

ARTICLES

The Inquisitor as Archivist, or Surprise, Fear, and Ruthless Efficiency in the Archives

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Abstract

Medieval inquisitors did not belong to the torturous institution of popular imagination. They were, however, efficient, perhaps even ruthlessly so, in their use of their archives and indexes. Inquisitors used these new technologies for creating, keeping, and searching records to uncover heresy, lies, and evasions. Using their records as an institutional memory, they searched out old crimes, uncovered false or mendacious confessions, compiled evidence, and provoked new confessions. As the written records of oral confessions, inquisitorial records are peculiarly difficult documents to negotiate, but they are also unusually rich sources for studying the unstable nexus of medieval orality and textuality.¹

The Inquisition is, perhaps, the most infamous institution of the Middle Ages. It is also one of the least understood. Often lumped together with the Spanish Inquisition and the Holy Office, it is associated with torture and the *auto-de-fé*. Yet, both torture and the *auto-de-fé* were used but rarely in the Middle Ages, and the “inquisition” did not become the “Inquisition” until 1542.²

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¹ This article began as a paper for David Wallace’s archives course at the University of Michigan and has been much improved by his comments and questions. I am grateful to Steve del Vecchio, Nancy Nelson, Mary Jo Pugh, and the readers of the *The American Archivist* for reading, commenting upon, and offering suggestions for this paper. I should also like to thank the British Library and Gil Blank for their generosity in allowing the use of their images. Finally, I am indebted to the late and much-missed Virginia Brown whose demanding tutelage in the arts of Latin paleography made this research possible. All mistakes, mistranscriptions, and mistranslations are, of course, my own.

² Richard Kieckhefer, “The Office of the Inquisition and Medieval Heresy: The Transition from Personal to Institutional,” *Journal of Ecclesiastical History* 46 (1995): 57.

From its establishment in 1231 until the middle of the sixteenth century, it was the inquisition against heretical depravity. Those who exercised the office of the inquisition oversaw loosely organized tribunals. They acted on the pope's behalf and only with the cooperation of local bishops and magnates. Inquisitors did not belong to a centralized institution and possessed little in the way of hierarchical organization. Inquisitors did, however, have archives. Especially in thirteenth- and fourteenth-century Languedoc in what is now southern France, where the inquisitors maintained a continuous presence, their archived records became powerful tools for uncovering and suppressing religious heterodoxy. Drawn from the ranks of the friars, particularly the Dominicans, inquisitors were at the forefront of emerging technologies of textuality. They were among the first to create readily searchable archives, and they used their archives to ferret out old crimes, lies, and contradictions; to compile evidence; and to provoke confessions.

Yet, inquisitorial records are by no means simple documents. They are written records of oral confessions given by people who could neither read nor write. These records were written in Latin, but the people who appear on their pages spoke in the vernacular, in Occitan. Moreover, every person who testified before the inquisitors did so because he or she was being interrogated with an eye toward determining his or her complicity in religious heresy, or deviation from the official teachings of the Church. Consequently, within their pages, oral and written modes regularly grate against each other, as inquisitors, scribes, and deponents negotiate the fault lines of textuality and orality. They hold out the tantalizing possibility of reclaiming the voices of ordinary men and women who have otherwise been silenced by time and death. Nonetheless, their use has proven highly contentious. A few scholars have used inquisitorial records as if they were recording devices that allow modern readers to "eavesdrop" on the lives, loves, and peccadilloes of fourteenth-century peasants.³ Others insist that inquisitors' records are tainted by the inquisitors' own questions, worries, prejudices, and the very real power that they wielded.⁴ Still, a few scholars argue that if they are read with care and a clear awareness of how and why these records came into existence, then inquisitorial archives may offer some insight into the worlds of medieval people.⁵

³ For example, Emmanuel LeRoy Ladurie, *Montaillou: Promised Land of Error*, trans. Barbara Bray (New York: Vintage Books, 1979); Alexander Murray, "Time and Money," in *The Work of Jacques LeGoff and the Challenges of Medieval History*, ed. Miri Rubin (Woodbridge, England: Boydell Press, 1997), 7.

⁴ John Arnold, *Inquisition and Power: Catharism and the Confessing Subject in Medieval Languedoc* (Philadelphia: University of Pennsylvania Press, 2001); Nancy Stork, "Cathar and Jewish Confessions to the Inquisition at Pamiers, France, 1318–1325," *Multilingua* 18 (1999): 251–65.

⁵ Leonard Boyle, "Montaillou Revisited: *Mentalité* and Methodology," in *Pathways to Medieval Peasants*, ed. J. A. Raftis (Toronto: Pontifical Institute of Mediaeval Studies, 1981), 121–31; Carlo Ginzburg, "The Inquisitor as Anthropologist," in *Clues, Myths, and Historical Method*, trans. John and Anne Tedeschi (Baltimore and London: The Johns Hopkins Press, 1989), 156–64.

Text, Heresy, and the Origins of the Inquisition

Inquisitors and their archives were born of a confluence of textuality, religious dissent, and repression. They were the product of the shift “from memory to written record,” which occurred during the eleventh and twelfth centuries.⁶ Written documents were not new. Courts, kings, and monasteries had owned, used, and valued books, charters, and legal codices throughout the early Middle Ages,⁷ but they understood and valued these texts differently than did their counterparts in the later Middle Ages. They saw books more as treasures to be revered than records to be consulted.⁸ Literacy and book production were also concentrated largely in the monasteries, where reading and writing were contemplative, meditative, and ruminative activities.⁹ In monks’ hands, the written word achieved a “transcendent significance” that would be impossible in later ages that held the word itself less dear.¹⁰ Beginning in the late eleventh century, literacy began to extend beyond the cloister. The numbers of documents and books that were copied grew steadily. As their numbers grew, the ways in which people used written texts also changed.¹¹ Documents became less symbolic and more practical in function.

The *Domesday Book*, compiled in the late eleventh century, is emphatically a symbol of conquest and overlordship; a treasure, not a record.¹² During the early twelfth century, documents were often both symbols and memoranda, halfway houses between orality and textuality.¹³ Such documents were weighted with witnesses, such as seals, twigs, rings, and earth, to give them greater symbolic heft.¹⁴ In the ceremony of *levatio cartae*, the materials used to draw up a charter of land transfer—the pen, the ink, and the parchment—were set on the land,

⁶ Michael Clanchy, *From Memory to Written Record*, 2nd ed. (Oxford: Blackwell Publishers, 1998), 3.

⁷ Franz Bauml, “Varieties and Consequences of Medieval Literacy and Illiteracy,” *Speculum* 55 (1980): 243–44; Rosamund McKitterick, *The Carolingians and the Written Word* (Cambridge and New York: Cambridge University Press, 1989); Franz Bauml, *The Uses of Literacy in Early Medieval Europe* (Cambridge and New York: Cambridge University Press, 1990).

⁸ McKitterick, *Carolingians and the Written Word*, 150–55.

⁹ Jean LeClerq, *The Love of Learning and Desire for God: A Study of Monastic Culture*, trans. Catharine Misrahi (New York: Fordham University Press, 1961; repr. 1996), 71–88, 112–90.

¹⁰ Clanchy, *From Memory to Written Record*, 118.

¹¹ Bauml, “Varieties and Consequences,” 244–65; Clanchy, *From Memory to Written Record*, 44–80, 104–13; Brian Stock, *The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries* (Princeton, N.J.: Princeton University Press, 1983), 34–59.

¹² The *Domesday* was rarely consulted, much less used as a record for the first two hundred years of its existence. See Clanchy, *From Memory to Written Record*, 32–35, 151.

¹³ With Brian Stock, I have chosen to term written culture as “textual” rather than literate. It seems disingenuous to describe any society in which most people cannot read or write as “literate.”

¹⁴ See, for example, Clanchy, *From Memory to Written Record*, 297–98; Stock, *The Implications of Literacy*, 42–59.

making the document both a legal record and a symbolic object.¹⁵ By the late twelfth century, however, documents were increasingly accepted as proof in their own right, as records rather than *aide-mémoires*.¹⁶ Alongside these documentary shifts, moreover, came changes in the ways in which books were used and read in the schools. Learning shifted from the monasteries to cathedral schools and then to the nascent universities, within whose walls, scholars also increasingly sought to classify, to systematize, and to reconcile the knowledge within their books.¹⁷

This new textuality coincided with massive changes in thought, theology, religion, economics and trade, politics, governance, and learning over the course of the twelfth century.¹⁸ Among these seismic shifts was the re-emergence of individuals and groups who openly challenged the teachings of the Church, namely heretics. Indeed, it has been argued that heterodoxy was one of the byproducts of this new textuality, either because heretical communities formed around texts, or because the emergent textuality, bent on classification and categorization, created deviance by defining it.¹⁹ Textuality also influenced how ecclesiastics of the later Middle Ages perceived and interpreted heterodoxy. When they encountered heresy, these churchmen tended to slot the heretics of

¹⁵ Stock, *The Implications of Literacy*, 48.

¹⁶ For an overview, see Clanchy, *From Memory to Written Record*, 294–327.

¹⁷ R. W. Southern, *The Making of the Middle Ages* (New Haven and London: Yale University Press, 1953), 170–218; Mary Rouse and Richard Rouse, *Authentic Witnesses: Approaches to Medieval Texts and Manuscripts* (South Bend, Ind.: University of Notre Dame Press, 1991), 101–338 (my thanks to Tuija Anoinen for providing this reference); Beryl Smalley, *The Study of the Bible in the Middle Ages*, 3rd ed. (Oxford: Basil Blackwell, 1952, 1983).

