uses at our discretion." These last words certainly seem suggestive.

When a heretic died leaving his penance uncompleted it was the rule of the Inquisition that his heirs must pay compensation in money for this failure. No fixed scale of composition was laid down, and the sum demanded depended entirely on the discretion or greed of the inquisitors dealing with the matter. In a case in 1251 the heirs of a penitent who had died without performing his pilgrimage swore that the total value of the estate of the deceased amounted to twenty livres. The Inquisition demanded the whole of it.

Another method by which money was raised was by grant of bail or by demand for security. Thus a prisoner might be released on bail pending inquiry into his case, or a penitent might be required to give security against relapse. Forfeiture followed on failure to surrender for trial, or on proof of relapse into heresy. The rules required that the security was always to be pecuniary, and as heresy implied confiscation of all property it had to be furnished by someone other than the heretic.

There is abundant evidence that these means of extortion were widely used. In 1302 Pope Boniface VIII removed from office the Franciscan inquisitors of Padua and Vicenza in consequence

of the complaints which he had received of their exactions, and he replaced them by Dominicans. But the very next year a complaint of extortion was lodged against the new Dominican inquisitor at Padua, and in 1304 a grave warning was sent to the inquisitors of both Padua and Vicenza regarding their fraudulent prosecution of good Catholics by the help of false witnesses. Clement V, at the Council of Vienne, placed on record his conviction that the inquisitorial office was frequently used to extort money from the innocent and to allow the guilty to escape on payment. So late as 1515 it is said by Cornelius Agrippa that a regular system of blackmail existed under which annual payments were levied as the price of immunity.

After pilgrimages, yellow crosses, and fines, the last and severest penance which the Inquisition imposed was imprisonment. This was of two types, the milder called *murus largus* and the harsher known as *murus strictus*. Nominally both were supposed to be given not by way of punishment, but in order to afford the penitent time to seek pardon for his sin. In the milder form the prisoners were allowed to take exercise in the corridors of the prison, and sometimes had opportunities of speaking with one another or with the outer world. Visits of the clergy and of the laity of both sexes were occasionally allowed, and husband and wife were permitted to see one another. In the harsher form of imprisonment the prisoner was never permitted to leave his cell, which was

62 THE PENALTIES OF THE INQUISITION

always small and dark, and sometimes he was chained to the wall. In all cases of this form of imprisonment the legs were ironed, and in some cases the hands also. The class of imprisonment to be inflicted was entirely at the discretion of the inquisitor. This penance was usually imposed on persons whose confessions were regarded as not sufficiently complete, or who had in some other way aggravated their offence.

Gregory IX, in 1229, ordered that all who were converted to the faith after arrest and through fear of death should receive the penance of imprisonment for life. A similar rule was laid down by Frederick II in 1232, and in 1234 the Council of Arles ordered the bishops strictly to enforce this direction. In fact this Draconian edict was not carried out. In 192 cases dealt with at Toulouse between 1246 and 1248, excluding 43 cases of contumacious absentees, all the remaining 149 cases were sentenced to imprisonment, of whom 127 were to be imprisoned for life, six for ten years, and sixteen for an indefinite period. The Council of Narbonne laid down in 1244 that, except by special indulgence obtained from the Pope, no husband was to be spared imprisonment on account of his wife, no wife on account of her husband, no parent from consideration for helpless children. Neither sickness nor age could claim mitigation. As an instance of the pitiless severity of the Inquisition, the case may be mentioned of a man who was cited to appear in 1309, but who fled and managed to

evade arrest He was condemned in absence as a contumacious heretic In 1321, on promise that his life would be spared, he voluntarily surrendered. His acts of heresy had not been flagrant, and as an excuse for his flight he pleaded that he had a wife and seven children, who would have starved without his support. Yet Bernard Gui sentenced him to imprisonment for life

The prisons were not warmed in any way, so that the sufferings of their inmates from cold were often acute. In the accounts of Toulouse in 1337 there is an entry of money for the purchase of straw for the prisoners to lie upon lest they should die of cold.

Some light on the proportion in which the various penances or punishments were inflicted by the agents of the Inquisition may be derived from Bernard Gui's record of the sentences which he passed between 1308 and 1322 The details are as follows¹.—

Condemned to wear crosses	138
„ to perform pilgrimages	16
„ to imprisonment	300
Houses to be destroyed	16
Bones exhumed	21
„ „ and burnt	67
Delivered to the secular arm and burned	40
Fugitives	36
Banished to Holy Land, etc	2

¹ The figures here given are those of Lea (i, 495) Mgr Douais (*Documents I*, 205) supplies further details which differ to some extent, but in his list a large number of persons appear to be counted twice over

64 THE PENALTIES OF THE INQUISITION

Many of the sentences here recorded were afterwards modified in the exercise of the inquisitor's discretion. Thus of those sentenced to imprisonment 119 were released and subjected only to the obligation to wear crosses, and of these 119 fifty-one were subsequently relieved also from the crosses. In addition to this modification, eighty-seven out of the 138 originally ordered to wear crosses were afterwards permitted to lay them aside. It appears that during the years covered by Bernard Gui's registers eighty-nine persons died without their cases being disposed of.

The modifications of sentences here shown were made in exercise of the power to revise, mitigate, enhance, or re-impose sentences which the Inquisition always reserved. While such revisional jurisdiction may have resulted in relief to some prisoners, it is obvious that it placed in the hands of the officers of the Inquisition a powerful weapon of oppression. If an inquisitor could at will revise his own sentences, he could bring effective pressure to bear on any prisoner so as to induce him to pay up or otherwise placate the tribunal. Even when a prisoner was released from penance he was warned that his freedom was provisional, and that it might be withdrawn at any moment. He was, at best, in the position of a convict on a ticket-of-leave, and in this case the ticket was for life. Once a man had fallen into the hands of the Inquisition, it is doubtful whether he was ever again completely freed. He lived thenceforward under the shadow

of re-arrest. The watchful eye of the Inquisition was always on him, and any slip might render him liable to the dreadful fate of a relapsed heretic. No verdict of acquittal was ever granted, and no complete or absolute pardon was ever given except by the Pope.

Confiscation was one of the most serious aspects of a charge of heresy, as it was one of the most powerful motives leading to such charges being brought. The legislation of Innocent III laid down that the property of a heretic was forfeited in every case without distinction, but it was hardly possible to carry this out. The Council of Béziers (1233) decided that in all cases where imprisonment was awarded confiscation of property was to follow, and this rule was generally maintained. In addition any persons who failed to answer to citation and any in whose houses heretics were found were liable to confiscation of their property. In these classes confiscation was enforced rigorously.

An order of confiscation covered the whole property of the heretic, real and personal. In 1247 Innocent IV exempted the wife's dower if she was a good Catholic, provided that she had not known of her husband's heresy when she married him, and that she had not lived with him after ascertaining it. Such an exception did not amount to much, and it held good only during the wife's lifetime. On her death the forfeiture took effect, for the children were incapable of inheritance.

Liability to confiscation clearly ought to have

66 THE PENALTIES OF THE INQUISITION

arisen only when a man was definitely adjudged to be a heretic, and no seizure ought to have been made until this was established. Such a rule would, however, have been very inconvenient to the Inquisition. We have seen how long drawn its inquiries were, and how powerful a lever in the extortion of a confession was the possibility of indefinite delay. Bernard Gui himself bears witness to this. If it had not been possible to seize the accused's property until his case was decided, the Holy Office must either have expedited its trials or run the risk of seeing the property of the heretic disappear before it came to a decision. Accordingly the practice was adopted of seizing and sequestering the accused heretic's property directly he was arrested. Inventories were made, and persons owing money to him were notified by proclamation of the sequestration. The heretic's wife and children, if he had any, were turned out of doors to shift for themselves.

"Nothing could exceed," writes Lea, "the minute thoroughness with which every fragment of a confiscated estate was followed up and seized." Debts even of a few pence were collected with the utmost rigour. The legal theory was that the forfeiture arose as soon as the crime of heresy was committed. Therefore grants or alienations made by a heretic long prior to his arrest might be set aside and the property resumed. Nevertheless, a transferee, who had paid value for property bought from the accused, could not recover his

payment unless he could show that the money or other consideration was among the goods seized from the accused

All debts contracted by heretics and all hypothecations and liens given by them to secure loans were void. So serious an element of uncertainty was thus introduced into business transactions that in Florence it became the practice to require the vendor of real estate to furnish security against the possibility of future sentences of confiscation by the Inquisition. No one could be sure of the orthodoxy of the seller of any property, or foresee when he might be involved in some charge of heresy. Even in the case of contracts for personalty similar security was often demanded, and the interference with business became so serious that in 1283 Martin IV ordered that real property in the hands of *bonâ fide* purchasers was not to be seized.

