

and St. Dominic.

### What Really Happened?

With all that said, we must distinguish between the facts of the Inquisition and the fiction. As recent scholarship has shown, both Protestants and secularists, from the sixteenth century to the present, have wildly exaggerated the evils of the Inquisition in order to further their own ends, creating straw demons of Inquisitors and popes alike. Sadly, these errors have been repeated so often that they have become “facts.”

Although such exaggerations have made “facts” from fiction, there is some truth about abuses that Catholics must admit. Unrepentant men found guilty of heresy were handed over to the State for punishment, even though Church authorities did not always agree with the punishments inflicted. We must realize that in handing over the condemned heretic to the secular power, the Church knowingly was handing over the condemned for punishments ranging from imprisonment to burning at the stake. Furthermore, even with all the procedural precautions, there were Inquisitors who did not follow the laws of the Church and all too readily handed over a significant number of “heretics” to be burned alive. However, anti-Catholic pamphleteers and historians have grossly exaggerated the numbers, asserting that millions died at the stake. Though the actual numbers are far less (3000 - 5000), these fiery deaths were quite real and regrettable.

It is also true, sadly enough, that the Church, following the judicial customs of the day, allowed for torture as a part of the judicial procedure. The approval of torture went all the way to the top, as Pope Innocent IV’s bull *Ad Exstirpanda* (1252) attests. However, the use of torture during judicial inquiry was not, contrary to many detractors of the Church, the invention of the Inquisition.

Just prior to the time of the Inquisition, Roman law had begun to displace the local judicial customs of Western Europe. Roman Law had allowed judicial torture in some circumstances. Under the medieval understanding of law, the accused in a capital crime could only be convicted if there were full proof of his guilt. This entailed either the testimony of two witnesses, being caught in the act, or personal confession. If the first two were lacking, and everything else pointed to the guilt of the accused, torture

was used to extract his confession. To be considered a valid confession, the accused had to confess freely the next day.

In regard to the use of torture as well as capital punishment, the Church did not invent, but regulated and codified these existing civil, judicial practices. In addition, it is important that the overwhelming effect and goal of the Church was to soften the punitive harshness of the secular powers, and correct the abuses of individual Inquisitors who were arbitrary and cruel.

### Learning from Our Mistakes

Despite these facts, Pope John Paul II warns us:

Yet the consideration of mitigating factors does not exonerate the Church from the obligation to express profound regret for the weakness of so many of her sons and daughters who sullied her face, preventing her from fully mirroring the image of her crucified Lord, the supreme witness of patient love and humble meekness. From these painful moments of the past a lesson can be drawn for the future, leading all Christians to adhere fully to the sublime principle stated by the Council: ‘The truth cannot impose itself except by virtue of its own truth, as it wins over the mind with both gentleness and power.’ [1]

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### Pamphlet 197

# Inquisition in the Catholic Church

ISSUE: What role did the Inquisition play in the Catholic Church?

RESPONSE: According to Pope John Paul II, “The Inquisition belongs to a tormented phase in the history of the Church, which ... Christians [should] examine in a spirit of sincerity and open mindedness.”[1] To assess the Inquisition properly we must distinguish between the principle which undergirded it, and the actions of those responsible for implementing the principle. The principle -- that the Church must guard the faith against deviations -- is an obligation of Divine Law (cf. Mt. 18:18; 2 Tim. 1:14). The actions taken to implement the process sometimes were questionable and even deplorable. Yet, because of centuries of misinformation, we must take care to distinguish fact from fiction.

DISCUSSION: Catholics have a duty to understand what happened during the Inquisition and why. This allows us to distinguish between what is defensible and what is not.

### The Use of the Inquisition Against Heresy

With the reign of emperor Constantine (d. 337), the Church moved from being persecuted to being protected, and political and theological concerns began to overlap. The good of the Church likewise began to be seen as integral to the good of the State. Consequently, from the 4th century on, not only did emperors convene councils against heresies, they also established a wide range of civil penalties for heresy. These penalties ranged from fines to capital punishment, as the famous *Corpus Iuris Civilis* (529) of the Emperor Justinian (d.527) attests. Inquisition was one means by which both secular and Catholic courts addressed heresy.

By the end of Christianity’s first millennium, most of western Europe had been converted to Christianity. By this time, there was little separation of Church and State. That is, both secular and ecclesial offices and legal systems overlapped. The effects of one system were recognized within the other. Because of this, the secular powers and the Church, even with all their disagreements and failures, had developed a common foundation and aim in protecting the common good. One general effect of all this was that

secular politics were not morally or theologically neutral, nor entirely severed from the Church. Political and religious questions were, therefore, inextricably intertwined, and religious heresies were considered a kind of political treason.

### **The Cathari Heresy**

Catharism (from the Greek *katharos*, which means “pure”) was a heresy which threatened nearly every line of the Creed. Although there were many other heresies addressed by inquisitorial courts (including the Waldenses, Beguines, Fraticelli and the Spirituals), Catharism was the most prevalent, and therefore the heresy which gave rise to the use of inquisition by the Catholic Church.