¹⁸ Susan Reynolds, *Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford: Clarendon Press, 1994; repr. 1995, 1996), 67–69; Stock, *The Implications of Literacy*, 59–87. Arguably, the size and scope of the transformation of the twelfth century beggar the Renaissance of the fourteenth century. The scholarship dealing with what is alternately called the renaissance and the reformation of the twelfth century is, consequently, staggering. See, among others, Anna Sapir Abulafia, *Christians and Jews in the Twelfth Century Renaissance* (New York: Routledge, 1995); Robert Benson, Giles Constable, Dorothy Lanham, eds., *Renaissance and Renewal in the Twelfth Century* (Cambridge, Mass.: Harvard University Press, 1982; repr. Toronto: University of Toronto Press, 1991); Robert Bartlett, *The Making of Europe: Conquest, Colonization and Cultural Change, 950–1350* (Princeton, N.J.: Princeton University Press, 1993); Marie-Dominique Chenu, *Nature, Man and Society in the Twelfth Century: Essays on New Theological Perspectives in the Latin West*, trans. Jerome Taylor and Lester K. Little, with a preface by Etienne Gilson (Chicago: University of Chicago Press, 1968; repr. Buffalo, N.Y. and Toronto: University of Toronto Press, 1997); Giles Constable, *The Reformation of the Twelfth Century* (New York: Cambridge University Press, 1996); Herbert Grundmann, *Religious Movements in the Middle Ages*, trans. Steven Rowan, with an introduction by Robert Lerner (South Bend, Ind., and London: University of Notre Dame Press, 1995), 7–88; Lester Little, *Religious Poverty and the Profit Economy in Medieval Europe* (Ithaca, N.Y.: Cornell University Press, 1978); R. I. Moore, *The Formation of a Persecuting Society: Power and Deviance in Western Society, 950–1250* (Oxford: Basil Blackwell, 1987); Reynolds, *Fiefs and Vassals*, 57–73, 115–472; Southern, *The Making of the Middle Ages*.

¹⁹ Stock, *The Implications of Literacy*, 99–151; Peter Biller and Anne Hudson, eds., *Heresy and Literacy, 1000–1530* (Cambridge and New York: Cambridge University Press, 1994); Moore, *Formation of a Persecuting Society*, 66–98, 141–51.

their own day into the existing categories of heresy that they knew from reading the fourth- and fifth-century Church fathers. Dualists of any kind thus became the Manichees whom Augustine of Hippo had known and railed against in the fifth century.²⁰

In the eleventh and early twelfth century, heretics tended to belong to small groups, often clustered around one charismatic individual. Their beliefs were often anticlerical and antisacramental, but differed widely in the details.²¹ By 1200, the Cathars, a dualist sect, had essentially formed an alternate church in parts of southern France and Italy. They believed, insofar as can be ascertained from the surviving records, that the material world is the devil's creation, that consuming its products or engaging in sexual intercourse is sinful, and that the sacraments are ineffectual. They had their own holy men and women, the *perfecti*; their own ecclesiastical hierarchy; even their own religious houses. They also had their own rites, most notably the *consolamentum*, a laying on of hands, whose recipients thereafter foreswore sex, meat, and eggs. Most believers received the *consolamentum* shortly before dying; while the *perfecti*, or "good men," received it earlier, and lived lives of poverty, chastity, and austerity.²² Alongside the Cathars, although very much in opposition to them, were the Waldensians. Followers of Valdes of Lyon, the Waldensians embraced the apostolic life and adhered to a strict interpretation of the Gospels. They were originally part of the reform movement within the Church, but they fell out with the papacy, largely over their insistence on lay preaching even where episcopal permission was lacking.²³

At first, ecclesiastical officials responded to heresy in haphazard and *ad hoc* ways. Bishops generally bore the brunt of pursuing and dealing with heretics within their dioceses. Preaching, polemics, excommunication, expulsion,

²⁰ Bernard Gui, "On the New Manichees," in *Manuel de l'Inquisiteur*, ed. G. Mollat, 2nd ed., vol. 1 (Paris: Les Belles-Lettres, 2006), 10–32; Moore, *The Formation of a Persecuting Society*, 89; Stock, *Implications of Literacy*, 145–51. The followers of Mani, the Manicheans or Manichees, were one of the late antique gnostic sects. Augustine, bishop of Hippo (396–430), had himself been a follower of Mani before his conversion. Although he is now best known for his *Confessions*, Augustine left numerous treatises against the Manichees and other heretics, and these were enormously influential throughout the Middle Ages. Dualists generally divide the world sharply between good and evil, and often depict the devil as the equal and opposite of God.

²¹ See, among others, Malcolm Lambert, *The Cathars* (Oxford: Blackwell Publishers Ltd, 1998), 4–18; Lambert, *Medieval Heresy: Popular Movements from the Gregorian Reform to the Reformation*, 3d ed. (Oxford: Blackwell Publishing, 2002), 1–40; R. I. Moore, *The Origins of European Dissent* (London: Allen Lane, 1977; repr. Toronto: University of Toronto Press, 1994), 2–240; Walter Wakefield, *Heresy, Crusade, and Inquisition in Southern France* (Berkeley and Los Angeles: University of California Press, 1974), 15–26.

²² Lambert, *The Cathars*, 19–91; Moore, *The Origins of Dissent*, 168–240; Wakefield, *Heresy, Crusade, and Inquisition*, 43–47.

²³ Grundmann, *Religious Movements*, 40–67; James Given, *Inquisition and Medieval Society: Power, Discipline, and Resistance in Languedoc* (Ithaca and London: Cornell University Press, 1997), 11–12; Lambert, *Medieval Heresy*, 70–98; Wakefield, *Heresy, Crusade, and Inquisition*, 42–47.

imprisonment, and relinquishment to secular authorities were among the methods employed to combat heterodoxy.²⁴ In an effort to regularize the pursuit and prosecution of heretics, Pope Lucius III (1181–1185) issued the bull *Ab abolendum* in 1184. In it, he instructed bishops to seek out suspected heretics by touring their diocese every year, and to impose suitable, although undefined, punishments on those who failed to prove their innocence.²⁵ His successor, Innocent III (1198–1216), took a more stringent tack. Innocent gathered, reiterated, and expanded earlier dictates, and defined heresy as a form of treason. He also presided over the Fourth Lateran Council in 1215, which ordered that all heretics who refused to recant should be handed over to secular authorities for punishment, and their belongings confiscated.²⁶

Building on these earlier efforts to suppress heresy, in 1231, Gregory IX (1227–1241) commissioned the first inquisitors to investigate heresy in what is now Germany. Two years later, he wrote to the bishops of the Languedoc in southern France, where Catharism was particularly entrenched. Gregory informed them that he was sending Dominican friars to assist them in their prosecutions of heretics, effectively establishing the inquisition against heretical depravity in the Languedoc.²⁷ This was not, it should be noted, the Inquisition of the sixteenth century. Rather several inquisitorial tribunals existed, each headed by inquisitors who derived their authority from the papacy. They had no centralized hierarchy or organized institution. These tribunals were never very large establishments, consisting of one or two inquisitors, their lieutenants, scribes, notaries, and servants. Moreover, they required the cooperation of episcopal and secular authorities to carry out their investigations. In the Languedoc, unlike many other areas, the inquisitors established permanent tribunals together with their own houses, prisons, and archives.²⁸

²⁴ Given, *Inquisition and Medieval Society*, 13; Dominique Iogna-Pratt, *Order and Exclusion: Cluny and Christendom Face Heresy, Judaism, and Islam (1000–1150)*, trans. Graham Robert Edwards (Ithaca, N.Y. and London: Cornell University Press, 2002), 99–261; Moore, *Origins of Dissent*, 245–62; Edward Peters, *Inquisition* (New York: Free Press, 1988), 44–48; Wakefield, *Heresy, Crusade, and Inquisition*, 82–83.

²⁵ Peters, *Inquisition*, 48; Wakefield, *Heresy, Crusade, and Inquisition*, 86.

²⁶ Lateran IV, “De Heresis,” c. 3, in *Constitutiones concilii quarti lateranensis una cum commentariis glossatorum*, ed. Antonius Garcia y Garcia (Vatican City: Biblioteca Apostolica Vaticana, 1981). For an English translation, see Norman Tanner, ed., *Decrees of the Ecumenical Councils*, vol. 1, *Nicea I to Lateran V* (London: Sheed and Ward; Washington, D.C.: Georgetown University Press, 1990), 233–35. See Grundman, *Religious Movements*, 58–67; Lambert, *The Cathars*, 98–102.

²⁷ Yves Dossat, *Les Crises de l’Inquisition Toulousaine au XIII^e siècle (1233–1273)* (Bordeaux: Imprimerie Bière, 1959), 118–44; Kieckhefer, “The Office of the Inquisition,” 36–61; Lambert, *The Cathars*, 125–27; Wakefield, *Heresy, Crusade, and Inquisition*, 140–42.

²⁸ Kieckhefer, “The Office of the Inquisition,” 53–59.