The general effect of the Inquisition's rule of confiscation was much aggravated by the claim to apply it to deceased persons.

One Gherardo, a rich citizen of Florence, who died in 1250, had become a heretic at some date between 1246 and 1250. In 1313, or more than sixty years after his death, the Inquisition set up proceedings against his memory, and succeeded in getting his children and grandchildren disinherited, though they were not themselves heretics. No limitation could be pleaded against the Church in such cases, and no lapse of time rendered the descendants of a heretic safe against dispossession.

68 THE PENALTIES OF THE INQUISITION

On the other hand, prescription was strictly enforced to the detriment of a purchaser of property from a heretic. Such a purchaser had to prove forty years' possession and upwards to protect his title, but if it could be shown that he had at any time known the vendor to be a heretic, even this would not protect him.

Confiscation of property thus enforced naturally became an important source of revenue, and disputes arose as to the division of the spoil. The State, the Church, and the Inquisition alike claimed a share. In France, after considerable dispute, it was arranged in 1255 that one half of all confiscated lands went to the Church and the other half to the King, but the Church had also a right to buy up the King's share at a price fixed by arbitration.

In Italy, as in France, the practice varied at different dates, but it finally settled down into a tripartite division between the papal Curia, the Inquisition, and the local community. The same custom was ordered to be observed in Germany when the Inquisition was introduced there. In Venice, however, the Seignory allowed the introduction of the Inquisition only on condition that all receipts went to its own treasury, and in Piedmont confiscations were divided between the State and the Inquisition until the fifteenth century, when the State took the whole.

Confiscations were one of the most important sources from which the expenses of the Holy Office were met. Eymerich discusses this question in

his treatise on the Inquisition, and sorrowfully remarks that there are now few obstinate heretics, fewer still relapsed, and scarcely any rich ones. He expresses his regret that an institution so necessary to Christendom should be so ill provided for.

Doubtless hatred and fear of heresy, and not greed, was the original mainspring of the Church's action. But as Vacandard, himself a Romanist, has said "Would the ecclesiastical and lay princes, who, in varying proportions, shared with the Holy Office in these confiscations, and who in some countries appropriated them all, have accorded to the Inquisition that continual goodwill and help which was the condition of its prosperity without what Lea calls 'the stimulant of pillage'? We may well doubt it." On such a point the opinion of Mr Hilaire Belloc recorded in another connection is not without interest and appropriateness. "Not one man in five hundred," he wrote, "is more strongly moved by an ideal than by the prospect of immediate gain. There is no compromise, there is no wriggling of the conscience, no plumb baseness, to which men will not descend for the getting of great wealth suddenly."¹ The agents of the Holy Inquisition were doubtless subject to the same temptations and influences.

The theory on which the confiscation of the property of heretics was supposed to be based is another instance of that insincere and face-

¹ *Essays of a Catholic*, by Hilaire Belloc, p. 143

70 THE PENALTIES OF THE INQUISITION

saving hypocrisy by which other procedures of the Inquisition were excused or concealed. It was argued by the Church that, if treason against an earthly ruler demanded confiscation of all the offender's lands and possessions, much more did heresy, which was treason against the King of Kings, deserve the same punishment. A modern writer has described this as a plausible and reasonable argument. It seems rather to be a conspicuous example of false analogy used merely as a cloak for the Church's greed and hatred.

CHAPTER VI

THE STAKE

It has already been shown that the Constitutions of Frederick II gave legislative sanction throughout the Empire to the punishment of death by burning for heresy, and that this legislation merely recognized the previously existing practice. By the middle of the thirteenth century the stake was fully established as the invariable fate of the relaxed heretic.

The Church, whether from scruple of conscience or to save appearances, had all along endeavoured to leave the execution of this penalty as much as possible to the secular powers. The rule which prohibited clerks from uttering a mortal judgment, or from being present at an execution, was reiterated by the Lateran Council of 1215 at the very moment when the Church was inaugurating its most determined efforts for the extermination of heretics in the Languedoc. When the Inquisition came into existence in 1233 the fiction that the Holy Office had nothing to do with putting heretics to death was carefully maintained. The formula used in relaxing or making over the heretic to his fate was: We abandon thee to the secular arm, "beseeching it affectionately, as Canon Law requires, that the

sentence of the civil judges may spare you death or mutilation." No one, however, was for a moment deceived by this pretence. Everybody, including the authorities who made the recommendation to mercy, knew that the heretic was to be burnt alive. "This has been styled," wrote the Abbé Vacandard, "cunning and hypocrisy—let us call it simply a legal fiction"¹ At least there is no doubt of its having been a fiction

It is, in fact, beyond dispute that when a secular body, from whatever motive, shrank from executing a heretic in the due manner, the ecclesiastical authorities intervened and threatened it with excommunication unless it did its duty.

In the light of such facts, it seems extraordinary that responsible Roman Catholic writers should have contended that the recommendation to mercy was genuine, and that the lay authority was free to execute the criminal or not. Such a plea is in conflict with the most well-established facts. Thus Innocent IV, in a bull of 1245, transcribed the Constitutions of Frederick II, which ordered death at the stake for heretics. In the same Pope's famous bull *Ad Extirpanda* of 1252 it was laid down that the secular power should deal with all relaxed heretics in accordance with Frederick's Constitutions within five days of their being handed over. Medieval writers, such as St Thomas Aquinas, marshalled their best arguments in favour

¹ Quoted at p 50 of *The Inquisition*, by G G Coulton

of the death penalty for heretics. Inquisitors had no scruple whatever about the matter, and stated in the clearest language that the relaxed heretic was to be burnt alive, and more outspoken modern writers, such as Cardinal Lépiciér, have not only raised no question about it, but have cited the practice of the Inquisition as proof of the Church's power to put heretics to death. The pretence that the Church had no responsibility for the burnings of the Inquisition is thus a transparent subterfuge.

The liability to the death penalty originally rested only on the obstinately impenitent heretic and on the contumacious heretic who did not obey the summons to stand his trial or who persistently refused to take the oath tendered to him. It was subsequently extended to any penitent who was held to have relapsed into heresy. For him there was no second opening for mercy. As it was notorious that many penitents confessed not from genuine contrition but from fear of torture or death, it was thought necessary to show no pity to anyone who took advantage of the Church's grace. Moreover, the Church had already got out of the penitent all it could expect, for his confession had necessarily involved the disclosure of all accomplices. Hence a rigid rule was laid down by the Popes, and relapse became the main cause of death sentences.

Some doubt, however, arose when the question was not of relapse into heresy, but of failure to

carry out the conditions which were supposed to be attached to every confession. The most serious case arose when the confessing heretic refused to betray friends and fellow heretics, or when he made what was regarded as an inadequate revelation. In theory this was a relapse, and the harsher school of inquisitors held that in such cases the death penalty was appropriate, but others took a milder view. Refusal to perform the penance described was, of course, equivalent to relapse, but what was to be the position of a penitent who merely attempted to evade his penance? A man who escaped from prison was in the same position as other fugitives, and was burnt without further hearing, but Lea says there is no case on record of a heretic's having been put to death for evasion of minor penances, such as wearing crosses or pilgrimages, though such backsliding was punished severely in other ways.¹

Even when the heretic was finally relaxed, or made over to the secular power, the Inquisition did not yet give up all hope of securing a confession. Priests accompanied the doomed man to the scene of execution, and if he were not a relapsed heretic he could, even at the last moment, save his life by submission. A story is told of a priest who, after the flames had been lighted and when he was already scorched on one side, cried out that he would recant. He was removed from

¹ *Inquisition of the Middle Ages*, 1, p. 549

the stake and reprieved. Unfortunately for him, he was found fourteen years later to have relapsed into heresy, and even to have infected others, whereupon he was burned without more ado.

The actual burning of the heretic was always carried out in public, and a holiday was generally selected in order that the crowd might be larger and the impression made on the public mind greater. To prevent any risk of the sufferer exciting the pity of the people by any words or speech, steps were taken to prevent his addressing them. When the victim was dead the body was broken up and the fragments as far as possible reduced to ashes. It was at all times forbidden to bury the body of a heretic, and anyone who buried a heretic was liable, under a bull of Boniface VIII, to be excommunicated.

