

THE ROMAN INQUISITION

A Papal Bureaucracy and Its Laws
in the Age of Galileo

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Introduction

Ignorance and prejudice shroud few institutions as they do the Inquisition.¹ About the prejudice there is probably little more to be done than about any other kind. About the ignorance there is hope. For a simple start, historians can abandon their predecessors' seriously distorting tendency to lump together into a single entity the numerous medieval inquisitions and their major early modern successors, one of which, the subject of this book, the Roman Inquisition, had branches that bore only a family resemblance to each other. The target of mob action from at least the sixteenth century and of polemics from at least the seventeenth, until recently "the Inquisition" or most of what was known about it concerned the Spanish variety, one of three early modern versions (the Portuguese is the third) and a major element in the black legend of the evils of Spain and Spanish Catholicism.² About the Roman Inquisition, the most important of these versions, for a long time little more was known than could be gleaned from the study of a handful of important cases, especially Galileo's, reinforced by fairly regular use of published inquisitorial manuals.³

Then in the 1990s, scholarship turned a corner. The decade began with the publication of a collection of John Tedeschi's articles, some of which had originally appeared almost thirty years earlier, and ended with the opening of the Archive of the Congregation for the Doctrine of the Faith in 1998.⁴ In between came Francisco Bethencourt's *The Inquisition: A Global History, 1478–1834* and Francesco Beretta's doctoral thesis on Galileo's trial.⁵ Together, these set the stage for an assault on the fastnesses of the Roman Inquisition's archives. A framework had been built, and the documents were at last available with which to flesh it out and test its soundness.⁶

In addition to the Vatican's robust refusal to admit more than a handful of scholars to the Congregation's records at any time—the reading room still seats only twelve—a number of other prejudices and omissions in historical scholarship made, and still make, study of the Roman Inquisition difficult.

One major problem is that its status as chief guardian of the faith automatically means that issues of personal belief enter in, and usually not to the Inquisition's advantage. Its defenders have often done more harm than good. Another serious distortion arises from that fact that its "victims" have always attracted most interest.⁷ The existence of victims presupposes victimizers, men who abused power and procedure, not to mention prisoners. Unfortunately, next to nothing was known about either how the Inquisition's power developed or its procedures. Thus another difficulty arose. The study of bureaucracy and law has not been much in favor for a generation. Just when the Inquisition's own bureaucratic and legal documents became available, the opportunity to profit from them was largely missed. Instead most studies continued to run along the old tracks laid down by those seventeenth-century polemics, perhaps especially in the study of Roman censorship.⁸ Further, the history of early modern law and lawyers, canon and civil, is much less well served than is that of their medieval predecessors.⁹ The excellent theoretical and historical reconstruction of Western law in the central Middle Ages in Harold J. Berman's *Law and Revolution* had no sequel, or rather, the sequel concentrated on Germany and England and the impact of the Protestant Reformations.¹⁰ It seems nothing of legal or constitutional consequence happened in the home of what Berman in the subtitle of his first volume called "the western legal tradition." Berman might be forgiven for shying away from Italy, given the complexities of its legal landscape that almost defy description much less analysis.¹¹ The sheer quantity of legal publication, the subject of intense interest by the Inquisition, combined with the often gnomic discourse and system of reference in which it was couched, presents another deterrent.¹² If we confine our attention simply to Rome and the papacy, much of the administrative and constitutional history needed to provide context for any individual papal judicial organ has not been done. Rome has had no Geoffrey Elton, for good or ill.¹³ Instead, historians have thought themselves forced back on antique and usually anachronistic handbooks designed to serve inhabitants of the Roman bureaucracy at various moments, and therefore by definition not safely used in other periods.¹⁴ Thus any study of the Roman Inquisition as what it was, a legal institution, was almost fatally handicapped at the outset.

I took this situation as provocation. Already in my work on one of the more famous sixteenth-century "victims" of the Inquisition, Cardinal Reginald Pole, I had in the back of my mind to get at what the men who pursued him thought they were doing on their own terms, however morally repulsive we might find them. I discovered that much of the responsibility for Pole's

troubles could be laid at his feet, especially the extraordinarily ill-chosen decisions to leave his seat among the cardinals directing the Inquisition, not to campaign for the papacy, and then abandon Rome altogether, leaving the field clear to his enemies.¹⁵ My interest in the Inquisition piqued, I turned my attention to another of its most famous victims, perhaps its most famous, Galileo. I soon discovered that the same approach in black-and-white terms that bedeviled study of Pole and his allies obtained in Galileo's case. Anyone who argued Galileo might bear some responsibility for his fate or made mistakes in his trial had automatically to be a defender of the Inquisition. There was no third option. I determined to find one.

Hence this book. It began as the introductory chapter to a study of Galileo's trial. I intended through it to describe how the Roman Inquisition worked only in sufficient detail to make sense in legal terms of that neuralgic episode. In order to determine what was illegal, immoral, or improper, I had to establish what was legal, moral, and proper, always to the degree possible in seventeenth-century terms. Detecting an abuse demanded knowing what should have happened. Were John Tedeschi and Paul Grendler right in the judgment that the Inquisition dispensed "*legal* justice" and was "a fair-minded tribunal," if not by our standards?¹⁶ This assignment turned out to be much larger than I anticipated, and as a result that chapter became not just a single book but two; the second will treat the Inquisition as a political institution in its Italian context, specifically its relations with Venice, Florence, and Naples, including full treatment of a half-dozen highly significant cases. Quantity of material turned a small project into a large one. My analysis of Galileo's trial, which will now make a third volume, depended on a changed angle of vision, away from it as an *unicum* to one among many, and from him as heroic protagonist and victim (a construction as oxymoronic as it is durable) to the men who put him on trial and the procedures they used. That is, the point of view changed from a single figure and a narrow corpus of sources to an approach in terms of process and prosopography, drawing on a much wider range of evidence.

This changed perspective draws on the work of the last generation that has dramatically improved our understanding of how the Roman Inquisition went about its business, especially the pioneering efforts of Tedeschi, Andrea Del Col, Adriano Prospero, Massimo Firpo and Dario Marcatto, Guido Dall'Olio, Christopher Black, more recently and among the most important Francesco Beretta, and most recently of all Ugo Baldini, Leen Spruit, and their team, the first volume of whose researches appeared in 2009.¹⁷ Together

with a similar volume of writing about the medieval inquisitions as both institutions and procedures, especially the contributions of Edward Peters, H. A. Kelly, Mark Gregory Pegg, and Christine Ames, we have a much better grasp of the Inquisition's functioning and how it changed over time.¹⁸ Much of this new work remains concerned with the substance of cases before the Inquisition, not its procedures. Yet as Del Col so aptly puts it, we cannot hope to get to closer grips with the institution without knowing the rules that governed it, which requires studying a "congruo numero" of *processi*.¹⁹ As Del Col also stresses, the Inquisition was designed to produce flexibility as both procedure and institution, and a great deal depended on the personality and experience of the individual inquisitor.²⁰ Bethencourt, too, emphasized the importance of people, in particular factions within and power struggles outside the Inquisitions and the significance of establishing "the real actions of the agents involved in important historical processes."²¹ Like Del Col, he called for further attention to "the institutional configuration of the Roman Inquisition."²² Beretta singled out a key dimension of the institution and its men, its jurisprudence.²³

Bethencourt proposed a fourfold "new model of research": "rites and etiquette, organizational forms, strategies of action and systems of representation." I have not been much concerned with the first or the fourth of these, in part because they concern the Inquisition's public face and in part because trying to pursue them inside the institution encounters insuperable problems of evidence, as Bethencourt admitted in the case of the Roman Inquisition's "emblems."²⁴ There is no information, aside from occasional decrees about seating arrangements, "quasi-liturgical" papal entrances (about which we know only the fact, nothing about their form), and apparently endemic conflict over precedence among the consultors reflected in the order of their names in the decree registers. The manuals give some attention to internal ritual, but it is hard to know how far to trust their accounts.

Bethencourt's second and third approaches, which he quickly collapsed into one another, are vital. He rightly insisted that "forms of organization . . . are fundamental," and proposes to treat the "tribunals . . . as systems which imposed operating rules on their agents, but which also constituted spaces of conflict," which means "we need to know about the persons who made these tribunals work."²⁵ Above all, Bethencourt observed the lack of attention to the Cardinal Inquisitors, a situation remedied somewhat by the work of Pierre-Noël Mayaud and addressed in Chapters 2 and 3 below. He also nodded in the direction of the "intellectual sphere" in the form of a brief

discussion of provincial inquisitors' education and experience, but not their writing or their patronage.²⁶ Although not raised in his initial discussion, Bethencourt's attention to the institution's "plasticity" is of the first importance. What he said of the Inquisition in general holds equally true for the Roman variant. It had neither "a set form or an immutable jurisdiction," and its functions "varied in time and space."²⁷ As a consequence, "practice was frequently ahead of or at odds with the law."²⁸

Despite the great value of Bethencourt's book, it suffers from some of the same problems as its less enlightened predecessors and underscores the necessity of the study of procedure and jurisprudence proposed by Beretta and Del Col. One of the most damaging is Bethencourt's assertion that all early modern inquisitions "shared the same juridical basis, the same set of doctrines and the same penal procedure."²⁹ Perhaps worse, he lists without objection the Dutch Protestant Philip van Limborch's charges about the "unfairness of the Inquisition's [*sic*] procedures," especially the last two, that "there were no independent lawyers to assist the accused; and condemnations could result from the testimony of a single witness."³⁰ The first of these sets of claims holds only at such a high level of generalization as to be almost meaningless, and the second are either not true or true only with heavy qualification, as Tedeschi and others have pointed out in the past and as I demonstrate in more detail in Chapter 5. And as I shall show in my second volume, it is not the case that the Roman Inquisition "rarely intervened in the political arena in Italy, except in the papal states."³¹