Inquisitors and the Records

By the 1240s, inquisitors had developed a relatively stable *modus operandi*. Having received a commission to pursue heresy, they first chose a locality. They then preached a sermon, announced their authority to investigate heretical activities, and called for confessions. They promised lighter sentences for those who confessed willingly within a specified “period of grace.” Thereafter, inquisitors issued summons, calling anyone suspected of heresy; or, every man, woman, and child over the age of twelve for girls and fourteen for boys, as was done at Toulouse between 1245 and 1246.²⁹ Inquisitors queried those who appeared before them about whether they had seen, eaten with, adored, or aided heretics, or participated in any heretical rites or activities. Inquisitorial tribunals were closed, which was unusual for medieval courts. Deponents were not, ordinarily, informed of the identities of any witnesses against them. However, deponents were asked to name their mortal enemies to forestall false accusations. Inquisitors tripped up their suspects over contradictions within their own testimonies, their previous confessions, and the statements of others. Inquisitors sought out voluntary confessions, and, when these were not forthcoming, they imprisoned deponents.³⁰ Torture, despite its popular associations with inquisitors, was rare.³¹ After they had confessed, deponents would abjure all heresy and promise to shun heretics in the future.

Thereafter inquisitors would sentence anyone they found complicit. Occasionally, these sentences were given individually, but usually inquisitors waited until a large number of trials were complete. Then, the inquisitors announced, very publicly, at a *sermo generalis* (general sermon), which earlier penances were now commuted or completed, what crimes they had discovered, and what penalties they were imposing upon the guilty.³² The penalties imposed were largely penitential in nature: pilgrimages, wearing yellow crosses, and imprisonment, depending on the depth of someone’s involvement with heresy and heretics. Obdurate or relapsed heretics would be relinquished (or “relaxed” in the inquisitors’ vocabulary) to secular authorities to be burned.³³ Burning

²⁹ Dossat, *Les Crises*, 154–57; Mark Gregory Pegg, *The Corruption of Angels: The Great Inquisition of 1245–1246* (Princeton, N.J.: Princeton University Press, 2001), 3.

³⁰ Dossat, *Les Crises*, 206–11; Given, *Inquisition and Medieval Society*, 23–24, 52–65.

³¹ Dossat, *Les Crises*, 211–15. It was also controversial; the possible use of torture to induce confessions from city magnates at Albi in 1299 prompted vociferous complaints. See Georgene Davis, *The Inquisition at Albi, 1299–1300* (New York: Columbia University Press, 1948), 11–91.

³² Arnold, *Inquisition and Power*, 51–53; Dossat, *Les Crises*, 158–67, 195–203; Wakefield, *Heresy, Crusade, and Inquisition*, 173–80.

³³ John Arnold, *Inquisition and Power: Catharism and the Confessing Subject in Medieval Languedoc* (Philadelphia: University of Pennsylvania Press, 2001), 57–73; Given, *Inquisition and Medieval Society*, 66–71; Annette Pales-Gobillard, ed., *Le Livre des Sentences de l’Inquisiteur Bernard Gui, 1308–1323* (Paris: CNRS Éditions, 2002), 1:30–43; Wakefield, *Heresy, Crusade, and Inquisition*, 180–85.

was, as recent analyses have demonstrated, comparatively rare: comprising, for example, fewer than 7 percent of the sentences issued by Bernard Gui at Toulouse between 1308 and 1323.³⁴ Inquisitors were, as a rule, bent more on converting their deponents than executing them. Jacques Fournier, the bishop of Pamiers and the future Pope Benedict XII who headed an inquisitorial tribunal in his diocese between 1318 and 1325, for example, spent weeks trying to convince Baruch, a Jew baptized against his will, to embrace Christianity willingly.³⁵

Almost from the outset, records and archives were integral to the inquisitors' activities. During interrogations, conducted largely in Occitan, inquisitorial scribes or notaries took notes, recorded in *protocols*. Sometime later, these notes were revised and reorganized into a register inscribed on paper and in Latin. At the conclusion of judicial proceedings, the scribe or notary, "read and explained the said confession in the vulgar [vernacular]" to each witness.³⁶ Deponents might then modify or confirm the record.³⁷ Finally, these records were transcribed onto parchment. Inquisitors also left records of the proceedings at the *sermo generalis*. Bernard Gui's book of sentences includes records of the penances completed and reduced, of the individual faults that were to be penalized, and of the sentences that were imposed.³⁸

In the prosecution of their inquiries, inquisitors developed formulas and guidebooks. The first manual for inquisitors, the *Processus inquisitionis* (*Process of the Inquisition*), was compiled by Bernard de Caux and Jean de S. Pierre, the inquisitors who headed a massive inquiry into heresy in the areas around Toulouse in 1245 and 1246. The *Processus* contains a brief description of inquisitorial procedures, with formulas for summoning and interrogating individuals, for abjuring heresy, for reconciling and penalizing those deemed guilty of

³⁴ Given, *Inquisition and Medieval Society*, 68–71; Annette Pales-Gobilliard, "Pénalties inquisitoriales au XIVe siècle," in *Crises et réformes dans l'église grégorienne à la préréforme*, Actes du 115e Congrès National des Sociétés Savantes, Avignon 1990, Section d'Histoire Médiévale et de Philologie (Paris: Éditions du CTHS, 1991), 143–54.

³⁵ *Le Registre d'Inquisition de Jacques Fournier: Évêque de Pamiers (1318–1325)*, ed. and annot. Jacques Duvernoy, vol. 1 (Toulouse: Édoard Privat, 1965), 177–90; Solomon Grayzel, "The Confession of a Medieval Jewish Convert," *Historia Judaica* 17 (1955): 89–120.

³⁶ Bernard Gui, *Manuel de l'Inquisiteur* 7.3, ed. G. Mollat (Paris: Les Belles-Lettres, 2006), 2:32. "Si vero confessio scripta fuerit per manus alicujus religiosi seu alterius alicujus qui non sit notarius et postmodum per notarium inquisitionis dicta confessio legatur et exponatur in vulgari, ut moris est, predicto confitenti in judicio constituto, notarius in fine omnium sic loquatur et scribat: et mei talis N. notarii officii inquisitionis qui predictam confessionem recitavi et exposui intelligibiliter in vulgari predicto tali N., in judicio constituto coram prefato domino inquisitore."

³⁷ Dossat, *Les Crises*, 58–59; Given, *Inquisition and Medieval Society*, 28; Jean-Marie Vidal, "Le Tribunal d'Inquisition de Pamiers: Notice sur le registre de l'évêque Jacques Fournier," *Annales de Saint-Louis des Français* 8 (1903–1904): 386–91. For examples, see the edition of the register in *L'Inquisiteur Geoffroy d'Ablis et les cathares du comté Foix*, ed., trans., and annot. Annette Pales-Gobilliard (Paris: Éditions du Centre National de la Recherche Scientifique, 1984), 130–34, 344–48.

³⁸ Given, *Inquisition and Medieval Society*, 29–30.

heresy, and for sentences.³⁹ Three more manuals appeared for use in the Languedoc within the following seventy-five years, most notably Bernard Gui's *Practica inquisitionis heretice pravitatis* (*The Manual of the Inquisition of Heretical Depravity*).⁴⁰ Bernard Gui's *Practica* is divided into five parts, the first two consisting chiefly of the formulas that inquisitorial scribes and notaries would have used in their documents. It includes a form for writing to a bishop about a person from his diocese who is imprisoned or handed over to secular authorities (1.33), a formula for converting penitential pilgrimages into other pious acts (2.22), a formula for writing about the public acts contained in inquisitors' books (2.40), and so on.⁴¹ The *Practica* then offers advice about questioning Cathars, Waldensians, lapsed Jewish converts, and others who had since been defined as heretics.

Indexing and Annotating

Depositions, sentences, and manuals formed the backbone of inquisitors' archives.⁴² Drawn mostly from the ranks of the friars, the inquisitors were at the forefront of new techniques, like indexing and cross-referencing, that made these documents searchable. Layout is among the easiest methods for making documents themselves "finding devices."⁴³ Inquisitors' registers, especially those containing large numbers of deponents, were generally organized topographically, rather than chronologically or alphabetically. As inquisitors often summoned and interrogated people from a single parish or village, this was highly practical. Given the close connections between peasants and their natal communities, it also made deponents eminently findable.⁴⁴ Marginal annotations allowed inquisitors (or their scribes) to cross-reference depositions and pick out notable material within them. Finally, inquisitors made good use of indexes, a very new technology. Prior to the thirteenth century, indexes were located in the reader's head and heart. The index only migrated to the page in

³⁹ Arnold, *Inquisition and Power*, 48–49; Given, *Inquisition and Medieval Society*, 45; Pegg, *Corruption of Angels*, 37–39. This text survives in a single manuscript. It has been edited by Ad. Tardif in "Document pour l'histoire du *Processus per inquisitionem* et de l'*Inquisitio heretice pravitatis*," *Nouvelle Revue Historique de Droit Français et Etranger* 7 (1883): 669–78; and translated by Wakefield in *Heresy, Crusade, and Inquisition*, 250–51.

⁴⁰ There are two editions of this work: the unabridged *Practica inquisitionis heretice pravitati*, ed. Célestin Douais (Paris, 1886), and the more recent edition of Mollat, *Manuel de l'Inquisiteur*.

⁴¹ Bernard Gui, *Practica* 1.33, 26–28; 2.22, 55; 2.40, 63.

⁴² Yves Dossat has managed to reconstruct a partial inventory of the archives at Carcassone and Toulouse in *Les Crises*, 30–58; Given, *Inquisition and Medieval Society*, 27–28.

⁴³ Rouse and Rouse, *Authentic Witnesses*, 194–201.