The number of persons who actually suffered death at the stake is unknown. The figures already given of sentences passed by Bernard Gui show that in seventeen years he made over only forty heretics to the secular arm to be burned. Another inquisitor, Bernaud de Caux, appears to have relaxed no heretic during the years 1240-1248, but, as Turberville suggests,¹ it is probable that the records here are incomplete. Lea, whose general judgment of the Inquisition tends to the side of severity, records the opinion (*l c*) that the number of victims who actually perished at the stake

¹ *Medieval Heresy and the Inquisition*, p. 227

was considerably less than has ordinarily been supposed. This opinion must be accorded great weight, but in another portion of his work¹ Lea himself quotes the boast of Paramo, that in a century and a half from 1404 the Holy Office had burned thirty thousand persons. Perhaps Lea regarded this figure as relating rather to the persecution of witches than of the heretic. But, in any case, the number of victims sent to the stake at the behest of the Inquisition was very large.

¹ *Inquisition of the Middle Ages*, III, 549

CHAPTER VII

SPREAD OF THE INQUISITION

1. *Languedoc*

As has already been seen (p 26), the Inquisition first took shape in the Languedoc in 1229. The inquisitors employed there had at first an uphill task. They were foreigners and the representatives of a foreign power, and as such were hateful to the native population. Moreover, the Cathari and Waldenses had long been known to the people, and had lived peaceably among them. Catholics and heretics had fought shoulder to shoulder against the French invaders, who had murdered so many thousands of the population and devastated the country. For every reason the inquisitor represented an unpopular Church, and was hated as well as feared.

That, in spite of these difficulties, the Inquisition succeeded in establishing itself in the Languedoc, and in practically exterminating heresy within a few years, was due to the indefatigable zeal and energy of the Dominican friars. At first the work was not without danger, and several of the persecutors were murdered, but the ruthless methods of the inquisitors wore down their opponents. When

popular risings against the oppressors occurred at Albi, Narbonne, Toulouse, etc., and the priests and friars were driven from the towns, the Pope threatened Count Raymond with fresh excommunication unless he carried out his engagements, and the Count was compelled to intervene on the side of the Church. Moreover, in 1237 a leading member of the Catheran community was converted to Catholicism and denounced all the members of the sect known to him, with the result that many were burned and twenty consigned to perpetual imprisonment.

In 1242 the terror aroused by the relentless persecutions led to an unexpected outrage. A body of heretic knights and their retainers set on and murdered a party of inquisitors, with their attendant friars, at Avignonet. For a time this checked the enthusiasm even of the Dominicans. But it was not for long. In March, 1244, Montségur, the stronghold of the Cathari, was taken, and 205 men and women were burned to death in one comprehensive holocaust.

The province was now subjected to a minute examination, and some 8,000 to 10,000 cases were investigated in 600 places embracing one half of Languedoc. How many died and how many were imprisoned for life does not appear, but thenceforward the fate of the country was sealed. Raymond of Toulouse died in 1249, thus removing the last obstacle to French aggression, and his successor proved an ardent advocate of persecution.

The extermination of the Cathari was slowly but ruthlessly continued. In 1255 their last refuge, the castle of Quéribus in the Pyrenees, was captured, and thereafter nothing remained for them but the forests and the caves

In 1271 the line of Raymond of Toulouse became extinct, and the Languedoc was incorporated in the French monarchy. This change had unexpected reactions. The people were now able to appeal to the royal authority for relief from the tyranny of the Inquisition. Philippe le Bel, who came to the throne in 1286, quarrelled with Pope Boniface VIII, in consequence of the latter's insolent encroachments on the royal authority, and in 1296 the King issued orders forbidding arrests at the instance of inquisitors. The quarrel continued with intermissions until Boniface's death in 1303. His successor, Benedict XI, was himself a Dominican, but his reign was short, and on the accession in 1305 of Clement V steps were taken to bring before the new Pope the suffering of the people under the tyranny of the Inquisition

In 1306 Clement appointed his celebrated commission of inquiry into the proceedings of the Inquisition in Languedoc. The abuses which the Cardinal Commissioners discovered have already been mentioned, and doubtless their investigation had some remedial effect. But the issue of orders on their inquiries was long delayed. Clement V died before the reforms embodied in the Clementine Canon were finally approved. His successor,

John XXII, was on the whole hostile to the movement of reform. The famous Bernard Délicieux, who had led the opposition to the Inquisition, was tried, repeatedly tortured, and imprisoned for life. The inquisitors, such as Bernard Gui, protested against the restrictions proposed to be placed on their power, and practically ignored many of the new regulations. In the result the Inquisition triumphed, and the extermination of the Cathari in the Languedoc was completed.

2. France

Gregory IX's letters of April 20, 1233, which entrusted the suppression of heresy to the Dominican Preaching Friars, applied to the northern provinces of France as well as to the Languedoc. But the north presented a less favourable field for the Inquisition's activities. Heresy was much less prevalent there. The Albigensian movement had never made much progress in Northern France, and the Waldenses were poor and confined to certain localities.

The work of the Inquisition was entrusted almost wholly to the Dominicans, who showed their customary zeal and activity, but during the thirteenth century it presented no features worthy of special notice. Early in the next century the Church had to deal with an irruption of the German sect of Brethren of the Free Spirit, characterized by a mystic libertinism which was certainly

calculated to lead to excesses ; but these sectaries were less numerous in France than in Germany. It was not until the middle of the century that the Inquisition set to work with vigour against the Waldenses who inhabited Provence, the Dauphiné, and the Lyonnais. As they were mostly poor and of humble position, their persecution had had no great attraction, but they were now rounded up in great numbers. In 1375 the capture of these heretics was so large that the prisons were insufficient to hold them. With the death of Gregory XI in 1378 and the schism in the Papacy there was some relaxation of activity

For a long period the Waldenses were left undisturbed, and they had increased much in numbers before, in 1475, the inquisitors again set to work. These operations were checked by Louis XI, who described the inquisitors as vexing the faithful with accusations of heresy, and with prosecutions for purposes of extortion and to secure the confiscation of property. After his death the Church renewed its activities. A crusade was organized both in Dauphiné and Savoy, and in 1489 the valleys were attacked and large numbers of the heretics murdered. But the Inquisition had by this time lost its power, and in 1502 it was decided by Louis XII that the so-called heretics were good Catholics, and the Waldenses were thereafter left in peace. At the Reformation they became merged in the Calvinists.

3. *Germany*

In Germany no serious establishment of the Inquisition occurred until nearly a century after Gregory IX's decrees of 1233. The bishops maintained their jurisdiction over heresy, and any intrusion by inquisitors was kept within narrow limits. The first authentic mention of the imposition of crosses, one of the favourite penances of the Inquisition, does not occur until 1317. In that year John of Zurich, Bishop of Strassbourg, organized a sort of episcopal Inquisition, but it did not work well. The heretics were mostly poor, and the episcopal officials found little inducement to spend their time in persecution. In June, 1369, however, the Emperor Charles IV, who had been brought under Papal influence during his Italian expedition, issued two violent edicts ordering all prelates, princes, and magistrates to support the inquisitors, who were to be entitled to one-third of all confiscations. These decrees definitely organized the Inquisition in Germany.

In some ways it presented a promising field of activity for the Holy Office. There were few Cathari, but the German mind, ever prone to mysticism, had burst out into several new sects. The Beguines were men and women united by vows of chastity and poverty, some of whom lived together in communities, while others wandered about supporting themselves by begging. A more dangerous growth was that of the Beghards or

Brethren of the Free Spirit. These were pantheists, who held that man, being himself God, was free and could not commit sin. Such views naturally led to licence. Another body, calling itself the Friends of God, though avoiding the moral extravagances of the Brethren of the Free Spirit, developed an ascetic illuminism which was essentially anti-sacerdotal. Other sects were the Amaurians, Flagellants, and so on.

The Inquisition, when it set to work, at first devoted its attention mainly to the Beguines, who had property worth seizing. A friar named Walter Kellinger was recognized as inquisitor, and ruthlessly carried out the seizure of the Beguinages, or buildings occupied by the Beguines. The result was to throw large numbers of the harmless inmates loose on the world with calamitous results, but their property came in handy to the Inquisition, and provided it with prisons.

