Introduction

"A thing . . . burdenous to the world"

I

Between the twelfth and the sixteenth centuries in western Europe, the Latin Christian Church adapted certain elements of Roman legal procedure and charged papally appointed clergy to employ them in order to preserve orthodox religious beliefs from the attacks of heretics. Between the sixteenth and the nineteenth centuries, chiefly in Mediterranean Europe, these procedures and personnel were transformed into institutional tribunals called inquisitions charged with the protection of orthodox beliefs and the maintenance of ecclesiastical discipline in the Latin Christian community. Between the sixteenth and the twentieth centuries, largely as a result of the division within the Latin Church into Roman Catholic and Reformed (or Protestant) confessions, these procedures, personnel, and institutions were transformed by polemic and fiction into a myth, the myth of *The Inquisition*. The institutions and the myth lived—and developed—in western Europe and the New World until the early nineteenth century, when most of the inquisitions were abolished, and the myth itself was universalized in a series of great artistic works into an indictment, by a modern world, of an earlier Europe for its crushing of the human spirit.

Although the inquisitions disappeared, *The Inquisition* did not. The myth was originally devised to serve variously the political purposes of a number of early modern political regimes, as well as Protestant Reformers, proponents of religious and civil toleration, philosophical enemies of the civil power of organized religions, and progressive modernists; but the myth remained durable, widely adaptable, and useful, so that

in time it came to be woven tightly into the fabric of modern consciousness. So tight is its place in that weave that the myth has been revived in the twentieth century and applied, not chiefly to religious institutions or disciplinary techniques, but to the perceived excesses of some secular governments, and to those twentieth-century states that appear to seek endless, detailed information about the lives and thoughts of their citizens.

There has never been an account of this history and this myth. Yet an account of both provides an illuminating perspective on much early and recent history, not least as an account of the ways by which the changing value systems of a historical culture have perceived, defined, and acted upon the problem of dissent. The problem of the self-definition of societies in history is central to historical understanding; one way of measuring such self-definition is to consider both the history of a culture and the myths by which a culture perceives its own movement through time. In the late nineteenth and twentieth centuries it has become possible to do this for a great many cultures over long periods of the past. All cultures have immediate uses for the past, but until recently few cultures have distinguished between—and lived with—a mythical *and* a historical past. Side by side with the myth of *The Inquisition*, there has also grown up a history of inquisitorial procedures, personnel, and institutions, one that can illuminate important aspects of the past and measure the myth as well. Although myths compete with histories, myths themselves have histories, and the history of myth is a valid part of history.

Any history that deals with a part of the past once preempted by myth ought to be an account of both the history and the myth, and it should also explain how the history emerged from a past preempted by myth, how that history became possible and how it displaced—or attempted to displace—the myth.

This book proposes to tell three such histories. The first is that of the legal procedures, personnel, and institutions that shaped the inquisitorial tribunals of early modern Europe. The second is the history of the myth of *The Inquisition*, from its shaping in the hands of anti-Hispanists and religious reformers in the sixteenth century to its universalization in a series of great artistic works in the nineteenth century. The third is the history of how a history of the inquisitions emerged out of myths of *The Inquisition*.

The ecclesiastical courts that were technically called inquisitions, and were later mythologized into *The Inquisition*, had their origins in several procedural changes in Roman law that occurred no later than the late first century B.C. Inquisitorial *procedure* existed first in Roman and then in canon law, long before there were inquisitors. From the thirteenth

century on, popes appointed individuals to the *function* of inquisitor long before later popes and other rulers established *institutional inquisitions*. There was never, except in polemic and fiction, *The Inquisition*, a single all-powerful, horrific tribunal, whose agents worked everywhere to thwart religious truth, intellectual freedom, and political liberty, until it was overthrown sometime in the nineteenth century—*The Inquisition* of modern folklore.

The origins of the myth can now be traced back through the history of early inquisitorial procedure, personnel, and institutions. The emergence of inquisitorial procedure in Roman criminal and civil law around the beginning of the Common Era shaped the Empire that was Christianized in the fourth century, and in turn influenced the organization of ecclesiastical offices and the character of ecclesiastical discipline. Papally appointed inquisitors appeared from the thirteenth to the fifteenth centuries, and from 1478 on there appeared a series of institutionalized standing inquisitions in several parts of Catholic Europe, notably Spain, Portugal, Rome, and Venice. Most of these tribunals were abolished between 1798 and 1820; only that of Rome survived through various metamorphoses into the twentieth century as The Congregation for the Doctrine of the Faith.