⁴⁴ Given, *Inquisition and Medieval Society*, 38–39.

the early thirteenth century.⁴⁵ By organizing, indexing, and annotating their documents, inquisitors created archives that could effectively function as an institutional memory. Yet, like their brethren in the schools, inquisitors and their scribes tended to develop idiosyncratic methods for organizing and annotating their texts.⁴⁶

Bernard de Caux and Jean de S. Pierre's register of confessions uses a topographic layout, running headings, and annotations. Copied onto paper sometime between 1256 and 1263 (making it one of the oldest extant paper manuscripts in Europe), the surviving manuscript contains the testimonies of over five thousand individuals, and this represents only a fifth of the original depositions.⁴⁷ Depositions are grouped under the heading of the village or parish of their deponents, with running headings on every folio, that is on every leaf. Each deponent's confession is marked with a paraph (¶).⁴⁸ Moreover, in the register and its extant copy, marginalia were used to cross-reference depositions and to draw attention to relevant information within the text of the confession. For example, where the deponent was deemed a relapsed heretic, the notary or scribe inscribed "*relapsus*" in the margins.⁴⁹ Where a witness implicated someone else as a heretic, especially as a notorious heretic, the notary or scribe sometimes noted that name in the margins. Thus, Poncius de Savardu, when confessing to his own heretical activities, added that, "by general report (*publica fama*) Raymond Barda is a believer and a friend of the heretics," and next to Savardu's testimony the scribe marked "Raymond Barda."⁵⁰ The unfortunate Barda was mentioned in the testimonies of three other witnesses, occasioning additional marginal annotations.⁵¹ In addition, the inquisitors and their scribes sometimes left brief comments about the deponents or their confessions. Regarding Ademarius de Monte Mauro, who swore that he had neither seen nor listened to, nor adored heretics, there is a terse annotation: "This one is most suspect . . . and confessed badly."⁵²

⁴⁵ Clanchy, *From Memory to Written Record*, 177–80; Rouse and Rouse, *Authentic Witnesses*, 226–36.

⁴⁶ Rouse and Rouse, *Authentic Witnesses*, 200–201.

⁴⁷ Toulouse, Bibliothèque municipale MS 609 (hereafter MS 609) represents two of the ten books of confessions compiled under Bernard de Caux and Jean de S. Pierre. See Dossat, *Les Crises*, 38, 57–58, 61–84; Pegg, *The Corruption of Angels*, 2–24.

⁴⁸ I am extremely grateful to Columbia University for lending me a photocopy of the microfilm that was made of this manuscript.

⁴⁹ For example, MS 609, fols. 72v, 73r, 76r, 87r, 126r, 154r, 155r, 159r, 159v.

⁵⁰ MS 609, fol. 73v, "Dixit etiam quod fama publica est quod Ramundus barda est credens hereticorum, et amicus et ipse credit esse verum, quia mater dicti Ramundi fuit heretica, et audiuit dici quod idem Ramundus fuit familiaris hereticorum." Although I have expanded the abbreviations, I have, as much as possible, retained the spelling and punctuation of the original.

⁵¹ MS 609, fol. 75r–75v.

⁵² MS 609, fol. 87v. "Iste est suspectissimus et filius esquiue hospite heretice et est male confesse(io)."

Later inquisitors used similar, although not identical methods. The twenty-nine depositions taken at Albi in 1299 and 1300 by Bernard Castanent, bishop of Albi, and Nicholas d'Abbeville, inquisitor of Carcassone, were indexed topographically, and cross-referenced with marginalia. This tribunal was smaller, and far more contentious—the bishop had chosen to proceed against some of the city's most prominent citizens in a move that was and is often considered more political than religious⁵³—and its depositions are organized differently than the thousands of confessions taken at Toulouse in 1245 and 1246. The extant copy of the register opens with an index listing each deponent. Under each name are the names of those implicated, organized topographically.⁵⁴ Under the name of Gaillard Fransa of Albi, for example, we find the headings “from Albi,” above seventeen names, “from Cordes” above three, and “from Réalmont” above the name Guillermus de Mauriano.⁵⁵ The scribes who compiled and copied this manuscript, like their counterparts at Toulouse, used marginalia to make their records navigable. However, they were more inclined to use annotations as subject guides. Thus, the deposition of Guillaume de Maurs of Réalmont has marginal notes reading *adoracio* where he had inculpated others for adoring heretics; *hereticatio*, for receiving the *consolamentum*; *receptacio*, for receiving heretics into his home; and *visio* where he had seen heretics.⁵⁶

The register of Jacques Fournier employed a similar system of indexing and annotation. The extant codex of his register was one of two, which Fournier had copied and took with him to Avignon when he became Pope Benedict XII.⁵⁷ On the first folio, a table of proceedings names each of the eighty-nine deponents and gives the folios on which his or her testimony begins and ends.⁵⁸ Moreover, each folio has a running heading naming the deponent. Marginalia also facilitate reading and searching the text. Annotations indicate the names of individuals, activities like abjuration, or heretical tenets.⁵⁹

⁵³ See J. L. Biget, “Un procès d'inquisition à Albi,” *Cahiers Fanjeaux* 6 (Toulouse: Privat, 1971), 273–341; Davis, *Inquisition at Albi*, 11–50; Alan Friedlander, *The Hammer of the Inquisitors: Brother Bernard Déléceux and the Struggle against the Inquisition in Fourteenth-Century France* (Turnholt: Brepols, 2000), 74–78, 87–91; Given, *Inquisition and Medieval Society*, 131–32, 170–73; Lambert, *The Cathars*, 227–29. The register has been edited by Georgene Davis in *The Inquisition at Albi*, 103–266. The sole copy survives in Paris, at the Bibliothèque Nationale de France, MS lat. 11847.

⁵⁴ *The Inquisition at Albi*, 103–21; See also Dossat, *Les Crises*, 41.

⁵⁵ *The Inquisition at Albi*, 111.

⁵⁶ *The Inquisition at Albi*, 122–45.

⁵⁷ It is now at the Vatican, Biblioteca Apostolica Vaticana, MS lat. 4030. See Dossat, *Les Crises*, 57–58; Duvernoy, introduction, *Registre* 1:15–16; Vidal, “La tribunal d'inquisition,” 378–83.

⁵⁸ Duvernoy, introduction, *Registre*, 1:9; Vidal, “Le tribunal d'inquisition,” 384.

⁵⁹ Vidal, “La tribunal d'inquisition,” 385.

Beyond doubt, the most impressive example of indexing and organizing belongs to Bernard Gui's sentences.⁶⁰ His sentences begin with an index of place names, organized alphabetically.⁶¹ Then, a table lists each *sermo generalis*, organized chronologically, and indicates when and where each was held, and on which folio it is to be found in the manuscript.⁶² An index naming every individual sentenced follows. This index is organized topographically: each name appears beneath the heading of the individual's village or city. Each entry also details the sentence received and the folio where each person's *culpe* or crimes may be found.⁶³ Under the heading of "From Vacquiers" one finds:

- Hispa Faure, to prison, fol. 13. The same, a fugitive, condemned as a heretic, fol. 124.
- Condors, his wife, to prison, fol. 25. The same led from prison with [a simple cross], fol. 99. {The same to grace from the crosses, fol. 170}.
- Dominica, wife of the late Jean de Pouyloubrin, died in heresy, fol. 76.⁶⁴

The codex itself is arranged by *sermo generalis*. In the codex, each stage of the proceedings, the commutations, the crimes of those who were required to wear a cross (called the "crossed"), the sentences of the crossed, the crimes of the imprisoned, the sentences of the imprisoned, the crimes of the fugitives, the crimes and sentences of the relapsed, the crimes and sentences of the condemned, and so on become subject headings, which run across the top of the page. Thus, it is a comparatively simple matter to find, should one wish to do so, the crimes for which Jeanne, wife of Etienne d'Gari of Alzonne was sentenced on 12 September 1322; no small feat in a manuscript containing 200 folios, 907 separate acts, and 637 individuals.⁶⁵

Bernard Gui and his scribes also made extensive use of marginalia.⁶⁶ In some cases, annotations function as addenda to the original confessions or sentences. Next to the précis of Hispa Faure's original confession from his first sentencing in 1309, a note declares, "This Hispa, also called *Espanhol*, confessed

⁶⁰ Given, *Inquisition and Medieval Society*, 29–39. This extant copy survives in London at the British Library, Additional MS 4697.

⁶¹ Gui, *Sentences* 1:84–92.

⁶² Gui, *Sentences* 1:94–96.

⁶³ Gui, *Sentences* 1:98–175.

⁶⁴ Gui, *Sentences*, 1:162. "De Vacquiers—Yspanus Fabri, ad murum, XIII folio. Item fugitivus condempnatus ut hereticus, CXXIII folio.—Condors, uxor ejus, ad murum, XXV folio. Item educta de muro cum +, XCIX folio. {Item ad gratiam de crucibus, CLXX}.—Dominica, uxor condam Johannis de Podio Lobri, defuncta in heresi, LXXVI folio." Curly {brackets} indicate marginal notations added in another hand. Square [brackets] indicate an insertion on my part.

⁶⁵ Gui, *Sentences* 2:1504–8; Given, *Inquisition and Medieval Society*, 68.