The Brethren of the Free Spirit were a more fitting object of the Inquisition's attentions. Many were captured, compelled to abjure and to accept penance, or were burned. The Flagellants were also not neglected.

About 1390 discovery was made of large numbers of Waldenses. They were mostly poor people of the labouring class who had gained converts through the sanctity of their lives, which was in strong contrast with the licence of the clergy. Torture was freely used by the inquisitors to obtain the necessary confessions and denunciations.

At an *auto-de-fé* celebrated at Bingen in 1392 thirty-six of these harmless dissenters were burned, and at Steyer in 1397 more than a hundred of both sexes suffered the same fate. Many of the sect subsequently sought shelter by affiliating themselves nominally to the Franciscan Order of Begging Friars. When early in the fifteenth century the Hussite movement began, the Waldenses united with the Hussites and suffered a common persecution.

But the Inquisition had never taken a very firm root in Germany. The bishops had always retained their objection to the intrusions of the inquisitors. The attacks of the latter on the popular Beguines excited ill feeling, and the Inquisition did not acquire in Germany the complete domination it enjoyed in Latin countries. In large areas no inquisitor was appointed, and gradually the machinery of the Holy Office fell out of use. The result was that when Luther appeared to challenge the Church there was no inquisitor at hand to send him promptly to the stake.

4. *Bohemia*

The rule of Rome over the remote and turbulent realm of Bohemia was never as complete as in countries nearer home. At the end of the twelfth century a papal legate visiting this distant land found that the law of celibacy was practically unknown and unobserved among the clergy. In the fourteenth century concubinage was generally

prevalent, simony was common, and indulgences were openly sold. The general clerical corruption had given rise to a strong anti-sacerdotal feeling. By the middle of the thirteenth century the Waldensian faith was firmly established in Bohemia and only spasmodic attempts at suppression were made by the Church. Whatever action was taken against the heretics was mainly under episcopal direction.

In 1382 the sister of the King of Bohemia married Richard II of England, and this led to considerable intercourse between the two countries. At that date John Wickliff was still alive, and his writings, which had produced so deep an impression in England, were carried to Bohemia. Wickliff had denounced the Papacy and the Roman hierarchy generally on account of their greed, cruelty, and corruption. He declared indulgences fraudulent and image-worship unlawful, and demanded that the clergy should live pure and simple lives, give up simony and absenteeism, and attend to the duties of their offices.

These bold doctrines found a ready response in Bohemia. The likeness between Wickliff's teaching and Waldensian doctrine was evident. Moreover, the feeling of repulsion from the corrupted Church was widespread. A leader was found in John Huss, a man of fearless temper, blameless life, and kindly nature. In fierce sermons he attacked the vices of the clergy and created an immense impression.

The Roman Inquisition had never become established in Bohemia. Inquisitors had been sent to the country in 1318 and 1335, but after brief periods of activity they had disappeared. Consequently, when the Hussite movement began early in the fifteenth century there was no organization ready for action. The Pope excommunicated Huss, but the population of Bohemia was so strongly on his side that little notice was taken of the excommunication.

A General Council was summoned to meet at Constance in November, 1414, and the Emperor Sigismund granted Huss a safe conduct to enable him to attend and defend his position. Confiding in this document and in his sense of the righteousness of his aims, Huss arrived in Constance, but was arrested by the Pope and Cardinals, and was kept many months in prison. He was allowed to defend himself before the Council, and every effort was made to induce him to retract and submit to the Church. Sigismund basely abandoned him in spite of the safe conduct, and, after months of imprisonment, Huss was burned at the stake on July 6, 1415. Nearly a year later one of his leading supporters, Jerome of Prague, met the same fate.

The effect in Bohemia was to drive the whole country into open rebellion against Rome. The Council of Constance issued orders to various bishops to go and put down heresy, but no one was bold enough to undertake this hazardous duty. The Church, determined not to introduce the

reforms which the Bohemians demanded, then preached a crusade, as it had done two centuries before in Languedoc. But it had to deal now with a more resolute people. The Hussites gathered their forces and repeatedly defeated the Crusaders. The long story of the Hussite wars cannot be told here. In the end the Church had to give up the task and acquiesce in the practical independence of the Bohemian Church.

5 *Italy*

In the Middle Ages all Northern Italy formed part of the German Empire, and the Emperor Henry VI of the Hohenstaufen house had made himself master also of the kingdom of Naples and Sicily by marrying Constance, heiress of the Norman kings of that realm. The permanent union of Southern Italy with the German Empire would have shut the Popes up in a small enclave in the middle of the peninsula, and would have frustrated the papal ambition of extending the temporal power over a large part or the whole of Italy. Hence it became a cardinal point of papal policy to prevent this union, and if possible to oust the Hohenstaufens from Italy altogether by rousing Italian feeling against the Germans.

For thirty years a struggle was carried on between the Papacy and Frederick II, but his death in December, 1250, removed the Popes' most dangerous opponent. When, less than four years later, his son, Conrad IV, also died, not without

some suspicion of poison, Innocent IV actually seized Naples and Sicily. But the victory of Conrad's brother Manfred at Foggia once more foiled the papal schemes. In 1266 Clement IV, abandoning all hope of securing Southern Italy for himself, resorted to the heroic remedy of calling in Charles of Anjou, brother of the King of France, by whom the Hohenstaufen house was practically expelled from Italy.

During the long strife between the Emperors and the Papacy a German and a Papal party had existed in each of the large towns of Northern and Central Italy. This had been favourable to the growth of heresy, both because the people looked with distaste on the worldly ambitions of the Popes and because the heretical leaders were able to play off the Imperial against the Papal faction. When the French crusade in the Languedoc had forced the Cathari and the Waldenses to fly from that country they had taken refuge in Italy. Milan became the headquarters of Catharism, while the Waldenses established themselves in the Alpine valleys.

The spread of heresy in Northern Italy induced Pope Honorius III in 1224 to appoint two bishops as special commissioners to deal with the matter. As this produced little effect, his successor, Gregory IX, entrusted the work in 1233 to the Dominican friars. Frederick II's death encouraged the Pope to fresh efforts, and in 1251 he sent inquisitors into all parts of Lombardy. A year later appeared

the bull *Ad Extirpanda*, and the work of suppressing heresy was pushed on with relentless vigour. It would take too long to follow in detail the progress of the Inquisition in each of the Italian towns. Before the end of the fourteenth century the Cathari, who a hundred and fifty years earlier had seemed almost able to dispute the possession of the country with the Popes, had disappeared from Northern and Central Italy. Some were discovered and burnt in Turin in 1388, and in 1403 others were converted peacefully. A few fled to Corsica, where they lived as hunted refugees in the woods and forests. By the beginning of the fifteenth century the sect was practically exterminated.

The Waldenses showed greater power of resistance. Large communities existed in the Alpine valleys, and were subjected from time to time to pitiless persecution. In 1375 Gregory XI exhorted Charles V of France and Amadeo VI of Savoy to destroy these heretics, and in the attacks then launched many perished and others emigrated to the valleys of Apulia and Calabria in Southern Italy. The Waldenses, however, were by no means extinct in the north, and a century later, in 1488, those who inhabited the mountain valleys were attacked by a force of 18,000 crusaders, but the villagers beat off the attack. Persecution was renewed from time to time, and in 1520 the Waldenses opened negotiations with the Swiss Protestants and were admitted into the Calvinist Church.

Meantime Charles of Anjou had established the Inquisition both in Naples and Sicily, but the French were driven out of Sicily after the Sicilian Vespers of 1283, and as the Popes were opposed to Pedro III of Aragon, whose rule succeeded that of the French, there was no chance of inquisitorial activity. In 1302 Boniface VIII found it expedient to recognize Frederick of Aragon as ruler of the two Sicilies, and inquisitors were re-appointed, but their operations were subjected to considerable control. On an appeal from the persecuted Jews, Frederick issued orders in 1375 severely reproving the inquisitors, and directing that in future civil judges should take part in inquisitorial trials, and that an appeal should lie to the High Court. Although the Inquisition continued to function, all sentences were required to be transmitted to the Viceroy, who sent them to a royal judge for consideration before they were confirmed. When the island came under Ferdinand and Isabella the Inquisition regained some part of its vigour, and in 1492 issued an edict of banishment against the Jews.