Laws and institutions live in cultural and historical contexts. The inquisitorial procedures and personnel of medieval Europe operated in a culture in which a particular set of religious beliefs not only touched the daily lives and thoughts of all its members, but also defined and limited what are now recognized as such virtually independent fields as economics and politics. One way of looking at the confessional revolutions of the sixteenth century is to see them as a great debate about the nature of the Christian, and hence European, life. As part of that debate, each side of the confessional war defined itself and also defined its opponents in language that dated back to the early centuries of Christianity itself. As the theme of ecclesiastical discipline and religious persecution became central to these debates, and as a number of political regimes—notably that of Spain—entered the struggle as the champions of Roman Catholicism, opponents of both used the language of martyrology, the concept of a hidden, persecuted, true Church, and the Satanic depravity of their enemies to depict the inquisitions as instruments used by cynical rulers and clergy to suppress the light of the true Gospel through religious repression, and to corrupt the legitimate power of civil authorities.

Later in the sixteenth century, as the confessional revolution took on a necessary political dimension, *The Inquisition* came to represent the enemy of political liberty, the ultimate symbol of the unnatural

alliance of Throne and Altar. By the eighteenth century, when *The Inquisition* was also charged with intellectual repression, the myth had grown to such proportions that it served virtually all proponents of a particular vision of modernity as a convenient target for everything that had seemed wrong with the entire culture of the recent and remote past. It also served as a warning about giving too much power to religious authorities.

To recount the history without dealing with the myth is to tell only part of a fascinating story; to treat the myth without the history is to deprive the myth of the only thing by which it can be measured and understood. This book deals with both the history and the myth. The research of many historians over the past century has made the history possible, and a new interest in the mythologies by which cultures live has suggested that the myth, too, is a valid component of those histories.

II

When similar processes are studied in the twentieth century, they are called political mythology. As Leonard Thompson has defined it:

> By a political myth I mean a tale told about the past to legitimize or discredit a regime; and by a political mythology, a cluster of such myths that reinforce one another and jointly constitute the historical element in the ideology of the regime or its rival.

Although social groups within a state may possess their own myths, political mythology is assumed to be characteristic of the twentieth century because states are the most powerful forces in the twentieth-century world, capable of shaping public consciousness in both subtle and direct ways. But in earlier European history, some religious and philosophical causes were more important than states, and these causes too used mythologies, but as yet these have had no name. Perhaps we are still too close to the religious conflicts of the Reformation and their aftermath—and perhaps we are also too ecumenical—to term them "religious mythology." Perhaps we have too much respect for the intellectual achievements of seventeenth- and eighteenth-century philosophers to term them "philosophical mythology." In the case of *The Inquisition*, we are certainly dealing with a mythology of history, since a major component of the myth was the assertion that *The Inquisition* was so essential a component of Roman Catholicism that it had always—potentially or actually—existed, and that its sixteenth-, seventeenth-, and eighteenth-century manifestations were an unchanging continuation of its earliest existence.

Historians are not always comfortable with historical mythologies. The last work of the major twentieth-century philosopher and historian Ernst Cassirer was *The Myth of the State*, published in 1946. In it Cassirer, while recognizing the mythical component in all human life, pointed out the unique vulnerability of modern societies to state-fabricated and state-sponsored myths, and the errors of those who fail to recognize the power and the danger that these represent:

> Myth itself has not been really vanquished and subjugated. It is always there, lurking in the dark and waiting for its hour and opportunity. This hour comes as soon as the other binding forces of man's social life, for one reason or another, lose their strength and are no longer able to combat the demonic mythical powers.

But Cassirer was considering the most hideous manifestations of political mythology that the modern world had ever seen, and, as some historians have pointed out, it is an as yet unheard of society that has no myths at all, including our own, although not all of them function the same way that Cassirer saw the myth of the State functioning in the middle of the twentieth century.