As often, new approaches depend in part on new sources. It is impossible to use the traditional source Del Col privileged, the *processi*, in the case of the central Roman tribunal because of the almost complete destruction of its trial dossiers. The best we can do is study the few survivors, including Galileo's, most of which wandered into other archives, as well as undertake comparative study of how local inquisitions worked, as Del Col has done in the case of Udine; Giovanni Romeo and Pierroberto Scaramella in Naples; Grendler, Brian Pullan, Pier Cesare Ioly Zorattini, and Anne Schutte for Venice; Adriano Prosperi for Florence; Oscar di Simplicio for Siena; and Albano Biondi for Modena—to cite just a few examples.³² But historians can do much better than make the best of a bad situation. Instead, we have an excellent source intended to record procedure and jurisprudence generated by the Roman Inquisition itself, the decree registers. Bringing their value to historians' attention is one of Beretta's greatest contributions to date, along with his attempt to reconstruct the Roman Inquisition's archive.³³ It is not too much to say that using these records has revolutionized our understanding of the institution.³⁴

Procedure conceived as a dynamic process entails attention to the men who apply, adapt, even invent it. Bethencourt, Beretta, and others began to dig into the preparation of the Roman Inquisition's personnel, Beretta making specific reference in his point about the necessity of studying jurisprudence to Gian Garzia Millini, sometime the Inquisition's secretary and previously an auditor of the Rota, the Roman supreme court.³⁵ Millini is not the only one of Galileo's judges (among them the secretary in 1615–1616, and two of those who condemned him) to have left enough of their legal opinions to give us an idea of their accomplishments. Another may have written a manual on procedure that circulated widely in manuscript. The first of these have never been looked at, to my knowledge. A few records survive of Urban VIII's own practice as prefect of the Segnatura di Giustizia, as well as some of his and his nephew Francesco Barberini's legal notes, all also unconsulted. An approach in terms of procedure and personnel brings a wide range of other new sources to bear, beginning with the vast Barberini archives in the Biblioteca Apostolica Vaticana. Diplomatic repositories, especially in Florence, Venice, and Modena, have been poorly exploited when it comes to the Inquisitors. Antonio Favaro dug out material of direct relevance to Galileo, but the sometimes almost daily reports from ambassadors in Rome and the newsletters, the *avvisi*, that supplemented them, gossipy and unreliable as they no doubt are, have not been used to reconstruct the careers of the other principal figures involved. Wolfgang Reinhard's prosopographical online database of early modern cardinals, "Requiem," scratches the surface of possibility, mainly using Venetian reports.³⁶ Finally, I have used a substantial number of printed contemporary sources in order to explain the Inquisition's jurisprudence within the context of civil and canon law. All but the last of these have come into fairly general use in the last fifteen or twenty years, but not usually in combination. The effect of using all of them is to make possible an in-depth portrait of the most powerful papal organ in administrative, legal, political, and, yes, even anti-mythological terms.

Above all, I have tried to put questions to my most important source, the decree registers, that they can answer. As both judicial and administrative records in origin, among the most valuable evidence to be had from them concerns the Inquisition's personnel, some of whose careers can be followed closely before being filled out in yet more detail from other sources. Equally valuable, the registers allow a careful reconstruction of the Inquisition's procedure, its "style," which could change almost literally from one moment to the next. Reversing the approach followed until recently, I began with the

Inquisition's own records and only later turned to the manuals for inquisitors that existed in a complex relationship to the Congregation's actions. Finally, the registers were intended to serve as a fund of precedents, both procedural and jurisprudential. Previous work (and in truth this book) has only scratched the surface of what the registers contain about how the Inquisition developed and applied its law.

Chapters 1–4 concern how the Roman Inquisition managed its business and the men who did that. Chapter 1 provides a general overview of how the Roman Inquisition developed after its (re-)foundation in 1542. It recounts how it became the pope's favorite tool, which he might put to just about any end. Its evolution as a corporate body with a highly articulated bureaucracy is traced over about a century. Uniquely among Roman congregations its sole head was the pope, and perhaps even more uniquely there is little sign of corporate resistance to the papal will, as there is, at least occasionally, in the case of the consistory, for example. The second half of the chapter discusses how the Roman Inquisition generated and maintained its records, with particular attention to the decree registers and their uses and limitations.

The heart of the book is Chapters 2, 3, and 4, on the men who worked the Inquisition. In Chapters 2 and 3, I study a sample of Cardinal Inquisitors, beginning with those men involved in both phases of Galileo's trial. In addition to their origins, both social and geographical, their education, economic status, and careers in the church before becoming Inquisitors, I have to the degree possible tried to give an account of their patronage and intellectual interests. Although some of their most prominent number were theologians, the large majority were lawyers, many of whom had practiced in other papal courts or made careers as bureaucrats or governmental agents. Most of their names are recognizable, at least to experts. The same cannot be said of the men studied in Chapter 4, the backbone of the Inquisition, its professional staff. I cast my net more widely here, beyond those officials who came into direct contact with Galileo, tracing over nearly the entire period covered by this book the careers of the commissaries, assessors, fiscals, notaries, and other (at first glance) more minor officials. One result is a clear view of the steady rise in status of these officials and their offices, especially the first two, who made the Inquisition bicephalic. Another more unexpected result is the way Urban VIII managed almost totally to dominate both the cardinals and their officials as no pope before him had done.

The last chapter concerns trial process and attempts to reconstruct how the Roman Inquisition conducted its cases. It contains the most detailed

account of the institution's judicial procedure currently available, beginning with the appearance of the new tool of *inquisitio*, developed intensively from about the time of Innocent III in the early thirteenth century. The description is based above all on canon law and its commentators with as much help from the decree registers as possible. Beyond them, I draw on inquisitorial manuals and miscellaneous documents from the Inquisition's archives. Following up a passing remark by Tedeschi, I try to put the development of inquisitorial procedure in a more general context of civil law criminal procedure and jurisprudence, although given the present state of knowledge the result can be no more than a first sketch.

A Note About Terminology

"Inquisition" is a confusing label because it means at least three things, only two of which are usually relevant here: (1) the corporate body of the Roman Inquisition, often officially known as the Sacred Congregation of the Holy Office, including its satellite tribunals throughout Italy; and (2) a procedure, common to all civil law systems but developing into an increasingly distinctive form in the hands of the Sacred Congregation. A third meaning of the term, the loosest, used to describe any Inquisition, perhaps especially the Spanish Inquisition, will be avoided here. Thus "Roman Inquisition" refers to the entire apparatus of the Sacred Congregation and its satellites; "Inquisition" with a capital "I" refers to one of those satellites; and "inquisition" with a small "i" means the procedure. "The Congregation" means the corporate body that by the beginning of the period covered here had just recently evolved out of the cardinals originally deputed individually by Paul III and who had therefore issued decisions in all of their names, and "Inquisitor" with a capital "I" means one of these cardinals; "inquisitor" with a small "i" means any inquisitor not a member of the Sacred Congregation. I have not used the term to apply to the Inquisition's officials.

The English translation of the terms *processus* and *processo* causes confusion. The two mean both a trial and the documentation thereof. I shall use "trial" in the first sense, rather than using the odd-sounding term process. An Inquisition trial (see Chapter 5) differs from one at common law in beginning the moment a dossier is opened. It thus includes the "pretrial" investigation usually kept distinct in common law from the trial proper.

The Roman Inquisition's Operations

The Congregation of the Holy Office and Its Component Parts

The Roman Inquisition belonged to the pope. Gregory IX originally created it, Paul III revived it, Paul IV and Pius V (both former Inquisitors, Pius also having served as commissary) made it a fearsome institution. It reflects better than any other papal institution the long-term tendency to concentrate power in the pope's hands. It gave him his most effective institutional means of exercising that power. Unlike older central organs, the Inquisition could take cognizance of nearly any kind of case and be put to nearly any purpose. Its predecessors, especially the three papal courts of the Segnatura di Grazia and Giustizia and the Rota as well as the once powerful consistory, the regular meeting of all the cardinals with the pope, had precise and complicated procedures and well-defined areas of competence. Perhaps for that very reason they had gone into eclipse in direct proportion to the expansion of papal prerogatives. The Inquisition's constantly evolving procedures and jurisprudence instead of steadily ossifying it made it a more and more flexible instrument. Its powerful drive to centralization served the same end. Of course, as its processes, both administrative and judicial, became more complicated and its volume of business increased exponentially, it did slowly become more hidebound. But as a direct outgrowth of papal *plenitudo potestatis* it constantly underwent renewal through the pope's personal intervention. If we can believe one *avviso*, Urban VIII had no doubt on this score. Citing his harsh treatment of Cardinal Pio as an example to those ministers of princes who would try to limit his authority, he laughingly continued that even without a formed process—which he acknowledged was probably impossible in Pio's case—"it was enough for him [Urban] to know the truth of the facts, not

caring that he [Pio] appear judicially.”¹ Unlike in the case of many other central papal organs, we find little evidence of the Inquisition as a body resisting papal wishes. This may be in part an artifact of record keeping, combined with the strict secrecy the pope to a remarkable degree managed to impose. Still, the minute examination that ambassadors and newsletter writers applied to the Inquisition produced little sign of corporate objections to the papal will. Yes, they do report all the usual pressures—faction, personality, politics, economics—coming into play. Despite them, the record shows the popes remaining firmly in control and much more often than not getting their way. Conflagrations like those in the consistories of January 1615 that led Paul V to walk out after Inquisitor Paolo Emilio Sfondrato sharply criticized his building on the Quirinal seem only rarely to have happened in the Holy Office except during the period of tense relations with Spain beginning in late 1630.² The nearest occasion otherwise was the probably spirited discussion over the new title of *eminenza* that Urban assigned to the cardinals in the same year.³ Again, the Roman Inquisition belonged to the pope.

This does not mean that popes could simply impose their will on the Inquisition. Those competing pressures demanded that they too stoop to negotiation and compromise. Yet the fact that all the members of the Inquisition were direct papal appointees gave the pope enormous resources to dominate it. Some cardinals virtually had to be made Inquisitors, but if they failed to behave themselves, the pope could find ways to marginalize or neutralize them, even the most obstreperous, even Gaspar Borja y Velasco, caricature of the haughty Spanish grandee, even former cardinal nephews like both Aldobrandini brothers, Sfondrato and Ludovico Ludovisi, all of whom at one time or another found themselves forced into exile. The personality of the pope, his training and experience, thus become vital to understanding how the institution worked. It does not bear thinking about the consequences should he really be bored by the Inquisition, as it was alleged Urban VIII sometimes was, leading him to rush through meetings.⁴ In order to understand how the popes dominated the Inquisition, we need to examine how it worked, before turning in Chapters 2–4 to a more detailed study of its membership, including the popes.