On the mainland of Southern Italy the Inquisition existed but displayed no great vigour or efficiency. This is apparent from the fact that the Waldensian communities were allowed to remain unmolested. When in 1442 the house of Aragon obtained possession of the throne of Naples the power of the Inquisition was still further reduced, no conviction being allowed without the partici-

pation of the secular magistrates, and all sentences required royal confirmation. Ferdinand the Catholic, who acquired the Kingdom of Naples in 1503, made a solemn promise that no inquisitors should be sent there. Nevertheless, both in 1503 and 1510 attempts were made to introduce the hated institution, but they created so much irritation that the inquisitors were withdrawn.

The Republic of Venice refused for a long time to admit the Inquisition into its territories, and dealt with heresy through the bishops and officers of its own. On the plea that fugitives from Lombardy and Tuscany took refuge in Venetian territory, Pope Nicholas IV in 1288 threatened the Doge with ecclesiastical penalties unless the Inquisition was given assistance, and the Republic was forced to give way. But it retained in its own hands all fines and confiscations resulting from the Holy Office's proceedings, thus removing one of the chief temptations to abuse. Moreover, to the last the State maintained strict supervision over the inquisitors' activities, and interfered in any case of misuse of power. When in 1521 Leo X issued a violent bull ordering inquisitors to use freely the power of excommunication and interdict if their sentences were not executed without examination or revision, the Council of Ten quietly directed that all trials should be made by one or two bishops, an inquisitor, and two doctors, that torture was not to be used, and that the result was to be read in the court of the Podesta. Had all

Governments in Europe shown an equally firm spirit the scandals of the Inquisition would not have occurred

6. *Spain*

The history of the Inquisition in Spain is almost a separate subject, and only the barest sketch of it can be given here. Its predominantly ecclesiastical nature is, however, beyond doubt, and it was a true descendant of the Papal Inquisition. In 1479 Ferdinand Prince of Aragon, who by his marriage with Isabella was already King of Castile, succeeded to the throne of Aragon, and thus united the kingdoms of Aragon and Castile.

In Castile a strong national prejudice against papal intervention had hitherto prevented the introduction of the Papal Inquisition. The suppression of heresy was treated as an affair of the State, and all papal edicts on the subject were ignored.

In Aragon the Papal Inquisition had been introduced as early as 1238, but it was not popular, and in 1325 the Cortes prohibited the use of the inquisitorial process and the employment of torture. This resolution, however, had little effect, and Nicholas Eymerich, who was director of the Inquisition in Aragon from 1356 to 1386, has left on record one of the most complete manuals of inquisitorial procedure.

Both in Aragon and Castile there prevailed, in the early Middle Age, an unusual spirit of toleration. As the country was gradually conquered from the Moors, a large Moorish population came under

Spanish rule, and it became the policy of the Christian kings to make their regime attractive to the Mudéjares, as the Spanish Moors were called. This method was so successful that the Mudéjares forgot their own language, and a fusion of the two races was in progress which would have been very beneficial to the country, as the Moors were the most industrious and useful class of the population. The Jews likewise were treated with consideration, and were allowed to find a refuge in Spain when forced to flee from other parts of Europe. They found employment in the service of the State and in the learned professions, which they almost monopolized.

This toleration of the unbeliever, whether Moor or Jew, was extremely distasteful to the Roman Church. It made constant efforts to work up feelings of enmity against the non-Christian, and its first step was to secure laws forcing the Mudéjares and Jews to wear distinctive dress. This was accomplished in the fourteenth century, and in 1388 a further means of isolation was achieved by requiring the "infidel" to dwell apart in separate quarters of each town. Priests, such as Ferran Martinez, Archdeacon of Ecija, and Official of the Archbishop of Seville, were tireless in denouncing the unbeliever, and gradually these efforts to promote hatred infected the hitherto tolerant population.

The first outbreak occurred at Seville in March, 1391. The Jewish quarter was sacked by a

fanatical mob and four thousand of its inhabitants were massacred, the remainder saving their lives by accepting baptism. From Seville the flame spread throughout the country, and similar massacres occurred in town after town. Everywhere the Jew had to choose between death and Christianity, those who accepted this compulsory form of conversion being known as Conversos. The Moors were not included in these outrages, through fear of reprisals on the Christians in Granada and Africa. When in the fifteenth century fresh attacks were made on the Conversos, as at Toledo in 1449 and Cordova in 1473, the fanatical mobs, incited by the priests, also attacked the Marranos or Christianized Moors.

This was the position of affairs on the accession of Ferdinand and Isabella. In 1478, before the union with Aragon, the sovereigns resolved to introduce the Inquisition into Castile, and made application to the Pope accordingly. But they laid down several conditions. The Holy Office was to be under royal, not papal, control, inquisitors were to be appointed and removed by the crown, and, worst of all, the proceeds of confiscations were to be credited to the royal treasury. After a struggle which lasted some months, Sixtus IV gave way, and issued a bull sanctioning the establishment of the Inquisition in Castile on the terms laid down by Ferdinand and Isabella.

In Aragon, where the Papal Inquisition had long functioned fitfully, the only step necessary

was to bring the institution under crown control, and this was accomplished in 1481

The Spanish Inquisition, as thus created, possessed all the characteristics of the papal institution, with the added quality that its inquisitors were officers of the crown, and so were backed by the whole power of the State. As the proceeds of confiscations went to the State treasury, the Government had a strong motive for supporting the authority of the inquisitors. Their proceedings were marked by the usual practices of the Holy Office, such as the secrecy of proceedings, the refusal to communicate to the accused the names of witnesses, and the free use of torture to extract confessions.

The first *auto-de-fé* in Castile was celebrated on February 6, 1481, when six men and women were burned to death at Seville. By November, 1481, 298 persons had been burned and 79 condemned to perpetual imprisonment. Operations were continued briskly. Thus at Toledo, in 1486, 750 persons of both sexes were exhibited at the first *auto-de-fé*, 900 at the second, and 750 at the third. In the course of a few years many thousands were thus dealt with.

In Aragon the commencement of active operations was somewhat delayed by an effort of the Pope to retain control over the Inquisition in that country. It failed, and in October, 1483, the famous Torquemada, Confessor to Queen Isabella, who had already been appointed Chief Inquisitor

and President of the Suprema, or Supreme Council of the Inquisition in Castile, was recognized as Inquisitor of Aragon also. Torquemada was given wide powers, for he was authorized to alter the rules of the Inquisition at his discretion, so as to fit them to the needs of Spain. Various codes of instruction drawn up in exercise of this authority were subsequently issued.

In 1492 it was resolved to expel all Jews from the country. The reconquest of the peninsula from the Moors had just been completed by the surrender of Granada, and the financial support of the Jews was no longer essential. Under the decree of expulsion over 150,000 Jews left Spain, while 50,000 were baptized and 20,000 died. The operation thus cost Spain 170,000 of its most intelligent citizens.

When Ferdinand introduced the Inquisition he intended that it should be entirely under his control. He retained in his own hands both the power of appointment of inquisitors and the control of finance, and every detail of its organization and working was subject to his supervision. After his death this close scrutiny by the sovereign ceased, and the Inquisition gradually asserted a larger and larger measure of independence.

The appointment of the Inquisitor-General was at all times in the hands of the Crown, and the right to appoint the other members of the Suprema, five in number, also vested in the King. But a

custom arose under which the Inquisitor-General submitted to the King three names from which the appointment should be made, thus closely limiting the royal choice even of members of the Suprema. All other appointments connected with the Inquisition were in the hands of the Inquisitor-General. From the end of the seventeenth century all pretence of royal control over such appointments disappeared.

A far more important invasion of royal authority was the claim of the Inquisition to recognize no royal command unless it passed through its own hands. An attempt to introduce this principle in 1512 was promptly disallowed by Ferdinand the Catholic, but under his successors it was again and again brought forward and gradually established. Therefore, no order of the King was of avail until it was confirmed by the Inquisitor-General.

A second step of far-reaching importance was achieved when the Inquisition secured independent control of its finances. The frequent absences of Charles V from Spain obliged him to authorize the Suprema to deal with confiscations and other monies coming into its hands. By the middle of the sixteenth century the Crown's control over the finances of the Holy Office was little more than nominal, and in 1560 orders were sent to the inquisitors to report confiscations to the Suprema and not to the King. Philip III and Philip IV made repeated efforts to obtain statements of the receipts from confiscations and fines, but without

success. At the beginning of the eighteenth century the King did indeed make good his claim to a percentage of the rents from confiscated property, but the Inquisition always maintained its right to fines, and so enjoyed a permanent source of income.