⁶⁶ See also, Given, *Inquisition and Medieval Society*, 29–33.

badly the first time, and later relapsed, and fled from the prison.”⁶⁷ In the margins of the index, alongside the summation of sentences, Bernard Gui’s scribes also added references to additional penalties, such as those that Faure incurred, or commutations, like those of his wife, Condors. Moreover, inquisitorial scribes noted where those charged with heresy had completed their penances and received letters of absolution, and where their heirs had received letters of absolution. Such letters were no small matter, since heretics’ children inherited their parents’ sins and thus their penalties.⁶⁸ Bernard Gui’s sentences are also cross-referenced with his now lost *libri extractionum* (*Books of Extracts*), which contains the deponents’ original confessions.⁶⁹

Finally, inquisitors were at some pains to preserve and to reproduce their records for future use. From at least 1236 onward, the inquisitors at Toulouse and Carcassone collected and copied their records.⁷⁰ They also took care to secure them. At Toulouse, the inquisitors housed their archives at their residence near the Château Narbonnais. No one was allowed to reside there in their absence. The inquisitors at Carcassone kept their archives in a tower adjoining their residence from 1285 and limited access to them.⁷¹ In addition, the copying and preservation of inquisitorial archives was encoded into conciliar legislation. At the Council of Sur l’Isle in 1251, inquisitors were instructed to preserve their records.⁷² Four years later, the Council of Albi decreed that inquisitors’ records should be copied and duplicates “kept in some safe place.”⁷³ Frequent copying also served to make inquisitorial archives more readily and more widely searchable.⁷⁴

⁶⁷ Gui, *Sentences* 1:294. “Iste Yspanus alias dictus *Espanhol* fuit male confessus primo et postmodum relapsus et aufugit de muro anno Domini M CCC X, VIII kalendas mayi, feria VIa, infra octabas Pasche.”

⁶⁸ P. D. Clarke, “Peter the Chanter, Innocent III, and Theological Views on Collective Guilt and Punishment,” *Journal of Ecclesiastical History* 52 (2001): 2–20; Given, *Inquisition and Medieval Society*, 89.

⁶⁹ Given, *Inquisition and Medieval Society*, 32–33. For example, in the record of the *sermo generalis* on 30 September 1319 are references to Book 3.123, Book 1.165, Book 1.191, Book 3.256, and Book 18.120 next to the names of five of the eight heretics who died before they could be sentenced. Gui, *Sentences*, 2:1094–108.

⁷⁰ Dossat, *Les Crises*, 12, 29–55.

⁷¹ Dossat, *Les Crises*, 30–31, 34.

⁷² Mansi, *Sacrorum conciliorum*, 795–96.

⁷³ Mansi, *Sacrorum conciliorum*, 837–38. “Interim periculosus casibus occurrentes, statuimus ut singuli inquisitores omnia scripta Inquisitionis transcribi faciant, et translata de consensu legati a sede apostolica, si in ora fuerit, per diocesanum imponantur et serventur in aliquo loco tuto.”

⁷⁴ Given, *Inquisition and Medieval Society*, 35.

Archival Memory

Inquisitors were certainly not the first to keep records, but they were among the first to make effective use of them. As Michael Clanchy notes, making, keeping, and referring back to documents constitute three, distinct stages in the development of archives.⁷⁵ Until the mid-fourteenth century, for example, the records of the English crown could only be retrieved if they were of recent issue and known date.⁷⁶ In contrast, Languedocian inquisitors could and did make good use of their archives. On occasion, inquisitors looked back twenty years or more to find evidence against accused heretics and political enemies.⁷⁷ They regularly searched their archives for evidence against suspects and for contradictory confessions and conflicting evidence. Out of their archives, inquisitors compiled cases and honed their skills as investigators. Their archives were, arguably, the most powerful of the inquisitors' tools for eliciting confessions and keeping track of potential, former, and suspected heretics.⁷⁸

When Bernard de Caux and Jean de S. Pierre summoned the inhabitants of the areas around Toulouse in 1245 and 1246, many had already confessed before Guillaume Arnaud and Etienne de S. Thibéry, inquisitors of Toulouse who were murdered in 1242, and Friar Ferrier, an inquisitor of Carcassonne.⁷⁹ Bernard de Caux and Jean de S. Pierre plainly consulted copies of previous depositions. When deponents gave testimony that conflicted with their earlier statements, the inquisitors read back the written record of their earlier confessions. Bernarde Trebolha, "when her earlier confession, which she made to other inquisitors, was read to her, acknowledged that she adored heretics, and received [them] in her home, just as it is held in the aforesaid old confession."⁸⁰ Similarly, Pierre Borzes, Guillaume Bonet, Arnaud Boquet, Bernard de Fonte, and Dulcia Faure, all of them from Villeneuve-la-Comtal, found themselves faced with their earlier confessions to the contrary made to Guillaume Arnaud, after swearing that they had had no involvement whatsoever with heretics.⁸¹

As James Given has noted, "inquisitors' possession of an institutional memory, preserved in the archives, enabled them to spot weak points in a

⁷⁵ Clanchy, *From Memory to Written Record*, 154.

⁷⁶ Clanchy, *From Memory to Written Record*, 152–53, 162–72.

⁷⁷ Arnold, *Inquisition and Power*, 83–84; Given, *Inquisition and Medieval Society*, 39–42.

⁷⁸ Given, *Inquisition and Medieval Society*, 39–42.

⁷⁹ On their activities, see Dossat, *Les Crises*, 131–51, 217–26.

⁸⁰ MS 609, fol. 242r, "Anno Domini MCC.XL.VI, iiii. nonas Junii, hec confessio negativa fuit recitata predicta Bernarde Trebolha, et lecta sibi confessione antiqua quam fecit aliis Inquisitoribus, recognovit quod adoravit hereticos, et receptavit in domo sua, sicut in predicta veteri confessione continetur."

⁸¹ MS 609, fols. 183v–184r. Given cites eleven other examples in *Inquisition and Medieval Society*, n. 45, 39–40.

mendacious confession.”⁸² Bernard Gui, or more likely his scribes, annotated his registers efficiently enough that it was possible to spot inconsistencies between testimonies. Consequently, at the *sermo generalis* of 6 March 1316, Bernard Gui sentenced Jean de La Salvetat for bearing false witness. In 1311, La Salvetat had confessed to seeing several men in the company of Pierre Autier, a heretic. Although these men protested their innocence, La Salvetat maintained the veracity of his original deposition for two-and-a-half years.⁸³ Bernard Gui and his associates evidently grew suspicious of La Salvetat. They then “found through the confessions of many others” that Pierre Autier could have been nowhere near the men whom La Salvetat had accused in 1311.⁸⁴

Jacques Fournier, whose register is notable for its long and detailed depositions, also deployed his archival memory to provoke confessions and build cases. When faced with the recalcitrant Raymonda Guilhou, Jacques Fournier read out to her another’s deposition implicating her, prompting Raymonda to confess to having received instruction about “heretical words.”⁸⁵ Fournier, moreover, compiled information over the course of his interrogations. By the time Gauzia Clergue came before Jacques Fournier’s court at Pamiers in 1324, her name had been mentioned by Raymonda Testaniera; by Guillelma Beneti, who testified that Clergue’s daughter Sclaramunda had been hereticated, that is she had undergone the Cathar *consolamentum*; by Raymonda Beloit, who claimed to have seen Clergue in the presence of heretics; and by Pierre Maury.⁸⁶ Jacques Fournier’s questions refer back to these earlier depositions. He, for example, asked Clergue if she had been present at the heretication of her daughter Sclaramunda.⁸⁷ Although Clergue demurred, Fournier, “because it was well known to the said lord bishop through the depositions of witnesses . . . that the said Gauzia was concealing the truth about the crime of heresy,” had her arrested and imprisoned.⁸⁸

⁸² Given, *Inquisition and Medieval Society*, 144.

⁸³ Gui, *Sentences*, 1:854–56; compare Given, *Inquisition and Medieval Society*, 142–43.

⁸⁴ Gui, *Sentences*, 1:858, “Cum nos invenissemus per confessiones plurium aliorum Petrum Auterii hereticum antedictum illo in tempore et anno et illis diebus fuisse et stetisse alibi in aliis locis seu hospiciis alterius territorii longe distantibus et remotis a locis et hospiciis hominum predictorum, que nullo modo esse poterant simul vera.”

⁸⁵ Fournier, *Registre*, 2:230; Given, *Inquisition and Medieval Society*, 40.

⁸⁶ Fournier, *Registre* 1:468; 1:475; 2:287; 3:67, 71–72; 3:154.

⁸⁷ Fournier, *Registre* 3:357.

⁸⁸ Fournier, *Registre* 3:357, “Et quia constabat dicto domino episcopo per depositiones testium in iudicio receptorum quod dicta Gausia contra veritatem et proprium iuramentum celebrat veritatem super crimine heresis, idcirco dictus dominus episcopus arrestavit eam, mandans eidem quod incontinentis vadat ad castrum de Alamannis, et in muro seu carcere dicti loci talibus personis culpabilibus deputati se intrudat.” Gauzia Clergue spent more than a year in prison before she confessed to heretical dealings, and then she implicated Guillelma Beneti as the instigator of her daughter’s heretication.