In some cases, "the other binding forces of man's social life" have yet to be developed. The ideals of the twentieth century cannot be used as a norm by which to measure the social cohesiveness of past societies and other cultures without seriously misunderstanding the unique social bonds and myths of those societies and cultures. Myth, then, in this sense is simply the broadest way that any society or culture *uses* its past or present. It may be ferocious mythology of the kind Cassirer had in mind, or it may be what the Czech historian František Graus has called *lebendige Vergangenheit*, the "living past" which is the instrumental use of the past in a culture's mentality. In this sense, while myth may serve destructive ends, it may just as often serve as a substitute for as yet non-existent social bonds that will render it marginal or picturesque.

What Cassirer and Thompson call political mythology has in earlier European history also been the myth of the Church or the myth of the *Volk*—the people before it acquires a State. Leonard Thompson's own discussion of political mythology occurs in his valuable study, *The Political Mythology of Apartheid*, some elements of which derive from non-political areas, notably religion. Leon Poliakov has written of *The Aryan Myth*, the large tradition of shaped belief from which Nazis derived much of the rationalization for their policies of racial purity and violent antisemitism.

In these instances, Graus's "living past" turns deadly. But myths are not always destructive, and in many cases they may also serve to prop up a culture until that culture has devised other means of defining itself. Even when some myths serve self-definition by attacking an enemy, they serve to reinforce social and cultural bonds that may not be adequately served by institutions. Myths change as the circumstances that created and sustained them change; they serve a constant *now* by asserting that as things now are, so they have always been. They may be challenged by history, but history does not always triumph over them. The best way of understanding them is historical. In our case, we will consider what the inquisitions actually were, as formal historical research has made this possible; and we shall also consider what, for five centuries, *The Inquisition* was asserted to be.

III

This book, then, is an essay in several different kinds of intellectual history as well as a study of certain strands in legal, ecclesiastical, and political history. It is centrally a history of a myth just as much as it is a history of an institution or an idea. And it imposes some rules, chiefly concerning normally elusive and often ideological terminology.

Part of the legacy of historical myth is the history and use of historical terminology. In this book I have made some specific decisions about historical terminology that require some explanation. In describing the institutions of Christian Europe before the mid-sixteenth century, I have used the terms Greek Church or Greek Christianity for the religious world of eastern Europe and its culture. I have used the terms Latin Church and Latin Christianity to designate the religion and culture of western Europe and, after the fifteenth century, to its presence in the New World, measured in its relation to the Bishop of Rome. I have not used the term Roman Catholicism until describing events pertinent in the Latin Church from the middle of the sixteenth century on, and I occasionally use the term Roman Church for the same period. Thus, in referring to what Roman Catholics and others today refer to as the Roman Catholic Church before 1550, I use the term Latin Church or Latin Christianity. I use that term for the very same institution and culture that Protestants until recently used to designate as the False or Popish Church. I use the terms Protestant and Protestantism partly in a general sense to describe opposition to Roman Catholicism (or Latin Christianity) on the part of people in the four centuries before the present

who would have agreed on very little else, or as a general term implying opposition to Rome and the manifestations of Roman Catholicism in the different regions of Catholic Europe.

When I use the term inquisition (lower case), I address the function of institutions that were so called, as historical research has described them. When I use the term Inquisition (upper case) I always refer in shorthand to a particularly constituted, specific institution (such as the Spanish Inquisition or the Venetian Inquisition). When I use the term *The Inquisition*, I am referring in one form or another to an image, legend, or myth, usually in polemic. These decisions will not satisfy everyone, but they at least make an honest attempt to remove some of the dangerous presuppositions that often creep into even the most even-handed attempts at historical neutrality.

For the convenience of readers I have not used footnotes, but at the end of the book I have appended a substantial bibliographical essay that is arranged according to the flow of each chapter and chapter section. For all works not originally written in English, the translations are mine, except where noted, and all citations are identified in the bibliographical essay.

IV

In 1659 Francis Howgill caused to be printed in London a book with the furious title,

> The popish inquisition newly erected in New-England, whereby their church is manifested to be a daughter of mysterie Babylon, which did drink the blood of the saints who bears the express image of her mother, demonsttated [*sic*] by her fruits. . . .

The title goes on for another paragraph. Neither Howgill's language nor his idea of "the popish inquisition" is at all uncharacteristic of the confessional polemic of the seventeenth century, in England or elsewhere. But Howgill is not really interested in the Roman Church, nor in any historical inquisition. He wrote to protest the persecution of Quakers in New England, particularly in Boston, by the Massachusetts religious authorities, none of whom remotely resembled a Roman Catholic. But Howgill desperately wanted to define his persecutors in a common language of persecution that anyone—whether friendly to Quakers or not—would instantly recognize and abhor. Howgill, as had others, found that common language of persecution in *The Inquisition*.