The Cathari believed that the physical, visible world was created by an evil god and the spiritual, invisible world was created by a good god. They believed that salvation came through the purification of their immaterial souls from the evils of physical creation. This dualism directly contradicted the truth about both the natural and supernatural good of creation. When the heresy of Catharism became visible around the year 1000, the response to it was at first haphazard, lacking both structure and discipline. As a result, Catharism spread rapidly from Eastern Europe to Southern Germany, Northern Italy, and Southern France. We must note, in all humility, that part of the cause of the rapid spread of heresy during this period was the deplorable behavior of many of the bishops and clergy, especially in Southern France, who were wedded to “Madame Luxury” rather than “Lady Poverty.” In contrast to these deficiencies and abuses, the Cathari embraced poverty and strict asceticism.

During the next century, secular rulers, Church councils, and popes called for the investigation and prosecution of heresy as well as for the punishment of unrepentant heretics. Yet such efforts to address the spread of heresies such as Catharism remained disorganized and ineffective.

To remedy the disorganized response to heresy, Pope Gregory IX (1227-1241) set himself to the task of bringing the investigation of heresy under the discipline of the Holy See. What we term the “Inquisition” is simply the ecclesiastical tribunal with specially appointed judges (Inquisitors) answerable to both the local bishop and the pope, whose task it was to investigate charges of heresy in a systematic and fair way. The origin of this form of

judicial inquiry, the *inquisitio*, was not Church law, but Roman Law as incorporated into the procedures of civil and canon law alike. Gregory wisely relied on the new mendicant orders, the Franciscans and the Dominicans, to handle most of the inquisitorial work.

This first phase of the Inquisition began to die out in the 1300’s as the heresies themselves faded. The next phase began in 1478 when, at the request of the Spanish sovereigns Ferdinand and Isabella, Pope Sixtus IV (1471-1484) issued a papal bull allowing for the creation of the Spanish Inquisition. It lasted until it was formally abolished in 1834, although its most fervent activity was during the 15th and 16th centuries.

The Spanish Inquisition is the most notorious of the inquisitions for three reasons. First, it was more cruel precisely because it was administered by the secular arm. Second, it was concerned, in large part, with the *conversos*. These were Jews who had converted either under duress or out of social convenience, and were suspected of secretly practicing the Jewish faith. And third, it has been the main target of Protestant and secular opponents of Catholicism who have fabricated -- through pamphlets, ‘histories,’ plays, and even paintings -- cruelties and excesses far beyond what actually occurred.

With the advent of the Reformation in the 16th century, another phase of the Inquisition began. Alarmed at the spread of Protestantism, Pope Paul III (1534-1549) established the Roman Inquisition in 1542. Perhaps its most famous act was the conviction of Galileo for violating its injunction of 1616 not to teach or defend the thesis that the sun is the immovable center of the universe. The Roman Inquisition has undergone several name changes since its creation. At the time of Galileo, it was known as the Congregation of the Holy Office. Pope John Paul II gave it the name it bears today, the Congregation for the Doctrine of the Faith.

### **Assessing the Inquisition**

The principle upon which the Inquisition was built is entirely defensible; indeed, Catholics everywhere have the duty to defend it. The Church was given by Christ Himself the mission of safeguarding the deposit of faith from distortion or corruption (cf. Mt. 28:16-20; Mk. 16:14-20; Jn. 21:15-19; 1 Thess. 2:13; Jude 3; Catechism, nos. 84-90, 172-75, 813-16).

However, we must distinguish between this principle, and the means by which the faith should be defended. The Church herself, as evidenced in the Catechism, does not defend the regrettable practices of the Inquisition:

In times past, cruel practices were commonly used by legitimate governments to maintain law and order, often without protest from the Pastors of the Church, who themselves adopted in their own tribunals the prescriptions of Roman law concerning torture. Regrettable as these facts are, the Church always taught the duty of clemency and mercy. She forbade clerics to shed blood. In recent times it has become evident that these cruel practices were neither necessary for public order, nor in conformity with the legitimate rights of the human person. On the contrary, these practices led to ones even more degrading. It is necessary to work for their abolition. We must pray for the victims and their tormentors (2298).

Furthermore, the Church does not proclaim that individuals in the Church, merely by being members of the Body of Christ, are infallibly Christ-like in all their actions. Rather:

“[t]he Church, ... clasping sinners to her bosom, at once holy and always in need of purification, follows constantly the path of penance and renewal.”...All members of the Church, including her ministers, must acknowledge that they are sinners. In everyone, the weeds of sin will still be mixed with the good wheat of the Gospel until the end of time (Catechism, no. 827, quoting Vatican II, *Lumen Gentium*, no. 8).

The mission of the Magisterium is linked to the definitive nature of the covenant established by God with his people in Christ. It is this Magisterium’s task to preserve God’s people from deviations and defections and to guarantee them the objective possibility of professing the true faith without error. Thus, the pastoral duty of the Magisterium is aimed at seeing to it that the People of God abide in the truth that liberates (Catechism, 890)."

"We must not forget that Catharism (and the other heresies) were influential to the degree that the Church’s shepherds were failing to live up to the obligations proper to their offices. The proper response to the heresy of Catharism was not violent opposition but repentance, reform, and an even more furious embrace of poverty and holiness by those within the confines of orthodoxy, coupled with a zealous preaching of the true faith" -- the response of St. Francis