Those who came under inquisitorial scrutiny were well aware of the power that the inquisitors wielded with their archives. On a few occasions, people who feared the incriminating evidence within these records or objected to the power that inquisitors derived from them attempted to destroy these documents. When Raymond of Alfaro and his band assassinated Guillaume Arnaud, Etienne de S. Thibèry, and their companions at Avignonet in 1242, they stole, among other things, the inquisitors' books.⁸⁹ A few years later, in 1248, a cleric and a messenger were killed while they traveled, and the inquisitorial records that they carried were destroyed.⁹⁰ Jean Galand, inquisitor of Carcassone, discovered, or thought he discovered, a plot to steal books from the inquisitors' archives in 1284.⁹¹ Others tried to destroy, not the books themselves, but the authority that made them potent. In 1306, inhabitants of Cordes protested to a papal commission that "the books of the said inquisitors deserve to be mistrusted . . . both because of the changing, excising, or erasing of the said books' words" and because some testimonies had been given under duress.⁹² Similarly, Bernard Délicieux, the leader of a campaign against the inquisitors in the early 1300s, denounced the inquisitorial archives as false, falsified, and contrived by the Dominicans.⁹³

Orality and Textuality in the Archives

As the *written* records of *oral* confessions, inquisitorial records occupy a peculiar nexus between textuality and orality in medieval society. Like the oral histories analyzed by Jesse Gellrich, these records betray the tensions inherent

⁸⁹ Dossat, *Les Crises*, 149; MS 609, fol. 140v; Wakefield, *Heresy, Crusade, and Inquisition*, 170.

⁹⁰ Dossat, *Les Crises*, 34; Given, *Inquisition and Medieval Society*, 114.

⁹¹ The extant confessions were published by Mahul in *Cartulaire et archives des communes de l'ancien diocèse et de l'arrondissement administratif de Carcassone*, vol. 5 (Paris, 1857-1882), 638-43. For summaries of the arguments about whether this plot was a reality or a figment of Galand's imagination, see Michèle Lebois, "Le complot des Carcassonnais contra l'Inquisition (1283-1285), in *Carcassonne et sa région* (Carcassone, France: 1970), 159-63; and also, Dossat, *Les Crises*, 34; Given, *Inquisition and Medieval Society*, 118-20.

⁹² "Registre du notaire ou Greffier de l'inquisition de Carcassone, 1250-1267," in *Documents pour servir à l'histoire de l'inquisition*, ed. Célestin Douais, vol. 2 (Paris: Libraire Renouard, 1900), 335-36. "Item, cum processus et libri dictorum inquisitorum eisdem merito sint suspecti, tum ratione mutationis, arditionis seu cancellationis scripturarum dictorum librorum, tum etiam ratione confessionum a captis per dictos inquisitores minus canonicè et per vim tormentorum extortarum, et alio modo quam res se habeat ut dicitur conscriptarum, et de hiis sit vox et fama publica in Albigesio et locis circumvicinis, supplicant et requirunt dicti consules quod super premissis vos velitis informare juxta traditam vobis formam." Compare Given, *Inquisition and Medieval Society*, 42.

⁹³ Friedlander, *The Hammer of the Inquisitors*, 59; Given, *Inquisition and Medieval Society*, 42-43. For more regarding Délicieux's activities, which were quite wide-ranging, see Friedlander *The Hammer of the Inquisitors*, 39-211; and Given, *Inquisition and Medieval Society*, 132-39.

in any effort to capture the spoken word on the page.⁹⁴ Inquisitorial scribes transformed what had been an interrogation, a dialogue between the inquisitor and the confessing subject, into a third-person, often formulaic, narrative. In the process, the original “voices” of the deponents are lost altogether or, at best, garbled by their journey from Occitan to Latin, from the spoken word to the written one, from the individual to the categorized.

Of all the “ghosts” in these archives,⁹⁵ however, the most deafening in their silence are the inquisitors themselves. Although their voices were almost certainly inescapable in their courts, they have all but disappeared from their archives. According to their *Processus*, compiled by Bernard de Caux and Jean de S. Pierre, they would have, or should have, asked whether each deponent had seen a heretic [a Cathar] or a Waldensian, with whom, whether he or she had listened to their preaching, aided them with food or lodging, guided them somewhere, or consorted with them, ate with them, drank with them, adored them, or participated in their rites.⁹⁶ In their registers, these questions disappear. When Raymonda of S. Martin-de-la-Lande confessed before Bernard de Caux in 1245, each element of her confession echoes the inquisitors’ questions, but the questions themselves never appear:

Likewise, she said that many times she saw in the house of Ysarn de Gibel, Raymond Jaules and his companions, heretics. . . . And then she, the witness, and the said Ysarn and Andriana, wife of the said Ysarn, ate with the aforesaid heretics at the same table, and adored them. She did not see the others adore [them]. And this was around ten years [before]. She said, indeed, that many times the witness sent bread and wine and fish to the said heretics.⁹⁷

Entire interrogations are sometimes reduced to terse formula in this way. Running throughout this register are lists like the following: “Raymond Pelegrinus, a sworn witness, said that he never saw heretics, unless they were captured, nor believed, nor adored, nor gave, nor sent, nor heard their preaching. On the aforesaid day and year Na Doza, wife of Guillaume Moliner,

⁹⁴ Jesse Gellrich, “Orality, Literacy, and Crisis in the Later Middle Ages,” *Philological Quarterly* 67 (1988): 468–70.

⁹⁵ Jacques Derrida, *Mal d'Archive: Une impression freudienne* (Paris: Éditions Galilée, 1995), 108.

⁹⁶ Wakefield, *Heresy, Crusade, and Inquisition*, 252.

⁹⁷ MS 609, fol. 41v, “Item, dixit quod vidit pluries, in domo Ysarni de Gibel, Ramundum Jaules et socios ejus, hereticos; et vidit ibi dictum Ysarnum et Andrianam, uxorem ejus, et Petrus Amelii et Ramundum Martini, nepotem dicti Petri Amelii. Et tunc ipsa testis et dictus ysarnus et Andriana, uxor dicti Ysarni, comederunt cum predictis hereticis in eadem mensa, et adoraverunt eos; sed non vidit alios adorare. Et sunt .v. anni vel circa. Dixit etiam quod pluries ipsa testis misit dictis hereticibus panem et vinum et pisces.”

a sworn witness, said the same.”⁹⁸ Even where their questions appear in the text, inquisitors, like Geoffroy d’Ablis and Jacques Fournier, are reduced to passive voices. For example, in the deposition of Bernard Marty before Jacques Fournier in 1324, we find, “[a]sked how he knew that the said heretic was there then, he answered that he heard the said heretic speaking.”⁹⁹

Within the registers, this tension between the oral and textual occasionally causes a peculiar buckling, most notably where the scribe breaks from the dissociative third person. After reading hundreds of carefully bounded, third-person confessions, it is almost vertiginous to see Bernard Caux addressed directly, when Genser of Gourvielle, “asks you, oh lord brother Bernard, because Guillaume de Marquielh, husband of this witness, does not wish to keep her, and he is now in your court, and she entreats you, that you ask about his deed.”¹⁰⁰ It is, perhaps, even more disorienting to read the two depositions (out of seventeen) in Geoffroy d’Ablis’s register that mix the first and third persons, such as Pierre de Gaillac’s deposition, which reads:

Asked if I ever had a conversation or a discussion with some of the said heretics, I said that yes, namely with Thomasa, the wife of Pierre de Niaux, and with the same Pierre de Niaux, who said to me many times when he saw some friars preacher [Dominicans] or minor [Franciscans] or priests crossing before him, this Pierre de Niaux used to say to me about those present, I recall: “Ecce videte illos *malcreyre lor faria l’arma que per aull canilha* pingariam [Look at those false believers, I will treat them like a vile, fat caterpillar]!”¹⁰¹

The momentary shift into Occitan further destabilizes the text, reminding the reader that the language of the record was not the language of the confession.

At times, as John Arnold has shown in the depositions of Jacques Fournier, the inquisitors’ textuality confronted “a more fluid and ‘vernacular’ mode of discourse.”¹⁰² During his interrogation by Friar Gaillard, the inquisitor of Carcassone, at Pamiers in 1321, Jean Rocas de La Salvetat confessed to a series

⁹⁸ MS 609, fol. 116r. “Anno quo supra, vi Kalendas Decembris, R. Pelegrini, testis juratus, dixit quod nunquam vidit hereticos, nisi captos, nec credidit, nec adoravit, nec dedit, nec misit, nec eorum predicationem audivit. / Anno et die predictis Na Doza, uxor Willelmi Moliner, testis jurata, dixit idem. / Anno et die predictis Raimunda de Montbru, testis jurata, dixit idem.”

⁹⁹ Fournier, *Registre*, 3:294, “Interrogatus quomodo sciebat quod dictus hereticus esset tunc ibi, respondit quia audiverat dictum hereticum loquentem dicta die in dicto columbario.”

¹⁰⁰ MS 609, fol. 63r. “Item anno et die predictis Genser uxor Willelmi de Marquielh, testis jurata, dixit idem quod propredicta Engelesia et rogat uos domine frater bernarde, ipsa, quod ipse Willelmus de Marquielh, uir ipsius testis non uult eam tenere, et ipse est modo in curia uestra, et supplicat uobis, ut sitis rogatus de facto suo.”

¹⁰¹ *Geoffroy d’Ablis*, 350, “Interrogatus si unquam habui colloquium vel tractatum cum aliquo de facto heresis, dixi quod sic, videlicet cum Thomasa uxore Petri de Anhauso et cum ipso Petro de Anhauso qui dixit mihi pluries quando videbat aliquos fratres predicatores vel minores vel presbiteros transeuntes coram eo, dicebat ipse Petrus de Anhauso mihi et circumstantibus de quibus non recorder: ‘Ecce videte illos *malcreyre lor faria l’arma que per aull canilha* pingariam!’”