When he promulgated *Licet ab initio* in 1542, Paul III established and deputed (*constituimus & deputamus*) six cardinals as “general commissaries and general and very general Inquisitors.”⁵ Perhaps significantly he gave this new body no name. Pius IV continued to call its members “deputies.”⁶ Their full title in the early seventeenth century remained almost the same: “by divine

mercy cardinals of the holy Roman church general inquisitors against heretical pravity in the whole Christian republic, specially deputed by the holy apostolic see" ("miseratione divina S. tae Romanae Ecclesiae Cardinalibus, adversus haeticam pravitatem in universa Republica Christiana Inquisitoribus generalibus a Sancta Sede Apostolica specialiter deputatis").⁷ They thus individually remained the pope's deputies even while the institution underwent the professionalization and bureaucratization typical of papal government in the sixteenth and seventeenth centuries.⁸ The key moment came in Sixtus V's overhaul of the chief organs of papal power in 1588.⁹ He established the basic system in use until the early twentieth century and in broad outline even yet. It resembled that common in other contemporary European governments by which a set of councils acted for the monarch. Sixtus called his "congregations." This is a revealing term, since its basic meaning is "meeting."¹⁰ By applying it to his new bodies, the pope tried to routinize the ad hoc nature of papal government. He succeeded only to a degree, in no small part because the popes' own drive to autocracy interfered. The most powerful of their congregations, the Inquisition, typifies the outcome. Although within about thirty years it became a corporate body, a permanent institution with a professional staff directed by an increasingly professional set of cardinals, and in that sense the routinization project worked perfectly, the Sacred Congregation remained an organ designed to work as much as possible at the level of the individual case, thereby enshrining the principle of spontaneity and preserving the original sense of "congregation."¹¹ The popes therefore could and did use their new tool in just about any way that pleased them, whatever the rules might say. Since the pope was its head, the Congregation remained directly subject to the papal will in a way different from any other congregation. The cardinal taken as "capo" by the outside world was merely its most senior member, who presided over meetings when the pope did not attend. Urban VIII graphically undercut any possible independence both by appointing almost no one but Barberini loyalists to the Congregation (see especially Chapter 4) and also by ordering in 1628 that it cease to meet by itself in the palace of the senior member and instead assemble in the Dominican general's apartments at Santa Maria sopra Minerva.¹²

The appointment of local inquisitors perhaps most clearly illustrates papal dominance of the Congregation. This task had once fallen to the general congregations of the Dominicans and Franciscans, and then in the case of the first to their vicar-general, before in theory being transferred to the Congregation.¹³ Both bodies still appeared to take a hand, but in fact the decision fell to the

pope.¹⁴ One reason is that inquisitors' appointments did not expire if they had them directly from the pope.¹⁵ The language of the Dominican general chapter of 1592 is instructive: "approbamus," says the general, the appointment (by whom not said) of various inquisitors.¹⁶ As another illustration, when in 1615 the Congregation proposed (not appointed) new inquisitors for Parma and Cremona, Paul V rejected both, moving the nominee for Parma to Cremona and ordering the cardinals to try again in the first place.¹⁷ On another occasion, Paul rejected all nominees and ordered "maturius considerari."¹⁸ In 1617 the Congregation had better luck, having its nominee to Faenza approved.¹⁹ But an earlier occupant of that post had been chosen by Cardinal Agostino Galamini alone at Paul's command.²⁰ Galamini took an anomalous hand in other appointments, partly as a Dominican and partly as a papal favorite. Thus in 1616 the pope rejected an applicant for inquisitor of Avignon and directed Galamini to find someone better.²¹ The following year he was involved in negotiations for the replacement of the inquisitor of Bergamo. His report supported the removal of the holder and then he was asked to write privately to a possible candidate to see whether he would take the post.²² While it can be difficult to discern clear patterns to the workings of the Congregation's meetings, matters concerning inquisitors were almost always handled in the secret part of meetings with the pope, suggesting that they were regarded as of peculiar interest to him.²³ Thus the pseudo-Calderini *Tractatus novus aureus et solemniss de haereticis* was right that the pope appointed inquisitors (as well as that they were friars).²⁴ Inquisitors held office by either a breve (major tribunals) or a letter patent (secondary ones), the first requested by the assessor from the secretariat of breves.²⁵ A few examples of each have come to light, including a letter patent for the inquisitor of Pisa, a breve for Michelangelo Seghizzi to Milan, one for the inquisitor of Florence, and a third for an inquisitor of Venice.²⁶

Naturally, all the contrary forces of early modern government were mixed up in inquisitors' appointments. One of the best-documented cases may be that of Desiderio Scaglia and Federico Borromeo, archbishop of Milan, except that we have only Scaglia's side of the correspondence in which he fawningly asked Borromeo for help becoming commissary general and thanked him four years later when he finally got the post.²⁷ A funeral oration alleged that Scaglia had originally attracted attention while Niccolò Sfondrato, the future Gregory XIV, was bishop of Cremona.²⁸ Another example is a change of inquisitor in Florence. The grand duke had been trying to get rid of the incumbent, a partisan of Inquisitor Ferdinando Taverna, since November 1613. The holder tried

to cooperate with the grand duke, but Rome refused to allow him to resign.²⁹ When the grand duke proposed to replace him with the inquisitor of Siena, Taverna objected, and his candidate eventually won. Exactly the same thing happened in reverse when the grand duke was balked just a little later in his effort to remove the inquisitor of Pisa.³⁰

As in Florence, there were constant struggles over the appointments of inquisitors in Venice and its territory, although the Serenissima got its way more often than the grand duke did. A well-documented instance concerns the replacement of the inquisitor of Padua in 1627. The Inquisition's secretary Cardinal Ottavio Bandini along with the commissary backed the candidate who was initially chosen, the Dominican general another, but the Venetian ambassador beat all of them and arranged the appointment of a third man.³¹ The tensions were especially acute in the wake of the Interdict, with the nuncio trying to have various inquisitors reinstated, at the same time as he managed a number of proceedings against those who had written in favor of Venice.³² Contrariwise, the Venetians often tried to get rid of obstructive inquisitors, as happened at Udine, for example, in 1608, this case resulting in another success.³³ In response, the Congregation ordered the new inquisitor to Rome "in order to give him instructions about how he ought to conduct himself in exercising the office" ("pro danda ei instructione quomodo se gerere debeat in officio exercendo").³⁴ In 1614 the nuncio had to talk the Senate into accepting a new inquisitor for Belluno, and in response the Venetians proposed five nominees for Udine, which had continued to be a point of disagreement.³⁵ Unusually, Paul V told the Venetian ambassador that he did not want to decide the appointment without consulting the Congregation, and it took two months to settle the issue, apparently without much more consultation with the Venetians.³⁶ At the same time, there were difficulties over an inquisitor for Crema.³⁷ In short, it was rare for an inquisitorial appointment to go smoothly in Venetian territory.

As in these cases in his role as cardinal nephew (secretary of state), Scipione Borghese, although never a member of the Congregation, took a big hand in other appointments of inquisitors, where he acted solely as dispenser of papal patronage. Scaglia managed to transfer his allegiance from Borromeo to Borghese, gaining appointment as inquisitor of Milan as a result.³⁸ At about the same time as the grand duke lost to Taverna, Borghese promised to satisfy the prince of Castiglione's request to have "Giacinto" made inquisitor of Verona, a move the Congregation resisted.³⁹ Similarly, he had been involved in the successful nomination to Faenza just mentioned, but several further

requests from the winner to move to Milan or even to be made commissary did not succeed.⁴⁰ Future duke of Mantua Vincenzo Gonzaga's recommendation for inquisitor of Ferrara arrived too late to effect the appointment in November 1619.⁴¹ Some inquisitors did not need recommendations, their offers to serve being accepted!⁴²

One of the most important signs of the Congregation's corporate nature was its secretary, an office established in 1564.⁴³ He was assisted by a deputy, another cardinal. This doubling was intended to groom a successor, a nice indication at the very top of the Inquisition's approach of learning by doing. The secretary seems to have received agendas for meetings the pope did not attend, suggesting that he conducted them while the most senior cardinal presided, but the evidence is late, and practice may have changed. There is no indication of who drew up the agenda, although as we shall see earlier this fell to the assessor.⁴⁴ The secretary's principal job was the Congregation's correspondence. While he wrote a substantial part of his letters on Saturday, usually incorporating orders handed down by the pope on the previous Thursday, they might be written at any time, often the next day after a meeting or even the same day.⁴⁵ The volume of correspondence was impressive. To take three successive days at random from one of the three register volumes of the Congregation's correspondence preserved in the Vatican Library, thirty-four letters went out on the first occasion, forty on the second, and thirty-four again on the third.⁴⁶ The letters could be written in the name of all the cardinals or the secretary alone.⁴⁷

The Professional Staff

The Principal Officers

The Congregation was assisted in both types of meetings, but not in the same way, by four officers: commissary, assessor, fiscal proctor, and notary (one titular assisted by a fluctuating number of sub-notaries). The commissary and the assessor had the most important positions.⁴⁸ The precise hierarchy between them was as obscure to the notary as it is to us.⁴⁹ Sometimes one came first in order of precedence, sometimes the other. Then again, on occasion the notary seems not to have been certain which was which or even to have known their names. The commissary belonged on top, since as his title indicates, he literally was the Congregation, capable of doing in its name anything it could for itself.⁵⁰ This explains why he received all letters directed to it during a sede

vacante.⁵¹ As a result, he usually took precedence over the assessor unless a particular assessor, perhaps in league with the notary, managed to have himself listed first. The inquisitorial manual in BAV, Barb. lat. 1502 makes the assessor subordinate to the commissary, saying the assessor assisted him in forming process and that he drew up the sentence as instructed by the commissary after the second had drawn the “errors and heresies” out of the trial record.⁵² Cardinal Girolamo Casanate, himself an assessor, agreed that he assisted the commissary.⁵³ The assessor might be described as the head of the Inquisition’s bureaucracy, in a sense doubling its cardinal secretary.⁵⁴ He was responsible for shepherding cases through, including presenting the *summarium* to the judges at its conclusion.⁵⁵ In practice, this delineation broke down, and the assessor and the commissary shared many of the same tasks. Again, the Inquisition was in the early stages of bureaucratization, and as a result the descriptions of particular functions within it remained fluid. Just about any officer could be assigned just about any task.⁵⁶ Still, the commissary had overall charge of the proceedings, especially the interrogations of the accused, although much of this activity was in fact delegated to lower-ranking officers.⁵⁷ Francesco Beretta likens him to a “juge instructeur.” He was always a Dominican and by order of Paul V always from the Lombard province.⁵⁸ He was assisted by his *socius* (*socio* in Italian), literally companion, or official substitute, also always a Dominican. The assessor also had an assistant, identified sometimes as his secretary. A 1605 grant allowed him to “keep some youth about him, who may serve in writing as needed in the Holy Inquisition’s business”; in 1621 he was ordered to find another such, and the record of the oath by a third is recorded on 2 February 1633.⁵⁹