One of the most widely read accounts of inquisitorial activity of the sixteenth century had described the Spanish Inquisition as "a thing . . . burdenous to the world." A century later, Howgill certainly recognized it as such and expected his readers to recognize it as well. So did Voltaire a century after Howgill, but with a very different agenda. So did Verdi and Dostoievsky a century after Voltaire. Early in the eighteenth century a historian who made his own contributions to the myth of *The Inquisition* observed that:

> The Inquisition is a Subject of so particular a Nature, that any one who attempts to write upon it with Impartiality, will find that he has undertaken a very difficult Province.

As anyone who has ever worked on inquisition history knows, he was right. He was right partly because myth and history in this case are closely intertwined, and to extricate one from the other is to touch something that still resonates in modern consciousness and emotion; it also raises the charge that the historian is simply creating an uncomfortable new myth to replace the old.

Even the most competent of modern historians sometimes express the fear that no writer, however critical in methodology and terminology, can ever be so free of his or her own world view, mentality, ideology, or religious confession as not to impose new myths in place of those just exposed. At its most cynical or idealistic, this fear translates into what Alan Ryan has termed the assumption that "the nicer class of historian should put in circulation a better class of myth." On the other hand, some historians assert that their work really does deal in pure historical truth. Since, however, the matters dealt with in this book are still matters of powerful emotive resonance to a great many people, including some who have no confessional stake in their history, something must be said about myth and truth.

In a collection of source materials in English translation on the history of heresy and authority in medieval Europe, I once insisted that I had made the collection and edited it "coherently and deliberately, but not ideologically, argumentatively, or least of all confessionally." No reviewer of that collection said that I had not done so. I would like to think that I have made this book in the same spirit. If I have not, some generous critic will be sure to point this out to unwary readers, and even to some wary ones. What we have in common with people in the past is that, like them, we live in time, but, unlike them, we can observe people living in time in ways that we cannot always use to

observe ourselves. Every modern historian knows that it is possible to be historically critical and even to adopt a relativist or historicist stance in estimating the moral character of data that have been discovered and written up, and that at the same time the historian as culture-bound citizen is under an equal obligation to make judgments about his or her own time, since the historian is in it and must do something about it, must act as a political and cultural citizen. If the historian separates the judgmental process about contemporary events and discards the judgmental language about contemporary events in historical analysis and description, it should be possible to reach an adequate, if not perfect, level of objectivity without falling into the trap that Ryan describes as "an overdose of detachment [boring] everyone to death." If I have gone to considerable trouble in handling some volatile materials to present them in as objective a way as possible, I have at least also been aware of the danger of boring everyone to death, and therefore trivializing an inherently fascinating story.

Granted, the cautionary remarks expressed above work better for historical questions that are more remote from our interests in the present than for those that are recent or passionately felt. It is barely possible, a century later, to find general agreement about the U.S. Civil War and the issues that precipitated it; it is far easier to find considerable disagreement, even among professional historians. Contemporary issues of race and gender extend backwards in time, even though the language in which we have finally formulated and identified them is the language of twentieth-century consciousness. How far should we take the language into historical description and analysis? It is language that serves the ends of policy and ideology as much as it may serve the ends of history. On the other hand, can history have its own clear language that is so distinct from other manifestations of consciousness that there is no bridge between the two? Does the necessity of that bridge mean that history can only be at best "a nicer sort of myth"?

Historians have gone to a great deal of trouble to be able to profess that what they produce is a legitimate kind of truth. The rigors of historical method produce work that can be challenged more effectively on grounds of method than on grounds of ideology. Truth of this kind may fit some myths better than it fits others, but it should not be criticized on the grounds of myth if it has not been produced originally in their service. Myth may accept or reject history, but, because it is myth, it cannot refute history on any grounds other than comparable historical criticism. This is a book of history and is submitted as history, both

the history of part of the past and the history of myths about part of the past.

It is a useful rule that in the writing of history one ought to begin with that of the earliest components of one's subject. The oldest component of both the history and myth of inquisitions is that of inquisitorial legal procedure, which appeared in the law of the Romans and in their courts late in the first century B.C.