¹⁰² Arnold, *Inquisition and Power*, 176.

of beliefs that, although not dualistic, were far from orthodox. Throughout his interrogation, La Salvetat argues for and explains his beliefs, engaging in a discourse with his interlocutor. Oral discourses could be negotiated; inquisitorial records could not.¹⁰³ After the scribe read his confession “from word to word,” Gaillard asked La Salvetat if he wished to abjure the heresies to which he had confessed.¹⁰⁴ La Salvetat answered, “that he never confessed to [these] heresies, nor did he believe [that he had] confessed, rather everything that he confessed before the said lord bishop was true, as he believed.”¹⁰⁵ Gaillard had, nevertheless, already classified La Salvetat into heterodoxy. Gaillard carried on with his questions and his efforts to instruct La Salvetat about where the latter’s professed beliefs conflicted with the orthodox faith.¹⁰⁶ Had La Salvetat not died in prison, Gaillard may well have carried on indefinitely.

Similarly, in 1246, Bernard del Mas of Mas-Saintes-Puelles tried to renege, as it were, his confession of the year before. In 1245, he confessed that he had seen, eaten with, and listened to heretics, and admitted that, after abjuring heresy, he had again seen, adored, and hidden heretics. Yet, when this confession was recited back to him before Bernard de Caux in 1246, Bernard del Mas, “denied, at first, that he had adored heretics, and when his confession was read he acknowledged that he saw many heretics and adored them; and he conceded, before Friar Bernard de Caux, Inquisitor, that the aforesaid confession was true.”¹⁰⁷ Bernard del Mas and La Salvetat, each in his own way, expected to be able to negotiate their confessions to and their discourses with inquisitorial authorities. Thus, they found themselves “pulled into the textual narrative of the inquisition, which records everything said expressly for the purpose of fixing it in opposition for later comparison.”¹⁰⁸

Inquisitors, especially later inquisitors who had their predecessors’ experiences behind them and fewer deponents before them, could expend considerable energy trying to “fix” individual confessions. When Baruch the Jew appeared

¹⁰³See Bauml on the fixed versus fluid nature of written and oral texts, in “Varieties and Consequences,” 249; and Isabel Hofmeyr, *We Spend Our Years as a Tale that Is Told: Oral Historical Narrative in a South African Chiefdom* (Portsmouth, N.H.: Heinemann, 1993), 65.

¹⁰⁴Fournier, *Registre* 2:248, “Qui Frater Galhardus cum fuit in camera in qua captus detinebatur dictus Iohannes, precepit michi notario predicto quod legerem totam confessionem quam fecerat dictus Iohannes coram dicto domino episcopo, et tunc tota confessio fuit sibi lecta de verbo ad verbum per me notarium supradictum.”

¹⁰⁵Fournier, *Registre* 2:248, “Qui respondit quod numquam ipse confessus fuit hereses nec creditit confiteri, ymo omnia que confessus fuit coram dicto domino episcopo erant vera, ut credit.”

¹⁰⁶Fournier, *Registre* 2:248–49.

¹⁰⁷MS 609, fol. 17r, “Anno Domini .M.CC.LVI. kalendis Iunii, hec confessio fuit recitata predictae B. del Mas, et negavit primo quod non adoravit hereticos; et, lecta confessione, recognovit quod vidit pluries hereticos et adoravit eos; et concessit, coram fratre B. Den Cantio, Inquisitore, predictam confessionem esse veram.” Presumably, “non” before “adoravit hereticos” is a scribal error.

¹⁰⁸Arnold, *Inquisition and Power*, 179.

before Jacques Fournier, Fournier questioned him quite closely in an effort to determine which of the existing canonical categories Baruch fell into. During the Shepherds' Crusade of 1320, Baruch was dragged into the baptismal font under threat of death. Thereafter he went to a cleric and asked if coerced baptisms were valid. When told that they were not, Baruch left Toulouse and reverted to Judaism. When brought before Jacques Fournier on charges of rejudaizing,¹⁰⁹ Baruch declared repeatedly that he did not believe that he had been baptized, and so he was not a Christian. For Fournier, the matter was not so simple, and he questioned Baruch closely about the exact circumstances of his baptism:

Asked by the said lord bishop if when he stood before the said chaplain and the said chaplain proceeded in the office of baptism, or indeed when he was placed in the baptismal font and in the act of his baptism, he protested in word or in deed or showed a contrary will by resisting that he did not want to be baptized. He said that [he had] not, afraid lest they kill [him] if he did or said this.¹¹⁰

Baruch was, it seems, flummoxed by these careful distinctions, as indeed are many modern readers. Fournier was trying to classify Baruch within an existing, and somewhat convoluted, canonical criterion for determining the validity of a coerced baptism.¹¹¹ Through exacting questioning, Fournier placed Baruch within the Church and under inquisitorial authority. He effectively defined Baruch into deviancy.

Finally, the surviving records are filled with formulas, repetitions, and redundancies. For example, in the register of Jacques Fournier, Raymond de l'Aire of Tignac's testimony reads: "and because the said man was older than him [Raymond], because of this, he, as he said, believed that the said Pierre

¹⁰⁹In 1267, Clement II issued *Turbato corde* which made lapsed Jewish converts subject to inquisitorial authority, Doc. 232, in *The Apostolic See and the Jews, Documents, 492–1404*, ed. Shlomo Simonsohn (Toronto: Pontifical Institute of Mediaeval Studies, 1988), 239.

¹¹⁰Fournier, *Registre* 1:183, "Interrogatus per dictum dominum episcopum si quando stetit ante dictum capellanum et dictus capellanus procedebat in officio baptismi, vel etiam quando fuit positus in fontibus baptismalibus, et in actu ipsius baptismi, reclamavit verbo vel facto vel ostendit voluntatem contrariam resistendo, quod nollet baptizari, dixit quod non, timens ne interficeretur, si hoc faceret vel diceret."

¹¹¹According to Innocent III's exacting criteria, only someone who had protested during his or her baptism was "absolutely unwilling" and, therefore, not a Christian and not obliged to live as one. Anyone else was conditionally willing, even if he or she consented under duress, and was thus a baptized Christian, subject to the Church's and the inquisitor's authority. Innocent, letter to Imbertus d'Aiguères (September–October 1201), Doc. 77, in Simonsohn, ed., *The Apostolic See*, 80; and *Corpus Iuris Canonici*, vol. 2, book 3, title 42, chap. 3.

Rausi told him the truth.”¹¹² This “excess of writing” has often flummoxed scholars.¹¹³ It is not uncommon for the redundancies especially to be attributed to poor Latinity, scribal illiteracy as it were. However, I would suggest that they attest rather to a collision of textual and oral modes. The repetitions, formulas, and “excesses” are characteristic of oral thought, mnemonics, and modes of communication, which have arguably been transposed to the page in the process of transcription.¹¹⁴

This peculiar juncture between textuality and orality has proven fraught for historians of heresy, popular religion, and medieval society. It is not uncommon for historians to confuse what was recorded with what was said. Regarding Bernard de Caux and Jean de S. Pierre’s register, for example, Mark Gregory Pegg states that “only one person had cause to mention his actual journey from the Laurgais to Saint-Sernin,” where Bernard de Caux and Jean de S. Pierre held their inquisitions.¹¹⁵ Yet, as Pegg himself states rather forcefully, their register represents only two books out of the original ten from this tribunal.¹¹⁶ Moreover, it is manifestly clear from the texts that not everything that every person “had cause to mention” was taken down. Inquisitorial records were not, and were never intended to be, verbatim transcripts. Bernard Gui himself counseled against weighting the record with irrelevant detail by transcribing every word spoken.¹¹⁷

Nonetheless, several historians have used inquisitorial records as if they were ethnographic field notes or exact transcripts. Alexander Murray has gone so far as to liken the inquisitorial process to a “tape recorder.”¹¹⁸ Emmanuel LeRoy Ladurie’s monumental *Montaillou* used Jacques Fournier’s register as though it were “the direct testimony of peasants themselves,”¹¹⁹ which could serve as the foundation for an ethnographic analysis of this village. Building on the assumption that Fournier was driven by “the desire (hateful though it was in this form) to know the truth,” LeRoy Ladurie uncritically culled the registers for

¹¹²Fournier, *Registre* 2:129, “Et cum sic pararet dictum instrumentum, dictus Petrus dixit ipsi loquenti: ‘Et credis tu quod Deus sit aliquid vel Beata Maria?’ et ipse loquens respondit ei quod credebat quod Deus et Beata Maria aliquid erant; et tunc dictus Petrus dixit ei quod Deus et Beata Virgo Maria non erant aliud nisi iste mundus visibilis et illa que in eo sunt que videmus et audimus, et quia dictus homo erat antiquior eo, propter hoc ipse, ut dixit, credidit quod dictus Petrus Rausi dixisset ei veritatem. Et in dicta credentia ipse stetit, ut dixit, per X vel VII annos, credens quod Deus et Virgo Maria nichil aliud essent nisi iste visibilis mundus.”

¹¹³Arnold, *Inquisition and Power*, 76.

¹¹⁴Walter Ong, *Orality and Literacy: The Technologizing of the Word* (New York: Methuan, 1982), 33–41.

¹¹⁵Pegg, *The Corruption of Angels*, 42.

¹¹⁶Pegg, *The Corruption of Angels*, 22, 25.

¹¹⁷Gui, *Practica* 4.16, 243–44; Given, *Medieval Inquisition*, 41–42.