The fiscal proctor is the third of the important members of the permanent staff.⁶⁰ The office developed in the Iberian Peninsula by the late fifteenth century and entered Roman practice via the Madrid articles of 1561 and Peñá’s scholia to his edition of the *Directorium inquisitorum*. In effect, the fiscal stood for the merger of the older process of accusation with that of inquisition by denunciation and thereby allowed the inquisitor or in the case of Rome the Congregation to return to the role of impartial judge.⁶¹ He formally laid the charges (including those originating with the master of the sacred palace, that is, cases of censorship) and assisted the commissary in making the process.⁶² He functioned as a judge, which enabled him to request citations of suspects and of witnesses, force an accused, a *reus*, to answer, take part in interrogations and torture, and give an opinion about sentence, although not join in passing it. Above all, he was the *publicus denunciator*.⁶³ Despite all the instability in the

precedence assigned in the attendance lists, the fiscal nearly always came last. This may be because his office had almost become redundant. It had arisen originally with the decline of accusation by private individuals as a mode of laying charges.⁶⁴ Instead, the fiscal stepped in literally in place of those individual accusers as representative of the community, almost in the role of what we would call prosecuting attorney. But in the Roman Inquisition's system, the commissary, representing the Congregation and behind it the pope, increasingly usurped that position of representation, and the fiscal's role became largely formal. Cesare Carena, fiscal of the Holy Office in Cremona, went so far as to say that although his principal qualification was "perfect knowledge of the law" (*iuris perfectam cognitionem*), he did not attend meetings or have a vote.⁶⁵ He still laid the charges and may even have drawn them up in the sense of drafting the document containing them, but they were formulated elsewhere and on other authority.⁶⁶ As a result, the fiscal became a floating agent, free to fill many roles. Thus he often joined an Inquisitor in the early stages of a case or might be dispatched to the countryside to form a process.⁶⁷ In March 1613, the fiscal joined together with Cardinals Sfondrato and Taverna, the commissary, and the *summista* to make process against those who had made off with the prohibited books in Francisco Peña's library.⁶⁸ He had something to do with taking care of prisoners, he might be ordered to exact a fine, or to review an edict sent by a local inquisitor, or even to censure a book.⁶⁹ Under Commissary Vincenzo Maculano, he might conduct interrogations, a serious violation of the rules precisely because of his office of prosecutor and also because he could not administer oaths.⁷⁰

Finally, the notary performed nearly the most vital role, since it was his job to oversee the Congregation's records and make them usable for future consultation. The *Repertorium inquisitorum* neatly defined the office and summed up its responsibilities.⁷¹ A *notarius* was a public servant, sometimes called notary, sometimes *tabellio*, sometimes *tabellarius*, although the second of these may not have been correct, since papal notaries were not so identified in England.⁷² His job was threefold: to write the *acta* as instructed and authorized by the judge, being sure to add the date and place of writing; to give copies to the parties; and to keep the original acts himself. According to a decree, any copies he made had to be drawn up as authentic, public instruments.⁷³ The *Repertorium* also incorrectly thought that only notaries could be commissioned to examine witnesses. Nominally the notary worked under the secretary's control, but for the majority of the time, he seems to have been left to his own devices. The first two of these officers were supposed to attend

all phases of all meetings, while the fiscal and notary were excluded from the secret part.⁷⁴

One final part of the Inquisition's secretariat is only poorly understood: the scribe or scribes who wrote the secretary's official letters. At this point little more can be done than to note the problem and suggest impressionistically that the secretary did not use any of the men known to have served as the Inquisition's notaries, almost certainly none of the chief notaries. The importance of the secretary's assistant/s emerges forcefully from the mess an inexperienced clerk might make: for example, Pietro Benessa in the secretary of state's office, who butchered the order to the nuncio in Florence to summon Galileo to Rome.⁷⁵

A fifth official was almost as important as the notary and was much better qualified.⁷⁶ This was the *summista*.⁷⁷ He "applied himself in the examinations of accused persons and forming *processi* and provided for himself a suitable person who makes the index of the *processi* and the names of them [the persons against whom *processi* had been made] and makes the summaries of the *processi*" ("incumbat examinibus Reorum, et formandis processibus, et provideatur de persona idonea quae conficiat indicem processuum, et nominatorum de eis, ac conficiat summaria processuum").⁷⁸ In other words, he took testimony, reduced it to writing, and then drew up the document on which judgment rested. His work therefore lay at the base of the Inquisition's entire operation.

The Consultors

Two bodies of consultors assisted the permanent staff. The first of these, which probably arose in 1564 at the same time as the office of secretary and other institutional changes, included among others minor officials of the Holy Office.⁷⁹ Its members appeared at every meeting albeit, like the fiscal and notary, with different roles depending on whether the pope was also present; they also held a more or less regular weekly meeting by themselves, usually on Monday. These assemblies are thinly documented, and none of their records are known to survive.⁸⁰ I have found only one reference to their existence in the decree registers, an order of 1630 that the *proctor reorum* was to attend them.⁸¹ By the later seventeenth century, Monday meetings had been fully formalized and included consideration of the entire case right through to proposed sentence.⁸² Their purpose was to prepare the assessor for the Wednesday meetings with the

cardinals.⁸³ These consultors represented a broad range of practical experience, from newly minted local inquisitors to the dean of the Rota. The maximum number was twelve, of whom four were civil lawyers and four canonists.⁸⁴ It is possible that under Urban VIII the lawyers attended more assiduously than the other consultors and therefore came to dominate meetings even more than these proportions would suggest, although more work needs to be done on this question.⁸⁵ The edge conceded to them was probably intended to provide a check especially on local inquisitors, most of whom were not lawyers, rather than on members of the Congregation, most of whom were. Slots among the consultors were reserved for members of particular orders; for example, they always numbered one Conventual Franciscan, perhaps because they staffed a few if disproportionately important local tribunals including Florence.⁸⁶ The largest group from any single order always came from the Dominicans, who sometimes almost constituted a majority of attendees.⁸⁷ A strict hierarchical protocol governed the consultors' placement. By order of Urban VIII, they were to sit in order of dignity by age, and apostolic protonotaries, despite the ceremonial importance of their status, never really took precedence based on status alone.⁸⁸

The second, separate group was composed exclusively of theologians, who never as a group attended meetings of the parent body, instead submitting their opinions to it in writing. Its members began to be called qualifiers by 1620.⁸⁹ Like the parent body, they numbered twelve.⁹⁰ As in the case of the Congregation, this group gradually acquired a corporate identity and became known as the *congregatio qualificatorum*.⁹¹ It was nevertheless possible to confuse the two groups of consultors, as happened when Papiro Silvestro was deputed a *qualificator* when the label certainly means consultor, as his dispute over precedence with the new substitute fiscal Alessandro Boccabella reveals.⁹² They could meet whenever necessary and reported to the commissary, who may also have presided over their meetings.⁹³ If the eleven (not twelve) men who signed the suspension of Copernicus were theologian consultors, as seems likely, then seven of their number were also consultors of the Congregation, five of them ex officio: the master of the sacred palace; the Dominican general; the commissary and his *socio*; and the holder of the slot for the Franciscan Conventual.⁹⁴ Two others were Benedetto Giustiniani, SJ and the Theatine Raffaele Rastelli, the second of whom was certainly later a consultor. Too little is known about a third signer, the Cassinese Michele da Napoli, to exclude him confidently from the list. Thus it looks as if the theologian consultors were nearly identical to the theologians among the main body of consultors and barely a separate body.

If this speculation is correct, it is no surprise that the theological consultants had a great deal of power, especially of course in the suspension of Copernicus, as well as that “personnel questions” could interfere with judgments.⁹⁵ The only example known of the second is the case of the censure of Marco Giustiniani in 1614, which Cardinal Roberto Bellarmino, SJ, harshly criticized. The matter was important, concerning relations within Christendom between Roman and Greek Christians and between both and the Turks. The panel was the same kind of hybrid as assembled to judge Copernicus’s book, including men who were certainly never more than theologian consultants (Peter Lombard, Tomas de Lemos, Gregorio Nuñez Coronel, and Angelo Palazzo, ThD). As in Copernicus’s case, the signatories also included some of the major functionaries among the Holy Office’s consultants: Giacinto Petronio, master of the sacred palace; Rafael Riphos, Dominican vicar-general; Commissary Andrea Giustiniani and his *socio* Francesco Maddaleni Capiferro, later secretary of the Index; Agostino da Castelfidardo, proctor-general of the Conventual Franciscans; and Rastelli. Bellarmino flatly called three of the censure’s articles “false and the cause of great scandal” (“falsa et causa magni scandali”) and cited Lombard’s opinion to show that he had not accepted the decision. Bellarmino claimed that his fellow Jesuit Giustiniani, who had been absent and had not signed the decision, agreed with him. Then most unusually Bellarmino stepped well outside the realm of theology and added that “Raphael Theatinus” (Rastelli) had told him that those who signed had done so out of fear of the commissary, who had authored the censure.⁹⁶ This singleton glimpse inside the congregation of theologians reveals not only a “personnel” problem, but also the role of faction and the inclination of powerful officials to abuse their position.⁹⁷ It would be well to keep the possibility raised by this instance in mind when studying the rest of the Inquisition.

Already under Paul V the consultants did not always have much to do in meetings with the pope. Congregations at Cardinal Sfondrato’s palace often did not involve them at all.⁹⁸ When they did come they sometimes might as well have stayed at home. Compare the meeting of 6 February 1631, for example, to that without Paul V of 12 February, which the consultants entered after just one item of business.⁹⁹ In another with him just a little later, they did nothing whatsoever.¹⁰⁰ Something similar began to happen even in meetings the pope did not attend. Thus that of 6 October 1632 had an unusual amount of secret business, and that of 28 September 1633 transacted three pages’ worth before the consultants entered.¹⁰¹ It seems that both Urban and the Congregation were feeling their own power more and more over time.