Thus possessed of financial independence and free from all efficient control either by the Pope or the King, the Inquisition constituted an *imperium in imperio*. There was practically no appeal from its decisions and it was a law to itself. Every inquisitor possessed complete personal immunity, and the same privilege was claimed for every servant of the Holy Office. Anyone aggrieved by any act of one of the innumerable hangers-on of the Inquisition had no remedy but an appeal to the Suprema, and that body, whatever private censures it might issue, had too keen a sense of the importance of maintaining the dignity of the Holy Office not to support its agents in public.

Even the buildings of the Inquisition were regarded as inviolable, and no person who took refuge there could be pursued and arrested. Any police officer or magistrate venturing to do such a thing would be subject to the vengeance of the omnipotent institution. Public functionaries were indeed treated with studied insolence. The Inquisition's claim to cognizance of all matters touching the faith gave it almost unlimited jurisdiction, and it continually contested the authority of the royal courts in matters both civil and criminal.

No official was too high and no noble too great to be safe from attack. So tremendous was the power of the Inquisition that communities were thankful to buy security from corrupt inquisitors. Thus the Conversos of Cordova executed an agreement to pay 2,200,000 maravédís as a composition in lieu of confiscations to which they might become liable, and the inquisitor received a personal bribe of 100,000 maravédís.

Nor was the control of the Holy Office limited to the laity. It extended both to the clergy and the religious orders. When the Society of Jesus was formed a strong effort was made to secure for it exemption from the authority of the Inquisition, but without success.

The only class of ecclesiastics which resisted the jurisdiction of the Inquisition was the Bishops. Torquemada made an attempt to bring them under the power of the Holy Office, but failed.

It might have been thought that not even the Spanish Inquisition would have ventured to cross swords with the Roman Curia, but so far was this from being the case that the right of appeal to the Pope was a matter of dispute for centuries. The Holy Office avoided any open challenge of papal authority, but by procrastination and subterfuge it made the appeal useless.

The expulsion of the Jews, and later of the Moors, inflicted a serious blow on the prosperity of Spain. The exactions of the Inquisition, its assaults on property, and its defiance of the civil

law of the State added to the injury. In the end Spain, which in the fifteenth century stood in the front rank of European nations, was reduced to a state of stagnation and arrested development.

7. The Netherlands

The Burgundian dominion, including much of what is now Belgium and Holland, came under the rule of the Habsbourgs through the marriage of Maximilian of Austria with Mary of Burgundy in 1477. On the death of Maximilian in 1519 his grandson Charles V, who was already King of Castile and Aragon, was elected Emperor.

Although not a bigot of the same type as his son Philip II of Spain, Charles V was determined to check as far as possible the spread of the new religious doctrines which were coming from Germany, and he was ready to resort to the most ruthless measures to achieve this. The Inquisition, which had not previously been active, if it existed at all, in the Burgundian provinces, was introduced in 1521.

A first edict against heresy had been issued by Charles in 1520, and this was followed by many others, culminating in that of 1550. This forbade the printing, copying, sale, or possession of any of the works of the German reformers. It prohibited any unauthorized lay persons from conversing or disputing concerning the Scriptures, from reading, teaching, and expounding them, and from preaching. It also made penal the holding

of the opinions of the heretic teachers. Offenders were to be executed—the men by the sword, and the women to be buried alive—if they did not persist in their errors ; if they did, they were to be burned ; and in both cases their property was to be confiscated. The edicts contained many other provisions, embodying the usual principles of the Inquisition, against harbouring heretics or failing to denounce any suspected heretic

These savage provisions were savagely carried out. In 1546 the Venetian envoy estimated the number of persons executed in Holland and Friesland alone at thirty thousand, and Grotius put the total at not less than a hundred thousand.

Charles's son, Philip II, King of Spain and the Netherlands, republished his father's edicts against heresy within a month of his accession in 1555, and continued to enforce them with pitiless severity. Philip himself, in a letter to the Regent Margaret of Parma, gave as a reason for not introducing the Spanish form of the institution in the Netherlands that the Inquisition of the Low Countries was really more free from pity—*plus impitoyable*—than that of Spain.

For twelve years the struggle continued. The operations of the Inquisition were directed by Cardinal Granvelle, and men and women were tortured and burned without cessation. These measures were, however, unsuccessful in checking the progress of the new religion. Early in 1566 a covenant, known as the Compromise, was signed

by many of the great nobles denouncing the Inquisition as "iniquitous, contrary to all laws, human and divine, surpassing the greatest barbarism which was ever practised by tyrants, and redounding to the dishonour of God and the total desolation of the country " In May a document called the Moderation was issued by the Regent Margaret of Parma, but the only material concession it contained was that heretics were to be hanged instead of burned The persecution of the new religion redoubled Great numbers were executed Outbreaks occurred at Antwerp, Ghent, Valenciennes, and many other towns, and in 1567 Philip sent an army of 10,000 men under the Duke of Alva to subdue the country and root out heresy.

Alva's campaign in the Netherlands belongs to the general history of the country He is said to have put 1,800 people to death in the first three months, and when he left the Netherlands he boasted that he had ordered 18,600 persons to be executed for heresy

These atrocities also failed of their effect In August, 1568, the Declaration of Justification which was issued by the Prince of Orange declared that the introduction of the Inquisition had destroyed all protection to liberty, and that they could no longer look on "at the murders, robberies, outrages, and agony" committed by the Spaniards The revolt was begun which ended in the establishment of the Dutch Republic and the freeing of the country for ever from the Inquisition.

8. *The Spanish Colonies*

Spain was not content with establishing the Inquisition at home, and with inaugurating it in the Netherlands, she also introduced its blessings into America. Ferdinand IV issued a decree to this effect, and in 1516 the Bishop of Cuba was appointed Inquisitor-General of America. Complaints soon arose that the inquisitors were misusing their powers by torturing and even burning the ignorant natives on trumped-up charges in order to get possession of their property, and in 1538 a royal edict was issued confining the activities of the Inquisition in America to Europeans. Philip II, however, cancelled these restrictions, and the Inquisition, thus freed from control, became even more tyrannical than elsewhere. The Viceroy had little inclination to interfere with so powerful an organization, which if opposed might easily secure their recall, and the inquisitors, generally Dominican friars, were frequently men of abandoned life who had joined the Order for the sake of the opportunities of extortion which it gave.

It is impossible to trace in detail the record of the Holy Office in each of the various Spanish possessions, such as Porto Rico, the Philippines, Mexico, Panama, Columbia, Ecuador, Bolivia, Chile, the Argentine, etc. According to the records at Lima, during the 250 years of the Inquisition's existence in Peru there were twenty-nine

autos-de-fé, fifty-nine persons were burned alive, and 458 were excommunicated, exiled, scourged, etc.; but these figures are, of course, paltry compared with those of Spain, where during the same period approximately 20,000 were burned at the stake and 125,000 condemned to imprisonment, the galleys, or otherwise

The use of torture in the Spanish American Colonies was no less common than in Spain, and various fresh varieties of the most diabolical description were invented. The ordinary rule that torture should not involve bloodshed or the loss of a limb was completely ignored. At Lima a document is preserved which says "We ordain that the said tortures be employed in the manner and for such time as we judge convenient after denial of the accusations, and in case of lesions, fractures, or deaths resulting therefrom, such can be imputed only to the obstinancy of the accused." Torture was used for all kinds of offences, such as heresy, witchcraft, failing to attend divine service, possession of forbidden books or literature, celebration of Mass by those not ordained priests, failure to uncover in the presence of a viceroy or a dignitary of the Church, failure to denounce heretics or sorcerers, living a dissolute life, living among Indians, expressing revolutionary or heretical opinions, etc. These methods continued to be employed for two hundred years, but by the end of the eighteenth century and the beginning of the nineteenth the

Inquisition's power was waning and it was chiefly concerned with cases of heresy. After its abolition in 1813 many secret underground cells and dungeons were found, in some of which were skeletons of long-forgotten prisoners still chained to the walls.

CHAPTER VIII

THE INQUISITION AND WITCHCRAFT

THE original object of the Inquisition was the extirpation of heresy. When in 1257 the question whether it ought not also to take cognizance of cases of sorcery and divination was submitted to the Pope Alexander IV, he laid down that the inquisitors should take up cases of magic and witchcraft only if these involved heresy. This principle was embodied in the Canon Law by Boniface VIII. Although it gave no immediate encouragement to the persecution of magicians and witches by the Inquisition, it afforded a wide opening to such proceedings, for it was easy to show the heretical nature of all occult lore.