¹¹⁸Murray, “Time and Money,” 7; Arnold, *Inquisition and Power*, 5.

¹¹⁹LeRoy Ladurie, *Montaillou*, vii.

information about the daily lives, beliefs, and habits of Montaignou.¹²⁰ In the process, he translated the depositions from the third person into the first.¹²¹ When LeRoy Ladurie cited passages from the register, which he did often, he presented them, “as if one were eavesdropping in the village itself.”¹²² Similarly, when Jean Duvernoy translated his edition of the register into French, he too transposed third-person depositions into first-person narratives.¹²³

This treatment of inquisitorial records as a transparent medium for peasant voices has been roundly (and justly) criticized. Renato Rosaldo lambasted LeRoy Ladurie’s “uncritical use” of Fournier’s register and his pretensions to ethnography.¹²⁴ LeRoy Ladurie, Rosaldo argues, “invokes the will to truth in order to suppress the documents’ equally present will to power,” and thus wrenches the depositions out of their context.¹²⁵ Following Rosaldo, a few recent scholars have argued that, as instruments of power, inquisitorial records can provide little information about those whose confessions they inscribe. Nancy Stork has argued that these documents are “interrogative disputes” aimed at establishing the truth: the truth of the deponents’ beliefs and the truth of the Church’s teachings, and this purpose obviates any narratives that might adhere to the texts.¹²⁶ The testimony of one Béatrice de Plainsoles (a favorite deponent of historians) was, Stork argues, “radically restructured by the inquisitor (and/or scribe) into specific points of accusation against Pierre Clergue.”¹²⁷ John Arnold makes a similar, if more nuanced, argument by proposing

¹²⁰LeRoy Ladurie, *Montaignou*, xv.

¹²¹For example, I might translate the testimony of Raymond de l’Aire of Tignac, Fournier, *Registre* 2:129, mentioned in n. 112 as: “And when he prepared the said tool, the said Pierre said to him, saying: and do you believe that God or the Blessed Virgin is something? And he, speaking, responded to him that he believed that God and the Blessed Virgin were something; and then said Pierre said to him that God and the Blessed Virgin Mary were not anyone except the visible world and the things which are in it which we see and hear, and because the said man was older than him, because of this, he, as he said, believed that the said Pierre Rauzi told him the truth.” The English translation of LeRoy Ladurie’s *Montaignou* (p. 124) renders the same passage as: “And as he whetted his sickle, he said: ‘Do you believe that God or the blessed Virgin is something—really?’ And I answered: ‘Yes, of course I believe it.’ Then Pierre said: ‘God and the Blessed Virgin Mary are nothing but the visible world around us; nothing but what we see and hear.’ As Pierre Rauzi was older than I, I considered that he had told me the truth!”

¹²²Renato Rosaldo, “From the Door of His Tent: The Fieldworker and the Inquisitor,” in *Writing Culture: The Poetics and Politics of Ethnography*, ed. James Clifford and George Marcus (Berkeley and Los Angeles: University of California Press, 1986), 79.

¹²³Duvernoy, ed., *Registre d’inquisition de Jacques Fournier, évêque de Pamiers (1318–1325)*, Civilisations et sociétés (Ecole des hautes études en sciences sociales. Centre de recherches historiques) 43 (Paris: Mouton, 1978).

¹²⁴Rosaldo, “From the Door of His Tent,” 80.

¹²⁵Rosaldo, “From the Door of His Tent,” 81.

¹²⁶Stork, “Cathar and Jewish Confessions,” 253–54.

¹²⁷Stork, “Cathar and Jewish Confessions,” 258.

that inquisitors' records are sites of discourse.¹²⁸ From the thirteenth to the fourteenth centuries, inquisitors transformed deponents into "confessing subjects," and categorized them, sometimes into transgression, with and within their texts. Although he analyzes how a few individuals performed and negotiated confessional subjectivity and the identities that their inquisitors thrust upon them, Arnold concludes nonetheless that "the dead must yet retain their silences."¹²⁹

A few historians, however, maintain that, with careful handling, inquisitorial records can tell us something about the lives and thoughts of those who appear within them. Carlo Ginzburg argues in his seminal "The Inquisitor as Anthropologist" that it is possible to recover evidence about witchcraft beliefs from the records, if we read them, like anthropologists' field notes, as dialogic texts.¹³⁰ Although the power differential in the texts between inquisitor and subject often makes the texts repetitive and monologic, Ginzburg claims that it is sometimes possible to hear "a clash between different, even conflicting voices."¹³¹ It is possible to decipher these records, he argues, if we "learn to catch, behind the smooth surface of the text, a subtle interplay of threats and fears, of attacks and withdrawals."¹³² He concedes that these documents are neither neutral nor objective, and they must be read as the remnants of an unequal relationship. Inquisitors were inclined to transpose what they heard into their existing categories, thereby often obscuring the "real" beliefs and thoughts of those whom they interrogated. Nonetheless, Ginzburg concludes that where misunderstandings, or a failure to communicate, allowed a genuine dialogue between inquisitors and deponents, it is possible to recover information "untainted" by the inquisitors' existing categories and stereotypes.¹³³ Ginzburg attempts this in his study of the *benandanti*, whose supernatural defense of the harvests and the fields, he suggests, disconcerted inquisitors so completely that their voices were not initially distorted by inquisitorial assumptions, expectations, and definitions.¹³⁴

One of the most nuanced handlings of inquisitors' records comes not from a history of the inquisition or late medieval society, but from a critique of LeRoy

¹²⁸Arnold, *Inquisition and Power*, 76–79.

¹²⁹Arnold, *Inquisition and Power*, 15.

¹³⁰Ginzburg, "The Inquisitor as Anthropologist," 159.

¹³¹Ginzburg, "The Inquisitor as Anthropologist," 160.

¹³²Ginzburg, "The Inquisitor as Anthropologist," 160–61.

¹³³Ginzburg, "The Inquisitor as Anthropologist," 164.

¹³⁴Ginzburg, "The Inquisitor as Anthropologist," 160–61; Ginzburg, *The Night Battles: Witchcraft and Agrarian Cults in the Sixteenth and Seventeenth Centuries*, trans. John and Anne Tedeschi (Baltimore: The Johns Hopkins University Press, 1983).

Ladurie's *Montaillou*. Leonard Boyle's "Montaillou Revisited" is, justifiably, as much a classic of medieval historiography as the work it critiques. Boyle calls LeRoy Ladurie to task for his cavalier treatment of the register, the people in it, and his readers.¹³⁵ In doing so, Boyle offers a model for using these texts. Boyle begins with the text itself. It is, he notes, "a very tricky source," since it is neither a series of straight depositions, nor the original depositions given.¹³⁶ He continues that as confessions were given in Occitan and recorded in Latin, and a very technical, ecclesiastical Latin at that, these texts require careful handling and research.¹³⁷ Yet, Boyle allows, and indeed finds, evidence for peasant life and beliefs within these registers. Cathars' beliefs are easy to ascertain, he states, and adds that with careful sifting, it is possible to reach some conclusions about contemporary Catholic beliefs as well.¹³⁸ Boyle concludes, "[a]ll in all, when one picks a circumspect path through the depositions, the picture of Catholic belief and practice in Montaillou and the Upper Ariège is far from gloomy. The teaching of priests like Barthélemy Amilhac in the various village schools and churches must have been, on the whole, solid and dedicated. The people of this mountainous area were not able to read or write, but they listened and they learned, and they talked and talked."¹³⁹

Inquisitorial records are among the few existing texts that contain anything akin to the words, thoughts, opinions, or ideas of the illiterate peasants, who comprised the majority of the premodern world's population. Those who "listen for the text" can, in Brian Stock's evocative phrase, hear the echoes of voices that have been otherwise silenced.¹⁴⁰ Yet, these texts require special care. As Stanley Fish so cleverly argues, no sentence exists outside of its context,¹⁴¹ and certainly no text as fraught as an inquisitorial record does. To use or interpret these records, one must understand the exact nature of their production and use. Inquisitorial registers can be "both harrowing and human."¹⁴² One must hold in mind that the confessions and sentences contained within the records were heard in the vernacular, not in Latin as they now appear. These records were intrinsically tools for uncovering and suppressing heresy, not for recording

¹³⁵Boyle, "Montaillou Revisited," 121–31.

¹³⁶Boyle, "Montaillou Revisited," 121–22.

¹³⁷Boyle, "Montaillou Revisited," 124–40.

¹³⁸Boyle, "Montaillou Revisited," 134–35.

¹³⁹Boyle, "Montaillou Revisited," 136.

¹⁴⁰Brian Stock, *Listening for the Text: On the Uses of the Past* (Baltimore: Johns Hopkins University Press, 1990).

¹⁴¹Stanley Fish, "Normal Circumstances, Literal Language, Direct Speech Acts, the Ordinary, the Everyday, the Obvious, What Goes without Saying, and Other Special Cases," *Critical Inquiry* 4 (1978): 625–44.

¹⁴²Boyle, "Montaillou Revisited," 134.

the voices and experiences of their subjects. They were made and formatted so that inquisitors could readily search them for information that implicated suspects. Those before them faced, depending on the degree of culpability to which their interrogators assigned them, social humiliation (the wearing of crosses), imprisonment, and, in extreme cases, death by burning. If they were convicted, their property was forfeit, and their descendants were deemed as guilty as they. Every word that they said, and every word that was recorded, must be weighed with this knowledge in the balance.