The Congregation's Meetings

In theory but not always in practice, the Congregation met twice a week, on Wednesday and Thursday, probably in the morning.¹⁰² When the volume or urgency of business demanded it, the cardinals could assemble at other times, including Saturday.¹⁰³ Such extraordinary occasions often left no trace in the decree registers.¹⁰⁴ The regular Wednesday session included only the cardinals and staff, while on Thursday the pope also attended.¹⁰⁵ The second of these is known as a *coram*; the first will be called a “non-*coram*.”¹⁰⁶ Both meetings had an opening secret phase, of the cardinals alone or the cardinals and the pope, in both cases together with the commissary and assessor.¹⁰⁷ The fiscal and notary were not supposed to attend, not entering until the rest of the consultants did (the “public” phase), but this was another rule popes could and did ignore.¹⁰⁸ Many *corams* had an opening third phase attended by the cardinals alone, often to consider a single case, before the pope’s ceremonial entry.¹⁰⁹ There were also informal meetings both before and after the regular sessions, often of great consequence, including the passing of sentence.¹¹⁰

It has been claimed that meetings and especially their phases can be distinguished by the particular kinds of business with which they dealt. *Corams* have been understood to end with a capital sentence, and the secret phase handled “delicate questions” of process or politics, while the second dealt with the more advanced stages of instruction of a process and with licenses to read prohibited books.¹¹¹ Only the assertion about licenses to read is nearly correct; I have found a single instance of such a grant in the secret session.¹¹² The first point is false, and the second generalization appears to me to stretch the evidence violently. *Corams* do not invariably end with a capital condemnation.¹¹³ When they do conclude with a sentence by the pope, it is almost never explicitly identified as capital.¹¹⁴ To judge from the decree registers, the Roman Inquisition might almost never have condemned anyone to death.¹¹⁵ An order of corporal punishment at the end of a *coram*, especially consignment to the galleys, is fairly common, but still not a constant.¹¹⁶ On several occasions a sentence to the galleys is commuted into imprisonment, release under bond, or even a conditional dismissal.¹¹⁷ A *coram* might end with no more than a “serious warning” (*gravis monitio*), an order to treat a prisoner kindly in an effort to convert him, or even a mere procedural move.¹¹⁸

The description of the division between phases of meetings in terms of topics considered also needs fine-tuning, if not an overhaul. Political matters did indeed tend to be confined to the secret part of a *coram*, along with

business forwarded by nuncios, but such topics could also be considered in the nonsecret session. Beyond this, regularities are hard to detect, except that potentially embarrassing matters, especially the misbehavior of regulars and clergy, tended to fall in the secret session. But for this fact, I would be tempted to conclude that the distinction between the two parts of the meeting was largely ceremonial. Several examples illustrate the point. In the coram of 22 August 1619, the topics discussed in the secret part were the following: an abjuration in the Minerva; faculties to absolve repentant heretics; a censure to be sent to a bishop; a letter from a bishop in a polygamy case; a sentence in another such; a problem with firearms; an order about *sponte comparentes*, heretics who appeared spontaneously before the Inquisition; and boys being converted to heresy. In the "public" half, the topics were these: a case of holy orders; a precept to appear in the Holy Office; faculties to the inquisitor of Malta; the interminable problem of how to handle the English Benedictines; and a sentence in a French case. Only in the last were the consultors' opinions solicited.¹¹⁹ In the coram of 29 August, the business in the first part concerned the following: a letter from the inquisitor of Florence reporting a case of three nuns who went over to a demon and had intercourse with it, one of whom had a book of necromancy, no action taken; a letter from the inquisitor of Turin that a Genevan printer was publishing a lot of canon law; the nuncio in Naples was ordered written about an imprisonment; a group of Calvinists were to abjure; and a censure by Bellarmino on Raymond Lull was to be put to the consultors and, if they agreed, to be sent to the nuncio in Spain (marked for insertion but no indication of why out of place). After the consultors entered, the first case concerned a woman who had become a nun after she thought her husband dead and he had then committed polygamy; a dispensation for a Scots noble who had killed in war allowing him to enter religion; a Polish case of consanguinity; faculties to the nuncio in Flanders, including a license to read prohibited books; and a sentence against an imprisoned magician to abjure *de levi* with a warning not to sin again. Only on the first and last were the consultors heard.¹²⁰ Finally, the coram of 29 September.¹²¹ In the closed session: the cardinals were asked their opinion about whether the prince of Moldavia should be allowed to eat meat and attend schismatic churches; the general of the Carmelites was allowed to assign an imprisoned friar to another house (added after the notary's signature on p. 352); a Spanish case of miracles was to be secretly investigated; a dispensation was given to a man forced to live with heretics; a man pretending to be an Observant Franciscan was ordered to enter the novitiate; on the petition of the Crucisignatores of Milan asking

that the bishop of Lodi (Michaelangelo Seghizzi, former commissary) be appointed to negotiate a dispute in place of former Inquisitor Taverna, they were ordered to await the election of their new prior; the inquisitor of Milan's expedition of a firearms case with a 200 *scudi* fine was approved; a new inquisitor for Rimini was appointed; and a dispute about the calendar was discussed, but no action was taken.¹²² The "public" meeting almost exclusively concerned faculties and licenses to read, to the bishop of Carpentras, to an Austrian abbot, to a Capuchin going to Savoy, to absolve from heresy, for missionaries to England, as well as a testamentary case "in partibus haereticorum." The final act reported but did not sentence a case of invoking demons.

Particular Congregations

One final type of *congregatio* hovered midway between the sense of meeting and that of settled body. Known as a *congregatio particularis* in Latin, it arose in the same way as the Congregation itself, in an act of papal will. A *congregatione* or *congregazione particolare* (the Italian translation) was equivalent to what we might call an ad hoc committee, assigned to consider a "detail" (*particolare*). It usually numbered several cardinals as well as consultors and members of the professional staff, and sometimes persons not formally part of the Holy Office. These frequently used ad hoc assemblies emphasized the importance of the issue but also revealed "the game of dissimulation in which it was less clear if the responsibility for an act was to be attributed to the pope or to the congregation."¹²³ They could be put to many different purposes. Three examples will suffice for Paul V's reign. In 1611 a dispute over a piece of property for a new church was referred to Cardinals Gian Garzia Millini, Maffeo Barberini, Alessandro Peretti (Sixtus V's nephew), and Luigi Capponi, only the first an Inquisitor. At about the same time, once more Millini with Taverna and one other cardinal were to review the duke of Modena's pretensions to Camacchio.¹²⁴ In the next year, a particular congregation (which does not appear in the decree registers) considered a dispensation allowing the princess of Tuscany to marry an unnamed prince of England as requested by her grandmother the Grand Duchess Dowager Christina.¹²⁵ This congregation's messenger, Ulpiano Vulpi, would shortly become a consultor to the Holy Office. The committee of Cardinals Sfondrato, Bellarmino, Millini, Galamini, Felice Centini, "and two others" denied the dispensation.¹²⁶ At least this last case obviously belonged to the Holy Office, as did all its members, since Prince Henry was a heretic.

Although all early seventeenth-century popes deputed such congregations, Urban appears to have made heavier use of the device than his predecessors. One of the most important such and the one with the broadest powers thus far unearthed was assigned to handle the would-be papal assassin Giacinto Centini, nephew of Inquisitor Centini. It got a full panoply of documents granting it authority to act without regard to any laws or procedures, including even the normally jealously guarded *stilus Sancti Officii* and was subject only to God, Urban, and his successors.¹²⁷ Whether all particular congregations had similar written grants of authority has not yet been determined.¹²⁸ Urban deputed another in 1630 to act in much the same way as that against Centini. Cardinals Marzio Ginetti, Guido Bentivoglio, Laudivio Zacchia, Berlinghiero Gessi, and Fabrizio Verospi were to pursue to sentence a case against a priest, a nun, and another woman. The priest was executed and the two women given lighter punishments. Urban approved the congregation's sentence two weeks after it was proposed.¹²⁹ He used a variant of this approach on a Jesuit in 1635, deputing six cardinals to consider the matter and then naming only two to supervise two consultors who tried the case, before one of those cardinals reported the result to the Jesuit general in the assessor's presence; the commission and judges may have done their work in only three days.¹³⁰ Particular congregations might also intervene against authors. Thus one composed of the Congregation's present secretary Cardinal Borghese, future secretary Cardinal Arrigoni, and possible sub-secretary Bellarmino was appointed in the middle of the protracted case of Juan de Roa or Roa Dávila, OSA, whose *De iuribus principalibus defendendis et moderandis*, published in Madrid in 1591, was censured on five points.¹³¹ Their job was to decide "about the manner of expediting the case" ("super modo expediendi causam").¹³² Much the same thing happened to another writer, Girolamo Vecchietti, whose work went for renewed censure to Secretary Millini, Desiderio Scaglia, and Francesco Barberini along with "qualifiers" in 1628.¹³³ Probably in 1626 Urban deputed a particular congregation unrecorded in the decree registers to deal with a book by the bishop of Chartres, Léonor d'Étampes de Valençay; its members were Bandini, Millini, Galamini, and Scipione Cobelluzzi.¹³⁴

Urban used several particular congregations in the same way Paul had in the case of the proposed English marriage, especially for the German duke Wolfgang Wilhelm von Neuburg and for the duke of Mantua, both beginning in 1630 and still running three years later. Urban handled both cases with a mixture of particular congregations, the Inquisition, and ad hoc negotiations with one or two trusted advisors. In short, the pope used whatever means he

thought likely to work. The duke of Mantua's agent Paolo Bombini arrived in Rome shortly before 20 November 1632, when he presented a memo to Urban.¹³⁵ He immediately entered into tri-corner negotiations with the pope and his theologian, Agostino Oreggi.¹³⁶ The Venetian ambassador also intervened on the duke's behalf. After several months in which Oreggi took the leading role, Urban decided in early February that the matter had to go before the Congregation.¹³⁷ Both that body and a particular congregation considered the dispensation. The Venetian ambassador's description of the situation applies more generally:

In this congregation there is both good and bad, good because there are included rather well-inclined and authoritative men and nearly all of these Padre Bombini wanted, besides their meeting infallibly twice a week leads one to hope for a quick resolution. Bad, because they proceed with extreme rigor in silence, and there are broad excommunications for those who repeat anything at all that is dealt with in the congregation, whence one can only with difficulty use the weapon of defense to resolve doubts [or legal questions] and difficulties. Cardinal Borja also attends even though he and the Spanish ambassador have used hard words with Bombini.¹³⁸

Bombini was allowed to appear before the Congregation several times, an unusual grace, as well as talk to each cardinal individually.¹³⁹ Despite a number of further references in the Venetian ambassador's correspondence to discussions in the Congregation, the case does not certainly appear in the decree registers until the end of June.¹⁴⁰ Then the dispensation was in the hands of a particular congregation composed of Cardinals Zacchia, Verospi, and F. Barberini along with the commissary and assessor.¹⁴¹ A week later, Urban was said to be mulling how to please Bombini.¹⁴² Throughout, the particular congregation, apparently under F. Barberini's presidency, met regularly.¹⁴³ The case had still not been decided by the end of 1633.