Up to the thirteenth century the Church had regarded witchcraft as mere superstition, but a change in that attitude now occurred. St. Thomas Aquinas supported both the reality of witchcraft and its heretical character. Thus scholasticism lent its authority to the belief in witchcraft and stamped all the magical arts with the brand of heresy.

A strong stimulus to the persecution of sorcerers and witches was given by Pope John XXII, who was a firm believer in the reality of magic, and

who, in edicts issued in 1317, 1318, and 1320, urged the Inquisition to increased activity against magicians of all kinds. Ten years later he withdrew these cases from the Inquisition, but from 1320 onwards there was a great increase in convictions for sorcery, and the inquisitors introduced the practice of inserting a renunciation of sorcery in the abjurations exacted from repentant heretics.

It was not, however, until a century later that the great outburst of popular delusion regarding witchcraft occurred. In 1459–1460 an extraordinary series of accusations, trials, and executions occurred at Arras in France. In 1484 Pope Innocent VIII, in his bull *Summis*, added fuel to the flames; while in 1489 the publication by the Inquisitor Jacob Springer of his manual entitled *Malleus Maleficarum* supplied the requisite guidance for the conduct of the inquiries. Many of those accused of witchcraft firmly believed in their own magical powers, and their confessions contributed to the popular belief in the reality of the supposed manifestations.

The number of persons who fell victims to this strange outburst of superstition has been variously estimated at from a hundred thousand to several millions. It was not confined to Roman Catholic countries, and witches were burnt in great numbers in England, Scotland, Germany, and elsewhere. The Inquisition was active in the matter in Italy, and Paramo boasted that in the century and a half

108 THE INQUISITION AND WITCHCRAFT

from 1404 onwards the Holy Office had burnt at least 30,000 witches

Unlike the Cathari and other heretics, persons accused of witchcraft were often ready to confess, for they firmly believed in their own magical powers. The confessions thus made or extorted by torture contributed to the spread of a belief in the reality of the alleged manifestations, and the Church, alarmed at what it regarded as a new form of heresy, did its utmost to stimulate the efforts at repression

CHAPTER IX

CONCLUSION

IN this brief sketch of the history of the Inquisition little attempt has been made to trace the proceedings of the institution beyond medieval times. The Inquisition, as a body, still exists at Rome, and its principles have never been repudiated. Intolerance is still avowedly the principle of the Church, and has been asserted and defended in recognized publications such as the *Catholic Encyclopædia*. Thus the Rev Dr. Pohle, writing in that publication, states that "intolerance towards error, as such, is among the self-evident duties of every man who recognizes ethical obligations," and "is a prominent characteristic of the Catholic Church." In this statement of principle "error," of course, means any opinion which is in conflict with the teaching of the Church. In 1897-98 Rev M. de Luca, S J, Professor of Canon Law in the Gregorian University at Rome, published a collection of his lectures, in which he claimed for the Roman Church the right of the sword over heretics, "although," he says, "the Church exercises this its most certain right through civil princes, whose magistrates are bound to slay, without distinction or examination into the case (*sme*

distinctione et cognitione causæ), heretics—that is, men handed over to them by the inquisitors.”¹ Still more recently, in 1909, Rev. A. Lépiciér, then a Professor in the Papal College at Rome, published a lengthy work entitled *De Stabilitate et Progressu Dogmatis*, in the course of which the medieval theory of persecution, as set forth, above all others, by St Thomas Aquinas, was reiterated and reaffirmed. When a second edition was issued in 1910 it was accompanied by a special letter of commendation and approval from the then Pope Pius X. As though to emphasize the official approbation of the teaching in this book, its author has since been raised to the rank of Cardinal. The same line of thought is followed by other, if less authoritative, Roman Catholic writers. Thus the Rev. R. A. Knox tells us that to banish innovators in religion seems to him quite a reasonable attitude for a Catholic country to take up.² He does not think that in practice the death penalty could be revived, but he clearly holds that an apostacy which threatens to propagate apostacy is a sin worse than murder. Elsewhere he has said that when Roman Catholics demand liberty of the modern state they are appealing to its principles, not their own.

It is in the light of such utterances as these that we must interpret the clause in the last (1917–18)

¹ Vide *The Death Penalty for Heresy*, by Dr G. G. Coulton, M. A.

² Maycock's *The Inquisition*, Introduction, p. xvi.

issue of the Roman Codex, which lays down that penalties not therein specified are to be regarded as abrogated. We note particularly that, though the penalties are abrogated, the principles from which those penalties flow are neither abrogated nor abandoned. The Roman Church has apparently abated nothing of its claim to suppress independent opinion on religious matters. It still maintains every item of its medieval pretensions. So long as its principles continue to be unchanged, and so long as intolerance is still blazoned on its banner, the history of the Inquisition must retain its value both as a record—and as a warning.

INDEX

- ACTON, Lord, 1**
Agrippa, Cornelius, 61
Albi, 21, 49, 78
Albigenses, 10, 11, 20, 21, 22, 80
Albigensian Crusade, 10, 11
Alexander IV, Pope, 50, 106
Alva, Duke of, 102
Amadeo VI of Savoy, 89
Aquinas, St Thomas, 14, 72, 106, 110
Aragon, 90, 92, 94, 95, 96, 100
Aristotle, 20
Arles, Council of, 33, 62
Arnauld, Papal Legate, 11
Augustine, St , 16
Avempace, 20
Averroes, 20
Avicenna, 20
Avignonet, 78

BEGHARDS, 82
Begunes, 82, 83, 84
Belloc, Hilaire, 69
Benedict XI, Pope, 79
Bernard de Caux, 75
Bernard Délicieux, 80
Bernardo di Como, 43
Béziers, 11, 24, 65
Bingen, town of, 84
Bohemia, 84, 85, 86
Bologna, 20, 29
Boniface VIII, Pope, 60, 75, 79, 90, 106

CALABRIA, 89
Calvinists, 81, 89
Canterbury, 57
Carcassonne, 48, 49, 54

Casser, 24
Castile, 92, 94, 95, 96, 100
Castres, 24
Cathari, 9, 22, 24, 42, 44, 77, 78, 79, 80, 82, 88, 89, 108
Catharism, 23
Caux, Bernard de, 75
Charlemagne, 3
Charles of Anjou, 88, 90
— V of France, 89
— V of Spain, 97, 100
— IV, Emperor, 82
Chasseneuil, 24
Christ, 21
Chrysostom, St John, 17
Clement IV, Pope, 34, 88
— V, Pope, 48, 49, 54, 61, 79
— VI, Pope, 19
Cologne, 57
Compostella, 57
Conversos, 94, 99
Conrad IV, Emperor, 87, 88
Constance of Sicily, 87
—, Council of, 86
Constantine, 16
—, Donation of, 14
Cordova, 99
Cornelius Agrippa, 61
Corsica, 89
Coulton, Dr G G , 30, 72, 110
Crusades, Crusaders, 8, 20, 24

DANCERS, sect of, 83
Dante, 13
Dauphiné, the, 81
Dominic, Saint, 25
Dominican Friars, 25, 26, 61, 77, 78, 79, 80, 88, 103
Douais, Mgr , 29, 63

- ENGLAND**, 13, 107
Europe, 21, 22, 32, 37
Eymerich, Nicholas, 43, 45, 47, 49, 53, 68, 92

FERDINAND, King of Aragon and Castile, 90, 91, 92, 94, 96, 97
 — **IV**, King of Spain, 103
Flagellants, sect of, 83
Florence, 67
Foggia, Battle of, 88
France, 3, 21, 22, 23, 24, 34, 37, 68, 89
Francis, St., 13, 25
Franciscan Friars, 25, 84
Frederick of Aragon, 90
 — **II**, Emperor, 2, 28, 29, 31, 32, 62, 71, 72, 87, 88
Free Spirit, Brethren of the, 80, 82
Friends of God, 83

GERMANY, 21, 34, 68, 82, 84, 107
Ghent, 102
Gherardo of Florence, 67
Giotto, 13
Granada, 94, 96
Granvelle, Cardinal, 101
Gregory VII, Pope, 12, 17, 18
 — **IX**, Pope, 26, 27, 28, 29, 31, 62, 80, 82, 88
 — **XI**, Pope, 81, 89
Gui, Bernard, 43, 44, 45, 46, 47, 48, 49, 54, 59, 63, 64, 66, 75, 80