The German dispensation took a similar course, even though the circumstances were different, in that the duke had already married his second wife two years before he sought it.¹⁴⁴ The proposed dispensation first appears in the decree registers when a particular congregation composed of Cardinals Scaglia, Antonio Barberini, Sr., Zacchia, Verospi, and Ginetti recommended denying it on the grounds that it was against the *stilus Sancti Officii* because Wolfgang Wilhelm had a child from his second marriage and was expecting

another. Therefore Urban ordered Cornelius Motman, holder of the imperial slot among the auditors of the Rota, who exercised a loose patronage over the duke's affairs, the general of the Jesuits (for whom the duke had a special fondness after his conversion from Lutheranism), and the nuncio in Cologne to dissuade him.¹⁴⁵ Refusing to take no for an answer, the duke tried again a month later when Cardinals Gessi and Giovanni Battista Pamphili, the future Innocent X, joined the congregation.¹⁴⁶ Only on 20 March 1631 does the case appear again, when Urban ordered the nuncio in Cologne to warn the duke *viva voce* and to put nothing in writing.¹⁴⁷ By early June another particular congregation had been appointed, this time under Borja's presidency. Its members included Cardinals Bentivoglio, Scaglia, Antonio Barberini, Sr., Zacchia, Pallotta, Verospi, Ginetti, F. Barberini, and Ludovisi (out sick) as well as the assessor. It met once before again recommending denial.¹⁴⁸ Nevertheless, it was rumored in July that although the particular congregation had reported in a *coram*, no decision had been made.¹⁴⁹ A week later the Venetian ambassador wrote that the duke's agent was complaining that the Congregation refused to explain why it would not grant the dispensation, expecting "blind obedience."¹⁵⁰ Two weeks later Urban ordered the nuncio to tell the duke to find another among the numerous noble women of Germany with whom to "copulate." The duke's reply was once more referred to a particular congregation a month later.¹⁵¹ In January 1632 yet another particular congregation (A. Barberini, Sr., Verospi, Gessi, and Ginetti, the core of the Barberini cardinals on the Congregation) meeting in Barberini's rooms in the Vatican palace declared void the duke's marriage, using a dispensation from the apostolic vicar of Holland. Urban approved on 15 January and ordered Verospi to reprimand the duke via his agent.¹⁵² The next month an extraordinary *coram* on a Saturday (without leaving any evidence in the decree registers) considered the dispensation again.¹⁵³ Almost a year later, the duke was still trying, sending a gentleman to the pope.¹⁵⁴ The case's handling differed from the Mantuan one only in that there were no trilateral negotiations with Oreggi, and, of course, the duke did just as he pleased, whatever the pope and the Inquisition said. This does not matter to the story of how the institution worked. The central role of various particular congregations, in this instance not much more than temporary committees, does.

These two particular congregations were atypical of those appointed by Urban, in that ordinarily his included fewer cardinals and more staff than Paul V's. For example, one of 1624 numbered Bellarmino's protégé Eudaemon-Johannes, then rector of the Greek College in Rome, along with the master

of the sacred palace, the Dominican general, the assessor, commissary, fiscal, and two consultors but only three cardinals. Often, as in this case, the congregation finished its work quickly, in less than three weeks (20 June to 4 July).¹⁵⁵ Sometimes Urban set up congregations containing no cardinals, as for example that to consider the new exchange rate proposed by the Genoese in 1626, which also, perhaps unsurprisingly given the topic, took much longer to report, although still only six months.¹⁵⁶ Another financial matter, a new tithe in Spain, required consideration in early 1629 by a much more high-powered panel: Cardinals Millini, Scaglia, Zacchia, Cesare Monti, and F. Barberini, with Vulpi, Datary Maraldo, and two canonists, along with Oreggi.¹⁵⁷ Then again, the vexed question of translation of the Bible into Serbo-Croatian was worth only two cardinals, albeit two of Urban's most trusted, Scaglia and Verospi.¹⁵⁸

The Decree Registers

A trial before the Roman Inquisition or one of its satellite tribunals was supposed to be a straightforward and, in theory anyway, quick proposition. As indicated by the few surviving *processi*, a handful of volumes of sentences and most important the almost intact series of decree registers, it was often neither, precisely because of the flexibility built into the institution.¹⁵⁹ Hence the need to keep careful track of what happened in order to have guidance available when yet another irregularity arose. Beginning about 1573 the Roman Inquisition began to keep regular registers of its *decreta*, the decisions made in its meetings.¹⁶⁰ All such were supposed to be entered into carefully kept, comprehensive volumes. In fact, not everything discussed made it into them.¹⁶¹ Therefore the silence of the registers does not mean that nothing happened, but rather that some actions were noted instead in the accused's dossier or nowhere at all. The twin problems of completeness and order are more severe in the case of many other central papal organs. The secretariat of state poses probably the worst situation, closely followed by that created by the closing of bull registers in the mid-sixteenth century, and even the reasonably carefully kept records of the secretariat of breves have lacunae. Nevertheless, in the case of the Roman Inquisition, many acts either never made it to their proper spot or did so in garbled form.¹⁶² It was evidently possible for entire *processi* to be misdirected and possibly lost. In 1630 Assessor Alessandro Vittrici had to seek an order that dossiers coming to Rome be marked as destined for the Inquisition or the Congregation of Bishops and Regulars.¹⁶³

The way the Congregation generated its registers exacerbated the problem of keeping track of its actions.¹⁶⁴ First, the Roman Inquisition quickly became the complicated entity we have just considered, all parts of which threw up mountains of records, except, curiously, for the professional consultors who were ordered to give their opinions orally.¹⁶⁵ It might seem that this was a means of preserving secrecy, except that we know that the notary and assessor recorded what they said, often in highly abbreviated form.¹⁶⁶ Therefore oral presentation may have been meant to save time. It cannot have improved the quality of the deliberations.

Second, because the notary was excluded from the secret part of the Congregation's meetings, any decisions made in it had to be noted by the assessor, who then had to pass his jottings to the notary. This system virtually guaranteed that mistakes would make their way into the record. We can watch the process and better grasp where the errors came from on the basis of three surviving sets of agendas generated for corams. These were drawn up the previous day by the assessor and given to the pope. The most important of these was kept by Mario Filonardi and covers his tenure as assessor from 1616 until 1624. His register of agendas survives more or less intact for about four years.¹⁶⁷ There are two similar volumes preserved by Peña, dean of the Rota and consultor, apparently for his own reference as precedent books.¹⁶⁸ Filonardi's register consists of 705 folios.¹⁶⁹ Most of the agenda are headed "Beat.me Pr." plus some variation of the form of words "the next day in the Congregation of the Holy Office in the presence of your holiness the underwritten [matters] will be dealt with" ("Die crastina in Congregatione S.ti Officii coram St.o V. agetur de infrascriptis" [fo. 1r]). The content ranges from neatly written entries, some of which look despite the rule as if they were written by Notary Andrea Pettini (e.g., the very first on fo. 1r for 2 April 1616), to others that resemble the double columns with corrections found in the rough notes in some of the late sixteenth-century decree "registers" (e.g., fos. 5r-6r) to the minute of an entire coram on 27 July 1617 signed by Pettini that somehow wandered away from the registers where it is also found (fos. 103r-4v) to agenda addressed not to the pope but to Cardinal Bellarmino (fos. 246r-v and 296r-7v). Many single agenda but by no means all have brief notes of actions taken or orders given, usually on the dorse but also in the margin. The meaning of even the longest of these must have presented a challenge to the notary and suggests that at least some of his communication with the assessor was oral, beyond that about the Congregation's secret proceedings. Some of the volume from about the middle is not properly a register at all but contains among other

things Filonardi's rough notes to be passed to the assessor, as the title "Resoluzioni della Congregazione di S. Offitio" added in pencil on the dorse of fo. 140 indicates, or a number of attendance lists in most of which Filonardi paid no attention to precedence, leaving that to the notary to sort out (e.g., fo. 470r), letters of denunciation (e.g., fo. 477r), draft citations (e.g., fos. 605r–6r), a number of single sheets that look like agenda items in their raw state (e.g., fo. 687r), and even an original *censura* by the theologian consultants of 9 December 1614 (fo. 697r). While Filonardi may not be responsible for the confusion of the surviving volume, his handling of the register underscores that the assessor shares some of the blame for sloppiness and errors of both commission and omission in the decree registers.

The register proper also reveals two last highly interesting procedural points. First, some of the items in the decree registers do not appear in the agendas, for example the appointment of several new inquisitors on both 28 July and 4 August 1616, an inflammatory case of the murder of a consultor in Lugo, a denunciation of attacks on local inquisition officials, and an equally delicate decision not to torture the archbishop of Lacedemonia, Chrysantos Lascaris.¹⁷⁰ Interestingly enough, on the first occasion the decree register contains an order to the legate of Ferrara, which does not appear in the agenda, to explain why his men invaded the premises of the inquisitor of Romagna.¹⁷¹ Thus there was slippage in both directions. Second, after it had been drawn up, the agenda could be changed, sometimes radically, by the addition—always at the head—of especially important matters, for example, two successive meetings in November 1616 (fos. 45r–48r), both of them originally fair copies. The decree register does not, alas, indicate where the impetus for the changes came from, whether from the pope, the cardinal secretary, or the assessor himself. I have found one scrap of evidence that the pope sometimes set the agenda.¹⁷²

Third, the competence of the notaries varied.¹⁷³ To judge from the state of their records, some were barely literate, and nearly all worked in such a way as to make their lives as easy as possible. In 1624 the notary and the archivist were granted a raise, but only on condition that they show up to work.¹⁷⁴ The assessor was supposed to check the notary's records, but there is little evidence that he actually did.¹⁷⁵ This situation may well be another point at which the Inquisition's parsimony caught up to it, since its notaries were supposed to serve gratis, nor were they to claim any fees for making copies of *processi* or examining witnesses.¹⁷⁶ They were also prohibited from doing other business, and since they were supposed to be laymen, they could not live off ecclesiastical benefices.¹⁷⁷ This rule was fairly often violated, and it appears that the

Inquisition itself may have done so. One Giovanni Antonio Tommasi, “Italo Greco de loco Scematiae dioci. Hidruntinae [Otranto],” was allowed to take orders by the Greek rite in 1627.¹⁷⁸ It seems likely that this was the Inquisition’s long-time notary of the same name (see Chapter 4). In practice, the notaries were paid, if only by the Congregation’s grace, so they could never be sure (1) whether they would get their money or (2) how much they would get.¹⁷⁹ On one occasion when a notary did receive fifty *scudi*, neither the proctor of poor prisoners nor the summoner (*mandatarius*, without whom no case could formally begin or witnesses be examined) received anything.¹⁸⁰ This cannot have helped esprit de corps. On only one occasion have I found across-the-board bonuses, and even then the notaries and sub-notaries were given dramatically less than their superiors on the permanent staff: the assessor 120 *scudi*; commissary 96 *scudi*; fiscal (the grasping Carlo Sincero) 60 *scudi*; the *summista* 48 *scudi*; a “secretary” the same amount; the notary 36 *scudi*; the archivist 24 *scudi*; and three substitute notaries 16 *scudi* each.¹⁸¹ The matter of payment was so difficult that it had to be handled by the pope.¹⁸² Thus the records, like all other Inquisition business, had to be handled as cheaply as possible.

However lazy or incompetent, the notaries appear to have created their registers in three steps.¹⁸³ First, they took notes during the meetings they were allowed to attend. Those that were gathered into notebooks and therefore survive are usually sloppily kept, with large chunks of information not recorded. Second, the notaries drew up another set of notebooks, apparently working from rough notes and more importantly memory, as well as the information passed to them by the assessor about what had happened in the secret session. Finally, at some unknown later time (possibly considerably later, when memory could no longer have helped much), those notebooks were recopied into registers, and most of the notes on which they were based were probably destroyed, although it is dangerous to generalize much about which records were preserved and which not, given the havoc visited on the Inquisition’s archives first by Napoleon’s troops and then by the Roman republicans in 1848–1849.¹⁸⁴ Sometimes, the notebook stage must have been skipped, and the registers constructed from loose pages of notes. This seems the only way to explain the jumbled date order of some entries.¹⁸⁵ That someone other than the original recorder drew up the final register is suggested by the treatment of an entry in 1607 noting that “Ego Quintilianus Adrianus” was not present because of ill health, which is put in the third person in the (probably earlier) companion register for 1606–1607.¹⁸⁶ As here, there are often two registers covering the same year or years. The exact relationship between them is

difficult to work out, except that the notaries seem to have kept to themselves the cleanest and most complete copy, but there is no regularity to whether they kept the single- or multiyear volume.¹⁸⁷ The notaries and other members of staff (like Peña), as well as the cardinals themselves, also took their work home with them.¹⁸⁸ Of these records, many fewer survive than of those preserved in the Congregation's archive.

Even had every last register been properly preserved, the record would be incomplete. A study of the registers in ACDFSO:DSO 1597–1598 and 1597–1598–1599, together with the notes for 1598 alone on which they are based, will illustrate the scale of the problem of the registers' relation to what happened in meetings. The register for 1597–1598 contains 195 folios plus a number of blanks at the end. According to the cover it extends from 31 July 1597 to 26 February 1598, but the first entry is actually dated 35 [*sic*] July 1597 and the last 23 December 1598, with a gap from 20 May to 23 September (fos. 138v–9r) but as presently bound with no indication that anything is missing. To fo. 121r it consists of rough notes, all crossed out; after that point it becomes a fair copy. Rough notes and fair copy overlap from at least 21 January 1598 (1597–1598, fo. 99v/1598, fo. 208r). The rough notes are always shorter than the fair copy (e.g., 1598, fo. 268r vs. 1597–1598, fo. 122r). The expansion is mostly boilerplate.¹⁸⁹ 1597–1598–1599 is much larger, containing 1,029 pages, with a few blanks at the end; it also has two earlier foliations. There are major variations between it and the notes in 1598. Take for example the simple matter of different sequences of information in the entries for 23 June 1598 (fos. 293r–94v vs. pp. 377–80) or in more detail for 11 June, where the first entry in the notes comes fourth in the register, the first and second in the register are on the second folio of the notes, the second rough entry is ninth in the write-up, and the final text is the same, but at the cost of deleting much of the original rough note.

A chart of the sequence of entries for 25 June 1598 graphically illustrates the situation (see Appendix Table 1). As will be seen, in addition to the usual changes in the order of cases, three of those in the notes never made it into the register, including at least one that must have been a real proceeding, since the suspect was imprisoned (Alessandro Musculeo); one case (Arcangelo de Perugia) is entered twice in very different form in the notes, and, perhaps more serious, another in the register does not appear in the notes. Like most registers, 1597–1598–1599 also contains a number of corrections from unknown sources. See, for example, two entries concerning Giacomo Menochio. In the first the identification of a book is made more precise: “Quo ad concedendum unum volumen operum Menochii *cum additionibus impressum Coloniae [added]

Presidi Senatus Mediolani, S. mus noluit modo concedi, sed prius corrigi” (p. 721). In the second, the same thing happened to the place of publication: “Ex volumine Consiliorum Menochii ultimo impressum Coloniae *seu Francoforti [inserted above] lectis literis Inq. is Mediolani datis 7. huius” (p. 729).

Even the best-kept registers always contain entries with serious mistakes. Thus, for example, 1610 and its companion 1610–1611 are missing the name of an accused in the same entry, and the second has another with an ellipsis where a surname should be.¹⁹⁰ Errors in names abound. 1597–1598–1599 is missing the given name of the nuncio to the emperor (p. 765), the surname of a suspect (p. 810), and once again the accused’s entire name (p. 813). 1608/1608–1609 have different names for the accused (Anelli, Antonelli, and “Scotellini,” added later), and the first has a full identification missing in the second (both p. 364 vs. fo. 177r), but then for turnabout 1608 adds the date of a letter missing in 1608–1609, as well as moving to a different place a crucial phrase that a probably Arab woman captured by a knight of Malta had been converted, the reason she was subject to the Inquisition. The same pair of volumes have two substantially different entries about a book ordered suspended:¹⁹¹ “Literis Inquisitoris Anconae datis die 10.a huius rescribatur, ut suspendat librum Thobiae Paurmeisteri Akochstet etc de Jurisd. ne Imperii Romani” (ACDFSO:DSO 1608, p. 362) vs. “Literis inquisitoris Anconae datis 10.a huius, rescribatur ut suspendat librum, cui titulus D. Thobiae Paurmeisteri Akochstet in delich (?) et Tillingae Iuris Cons. Aulae Caesare Comititis de Jurisd. ne Imperii Romani libri duo etc donec expurgetur” (ACDFSO:DSO 1608–1609, fo. 175v). In 1626, two of five entries on fo. 84r–v are missing critical information, and an act concerning the grand duke of Tuscany’s depositary on fo. 105r lacks his surname and all the numbers involved, as well as the given name of one of the merchants in the case. Similarly, the text of an indulgence condemned as false is missing, as is that of a nuncio’s letter referred to in a coram.¹⁹² In common law, such mistakes would be enough to void an indictment. We cannot say whether the now mostly lost original acts contained the same errors, but it seems not impossible, since at least some of the time the notary must have been working from them.

These errors are nonetheless comparatively trivial. The mysterious appearance of a new Inquisitor without previous notice is not. This certainly happened in the case of Millini and, if we can trust the *avvisi*, also of Galamini. Thus Millini crept into the meeting of 19 December 1607, and although according to an *avviso* Galamini supposedly took his oath on 14 September and immediately began to attend meetings, the decree register has him being

sworn in only on 16 November (also reported in another *avviso*).¹⁹³ Somewhat the same thing befell Taverna, who first appears on 14 April 1605, the day Aldobrandini (but not Taverna) swore his oath, but not certainly again until three years later.¹⁹⁴ The attendance lists more generally must often be used with care, since when they are not simply omitted altogether they are frequently corrected, put in the wrong place, deleted and redone, or otherwise corrupted.¹⁹⁵

Missing acts, even entire meetings, are yet more serious failings, of which the Congregation was aware. Thus the original precept to Cesare Cremonini in 1598 is known only from a failed attempt to get a copy of it from the inquisitor of Padua in 1604, nor do the registers contain another precept to a Capuchin friar who was condemned for violating it.¹⁹⁶ Neither is the decision reported by Secretary Pompeo Arrigoni in the case of the Collateral of Naples in 1605. It instructed a notary to record that senior official's abjuration and send an authentic copy to Rome.¹⁹⁷ Other cases begin in *medias res*. For example, the order on 28 November 1630 to give a precept to the Reformed Observant Franciscan Fra Innocenzo of the convent of S. Pietro in Montorio appears from nowhere.¹⁹⁸ This case quickly became one of the numerous points of contention between Urban and the Spanish, one of whose most important churches in Rome was San Pietro. The precept forbade Innocenzo to receive visitors, leave the house, or talk to anyone other than his fellow friars. This event made the *avvisi* shortly afterward, on 14 December, when the writer linked it to Urban's fear of prognostications of his death, and it does appear that Innocenzo, however holy his life, had engaged in prophesying. Cardinal Borja, then still the ordinary Spanish ambassador, objected to the order on various grounds, especially that Innocenzo brought in most of S. Pietro's alms. Urban lost his temper and told Borja it was an abuse to venerate a living person as a saint (it was), and then ordered Borja in particular not to visit Innocenzo, leaving the voluble Spaniard stunned.¹⁹⁹ Innocenzo remained a bone of contention (he would contribute to difficulties for Cardinal Scaglia in February 1631), but neither the first exchange between Urban and Borja, which almost had to have taken place in a meeting of the Congregation, nor any of the rest appear in the registers. A week later another *avviso* described what happened more precisely, saying that Borja had begun by defending Innocenzo at length. When Urban observed that he knew Borja's weakness for Innocenzo's "oracles," Borja shot back that they were better than "the counsels and thoughts of Padre [Tommaso] Campanella," then high in Urban's favor in part because of his skill in astrology. Urban had the last word by threatening