HABSBURGS, the, 100
Henry VI, Emperor, 87
Hermas, the Shepherd of, 21
Hohenstaufens, the, 87, 88
Holland, 100, 101
Holy Land, the, 57, 63
Honorius III, Pope, 88
Huss, John, 85, 86
Hussites, the, 84, 87

INNOCENT III, Pope, 7, 10, 11, 23, 24, 25, 31, 43, 65
 — **IV**, Pope, 3, 33, 34, 50, 59, 65, 72, 87
 — **VIII**, Pope, 107
Isabella of Aragon and Castile, 90, 92, 94
Italy, 21, 22, 35, 68, 87, 88, 89, 90, 107

JEROME of Prague, 86
Jerusalem, 58
Jesus, Society of, 99
Jews, the, 90, 93, 94, 96, 99
John XXII, Pope, 54, 80, 106
 — of Zurich, 82

KELLINGER, Walter, 83
Knox, Rev R A, 110

LANGUEDOC, 10, 11, 22, 23, 25, 26, 42, 57, 71, 77, 78, 79, 80, 87, 88
Lateran, Council of the, 24, 30, 71
Lavour, 24
Lea, 5, 17, 47, 54, 63, 66, 69, 74, 76
Leo III, Pope, 14
 — **X**, Pope, 91
Lépicier, Cardinal, 73, 110
Lima, 103, 104
Lombardy, 91
Louis XI of France, 81
 — **XII of France**, 81
Luca, Rev M de, 109
Lucius III, Pope, 23
Luther, 84
Lyons, 20, 21, 81

MANFRED of Sicily, 88
Manicheans, 21
Margaret of Parma, 101, 102
Marranos, 94
Martin IV, Pope, 67
Martinez, F, 93
Maximilian, Emperor, 100

- Maycock, A L , 3, 11, 13, 110
 Milan, 88
 Minerve, 24
 Montford, Simon de, 11
 Montségur, 78
 Moors, 92, 93, 94, 96, 99
 Moslems, 20
 Mudéjares, 93

 NAPLES, 87, 88, 90, 91
 Narbonne, 10, 33, 62, 78
 Netherlands, 101, 102, 103
 Nicholas IV, Pope, 91

 ORANGE, Prince of, 102

 PADUA, 60, 61
 Palestine, 58
 Paramo, 76, 107
 Paris, 20
 Pascal, 7
 Paul, St , 16
 Pedro III of Aragon, 90
 Pegna, 47
 Philip Augustus of France, 10, 23
 Philip II of Spain, 100, 101, 102, 103
 — III of Spain, 97
 — IV of Spain, 97
 Philippe le Bel of France, 79
 Piedmont, 68
 Pius X, Pope, 110
 Pohle, Rev Dr , 109
 Polycarp, 16
 Priscillian, 17
 Provence, 10, 81
 Pyrenees, 79

 QUÉRIBUS, castle of, 79

 RAYMOND, Count, 8, 10, 23, 78, 79

 Richard II of England, 85

 SALISBURY, 19
 Savoy, 81, 89
 Scotland, 107
 Sens, Archbishop of, 32
 Seville, 93, 94, 95
 Sicily, 87, 88, 90
 Sigismund, Emperor, 86
 Sixtus IV, Pope, 94
 Smith, Goldwin, 8
 Spain, 52, 57, 91, 92, 93, 96, 97, 99, 100, 101, 103, 104
 Springer, Jacob, 107
 Steyer, 84

 THEODOSIUS I, 16
 Thomas, St , 57
 Toledo, 95
 Torquemada, 95, 96, 99
 Toulouse, 8, 10, 21, 23, 24, 25, 26, 62, 63, 78
 Turberville, A S , 75
 Turin, 89
 Tuscany, 91

 URBAN V, Pope, 34, 35

 VACANDARD, the Abbé, 69, 72
 Valence, Council of, 59
 Valenciennes, 102
 Venice, 68, 91
 Vicenza, 60, 61
 Vienne, Council of, 61
 Vigilantius, 16
 Viterbo, 11

 WALDENSES, the, 9, 20, 24, 77, 80, 81, 83, 84, 88, 89
 Waldo, Peter, 20
 Wickliff, John, 85
 Witchcraft, 106

The Rationalist Press Association Limited

President:

PROFESSOR H. J. LASKI

Past President:

PROFESSOR GRAHAM WALLAS (1926-1929)

Honorary Associates:

Hypatia Bradlaugh Bonner
Prof M C Bouglé
Dr J H Breasted
Dr C Delisle Burns
Dr Stanton Coit
Hon John Collier
Dr P L Couchoud
Prof F A E Crew
Prof John Dewey
Dr Griffith Evans
Sydney A Gimson
W S Godfrey
F J Gould
Dr A C Haddon

Prof J B S Haldane
Sir John A Hammerton
J A Hobson
Dr Bernard Hollander
Julian S Huxley
Dr Leonard Huxley
Prof Sir Arthur Keith
H A Longman
G E Macdonald
Prof B Malinowski
F S Marvin
Joseph McCabe
Sir P Chalmers Mitchell
Ernest Newman

Prof Thomas Okey
Dr R P Paranjpye
Prof C J Patten
Eden Phillpotts
Bertrand Russell
H S Salt
Prof Frank C Sharp
Prof G Elliot Smith
Sir John Sumner
Edward Tuck
H G Wells
Prof Ed A Westermarck
Winifred Whale

Secretary and Registered Offices:

ERNEST THURTLÉ, Nos 4-6 Johnson's Court, Fleet Street, London, E C 4
Telephone Central 8812

THE CHIEF AIMS OF THE ASSOCIATION ARE:—

- 1 To stimulate freedom of thought and inquiry in reference to religious beliefs and practices
- 2 By its publications to encourage popular interest in the physical sciences and the various branches of criticism and philosophy, as connected factors in that progressive human culture which is independent of theological creeds or dogmas
- 3 To promote a secular and ethical system of education, the main object of which shall be to cultivate in the young moral and intellectual fitness for social and civic life
- 4 To re-issue, in cheap and convenient form, standard or notable books of a scientific, critical, ethical, or philosophical character

Further particulars, Catalogue of publications and specimen copy of the *Literary Guide and Rationalist Review* may be obtained on application to the Secretary

What the R.P.A. Is

THE Rationalist Press Association Limited consists of some thousands of men and women scattered throughout the world, of many different nationalities, and of very varied social position and economic circumstance. They are pledged to no creed, to no set of dogmas, but they accept the supremacy of Reason, and aim at making this supremacy effectual in the affairs of every-day life.

In the thirty odd years of its existence the R P A has printed and sold more than four million cheap reprints of the works of the great thinkers—Huxley, Darwin, Spencer, Mill, Haeckel, Renan, Paine, Winwood Reade, Lecky, Clodd, Bradlaugh, Wells, etc., in addition to hundreds of thousands of copies of new works on Science (particularly Evolution), History, Philosophy, and Biblical Criticism.

The R P A has recently launched two new series of books which are having a very large sale. The Forum Series, issued at 1s and 7d, consists of original works by some of the leading thinkers of the day, including Sir Arthur Keith, Professor Julian Huxley, Professor Elliot Smith, Dr Bernard Hollander, Mr J A Hobson, Professor C J Patten, etc. The Thinker's Library comprises reprints of classical works, attractively produced at one shilling each. Among the titles which have already appeared are Mr H G Wells's *First and Last Things* and *Short History of the World*, Spencer's *Education*, Haeckel's *Riddle of the Universe*, Rt Hon J M Robertson's *Short History of Christianity*, Llewelyn Powys's *Pathetic Fallacy*, Sir Leslie Stephen's *Agnostic's Apology*, Vivian Phelps's *Churches and Modern Thought*, Darwin's *Origin of Species*, Winwood Reade's *Martyrdom of Man*, Sir J G Frazer's *Adonis*, Anatole France's *Penguin Island*, Viscount Morley's *On Compromise*, and Joseph McCabe's *The Existence of God*.

The R P A is not satisfied with what it has done. It wants to put within the reach of the leanest purse still more of the best intellectual products of the ages, it wants to make it possible for every one to satisfy his thirst for knowledge, to know the facts of life, to induce every one to think fearlessly, clearly, and without bias.

To carry out these aims the co-operation of Rationalists and of liberal thinkers generally is essential. If you are in sympathy with its aims and appreciate the work it has done in the past, and are wishful of assisting it to do better work in the future, you should

JOIN THE R P A NOW!