Borja with excommunication.²⁰⁰ None of this made it into the register.²⁰¹ It seems that Pope Urban used his power to manipulate the Congregation's records and suppress a highly sensitive moment. He apparently did the same thing earlier in 1630 in a case also involving astrology and predictions of his death that almost brought down Assessor Vittrici and threatened Inquisitor Scaglia. It concerned the rector of Scaglia's titular church, San Carlo al Corso, the Bolognese priest Giovanni Battista Pari Dalla Torre, a necromancer who had seduced a woman and was caught as he was celebrating Mass on her breasts. At San Pietro 9 June 1630 Pari Dalla Torre abjured various sexual offenses and, worse, predicted and apparently trying to cause Urban's death before being executed the next morning. All the *avvisi* stress the Inquisition's involvement.²⁰² Something similar probably also happened in another case of astrology and predictions of Urban's death in 1627.²⁰³

For what this is worth, Urban certainly altered the record in the consistorial *acta* in the case of Borja's notorious protest against the pope's policy of official neutrality in March 1632. In the next consistory, Urban is alleged to have tried to placate Borja, at whom he had literally screamed on the first occasion. The pope's written reply existed in a single copy in the keeping of Cardinal Ginetti, an Inquisitor and one of the most loyal Barberini dependents.²⁰⁴ Only a year later did it emerge that a blank page had been ordered left in its place in part because the pope did not want an official copy of Borja's action registered. In the interval, Francesco Barberini had become vice-chancellor, the officer responsible for keeping consistory records, and he was inclined to leave the page blank because Urban had said things against the king of Spain that Barberini thought impolitic and best left "hidden." As the newsletter writer concluded "it stands continually in the pope's power to alter or reduce [in importance] those things that he had then decided."²⁰⁵ Thus Urban's pious assertion that he would do anything to satisfy the Venetians short of altering the record rings a little hollow.²⁰⁶ Paul V appears to have directed a similar manipulation—this time of the Inquisition's record—in the case of a libel on him called *Novissimus homo*. The Venetian ambassador reported very circumstantially on Bellarmino's handling of it, actions that left no trace in the decree registers.²⁰⁷ One more example comes from the height of the plague in Florence in 1630–1632. The grand duke's ministers commandeered various "holy places" as plague houses, especially the Theatine convent. The nuncio reported at enormous long length, usually stressing the Inquisition's importance.²⁰⁸ On several occasions he specifically referred to correspondence from the Congregation.²⁰⁹ And yet there is no trace of this in the decree registers. In fact, there is almost

nothing about Florence at all at this moment, nearly the only exception being a letter about its inquisition's finances of 26 March, and another of the next day about possessed nuns.²¹⁰

It is no surprise that acts are missing, given the casualness with which many were added either after a session had ended or when the notary happened to come across his notes or when the assessor finally got around to passing on his.²¹¹ One of the worst examples is a case marked for insertion at the foot of fo. 172v of ACDFSO:DSO 1629 but not entered until fo. 174v, after a blank space and the beginning of the next meeting. Orders passed on by the secretary to the assessor after a meeting ended are often crammed in at the foot of a page: for example, that for the torture of all suspects in a prison-break.²¹² Instances of cases squeezed in after the fact abound.²¹³ Nor is there any regularity to how or whether acts of particular congregations were recorded. Usually they do not make it into the registers (for example that known from the *avvisi* to have been held before Cardinal Pinelli on 28 May 1610), where they probably do not belong, but sometimes they do.²¹⁴

Once acts were recorded, they had to be authenticated. How notaries performed that task changed over time. By the fourteenth century, it had been established that the notary's mere signature validated an act, since he was a public official.²¹⁵ Oaths and signatures of witnesses were no longer required to prove authenticity. The notary's signature alone authenticated the Inquisition's records, using the formula "in mei [presentia], etc."²¹⁶ There is little evidence (given how few *processi* survive, nor will there ever be) for the further observation that the notary authenticated a dossier by signing a piece of paper wrapped around it.²¹⁷ The *processi* now in Trinity College Dublin are authenticated by his signature at the bottom of the cover sheet.²¹⁸ Nor did the inquisition of Venice authenticate its files in this fashion. There the notaries signed as inconsistently as in Rome, although usually they did not head each interrogation "in meique."²¹⁹

Just where the notary signed the decree registers was also uncertain. Quintiliano Adriani, the Inquisition's notary at the beginning of the seventeenth century, signed virtually every act in his first register twice, once at the end of the attendance list and again at the end of the session. His successors were much more inconsistent. Andrea Pettini apparently signed the entry for 16 April 1608 (ACDFSO:DSO 1608, p. 161), but not the copy in 1608–1609, fo. 75v, which corroborates the theory that the notaries kept one of the volumes with them while the other was deposited in the archives as the official record. Thereafter his signature does not appear again regularly (but not invariably)

until p. 358.²²⁰ The signature on p. 293, "Andreas de Pettinis Sanctae Inquisitionis Universalis Romanae Notarii," is in a different hand from other such and also spells his name differently, so it may be autograph. His fair register for 1610 again has signatures throughout. By 1614 he had begun sometimes to sign additions to the *acta*, although not corrections, with the formula "Idem Andreas notarius."²²¹ His practice remained inconsistent.²²² So was that of his successor Giovanni Antonio Tommasi. His register for 1625 has a few signatures scattered through it, plus the formal signature at the end in the style Pettini had used. The following year he adopted what one lawyer called the common opinion that a general signature validated a whole *processo* (arguing against Bartolo), or in this case a whole volume unless there were changes in the *acta* the notary should sign in order to avoid suspicion of falsification.²²³ This principle may explain Adriani's practice of signing the attendance lists because they were especially vulnerable to corruption.²²⁴ That the notary's own signature guaranteed the record's authenticity and not that of any of his substitutes emerges from the formula he sometimes used: "I being absent through ill health" ("me autem absente per malam valetudinem").²²⁵

The Congregation must have had some kind of repository for its records almost from the first, to judge from the survival of the decree registers, but the decree formally establishing an archive dates only from 1593.²²⁶ As we shall see, one member of the Inquisition's secretarial staff was called archivist. The archive is referred to from time to time in the registers, for example when searches of it were ordered, sometimes without results, or a copy of *Licet ab initio* was added to it in 1607 (it is worth noting this small gap in the Congregation's own records).²²⁷ Later that year another bull was found and ordered put in the archive.²²⁸ It may seem incredible, but another against Raymundus Lull could not be found, and Abraham Bzowski, continuator of Baronio's *Annales ecclesiastici*, had to be asked for his notes about it.²²⁹ One of the most important sections of the archive concerned finance. Already in 1580, inquisitors were ordered to send their accounts every six months, and by the end of 1603 the archive held at least one volume detailing the Inquisition's balance sheet.²³⁰ In 1612, accounts of all inquisitors in Italy were ordered to be archived.²³¹ Another section held condemned books along with censures on them, which also could not always be found.²³² That is, eventually it held condemned books. Peña took quite a collection home with him, which was recovered only after his death.²³³ The same thing happened with other records, including the correspondence register in BAV, Barb. lat. 6334 or Peña's or Cardinal Casanate's or Assessor Pietro Paolo Febei's notes, although the first of these may have

been a copy, and the others possibly not quite official documents. The situation became so bad that Gregory XV decreed that immediately on the death of any Inquisitor, consultor, or official, all papers of the Holy Office in their hands were to be collected.²³⁴ Like the rest of the institution, the Inquisition's archive evolved constantly. In 1629 an order to (re-)create it was tacked on to a sentence, and six years later the archive was ordered transferred from the "old palace" to the new one.²³⁵ It seems maintaining a comprehensive archive represented another counsel of perfection.

The final difficulty in keeping accurate records arose because most of the Congregation's business was done at a distance and therefore beyond even the loose supervision exercised over the notaries in Rome. Instead, the Congregation had to act on written reports from local inquisitors, which were probably generated in much the same complicated and vulnerable fashion as the Congregation's own records. At least as far as can be seen from the central records, as well as those surviving for a few local tribunals, especially Venice, local inquisitions had the same structure of professional officials and consultors as the Sacred Congregation and therefore likely worked according to similar rules causing similar problems.²³⁶ Any decision handed down in Rome was based on a paper trail winding its way in from and back out to the provinces, often over a protracted period of time. Nor must we assume that every case had such a trail. Several instances have turned up of delations that an inquisitor refused to put into writing.²³⁷

Beyond the decree registers, records rapidly thin out, making it difficult to gauge how well orders were carried out. Some documents were probably destroyed almost as soon as they were created, perhaps including the agendas distributed in advance of meetings. Many more were lost thanks to Napoleon, including virtually all *processi*. Thus we know very little about how they should look.²³⁸ We might hope that the same degree of basic uniformity seen in the numerous surviving examples from the Venetian and Modenese inquisitions would obtain in Roman files, but we have no way of knowing.²³⁹ Several large sixteenth-century Roman *processi* survive, especially those edited by Massimo Firpo with the collaboration of Dario Marcatto and Sergio Pagano: for Cardinal Morone, Pietro Carnesecchi, and Vettor Soranzo.²⁴⁰ Given the rapid pace of the Inquisition's evolution between the 1560s and the 1610s, it is unwise to use any of these as models.

In short, although the Inquisition had lots of rules, and regularities can be observed in its procedure, it was also full of almost infinite variations and subtleties, and the rules were constantly subject to reinterpretation. The

complete process by which the Congregation managed its decision making is obscure and likely to remain so. While most of the steps in a trial can be traced through the decree registers, and in many cases we know who took them, the unusual moves are likely to be better documented than the normal course. For instance, we often see the intervention in a *processo* of particular congregations, but we do not know that this happened *regularly* in all cases. To say of any act in a Holy Office case that it was illegal or improper is an almost meaningless statement. As the ambassadors to the pope never tired of complaining, it could be hard to predict what the Inquisition might do, and almost impossible to discern the principles behind its actions.