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Paul van K. Thomson

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*Paul van K. Thomson*

## THE TRAGEDY OF THE SPANISH INQUISITION

THE tangled and controverted history of inquisitorial tribunals, both Catholic and Protestant, carries one into the realm of tragedy. The figure of Edmund Campion mounting the scaffold in Elizabethan England, the image of Servetus bound to the stake in Calvin's Geneva, the tormented bodies of the six men and women burned at the first auto-da-fé in Seville—these and other victims haunt the imagination long after the scholarly debate that surrounds them has been recorded.

Among the great writers of the West, none has understood this tragic aspect of history as well as Fëdor Dostoyevsky. The imaginary Inquisitor in the well-known chapter of his novel *The Brothers Karamazov* is a figure at once horrifying and pitiable. In this fantasy, Jesus comes to Seville at the peak of the inquisitorial terror. He blesses the suffering, He gives sight to the blind, He raises the dead. No sooner has the aged Grand Inquisitor seen Jesus, than he confines Him to the dungeon. There, the old man explains to the silent Christ that for the good of the weak, vacillating, ignorant masses it has been necessary to "correct" His answers to the temptations of Satan, when He rejected temporal power, refused to turn stones into bread, or leap unhurt from the pinnacle of the Temple (see Mt 4:1-11). These rejections of Satan's "offers" in the wilderness the Grand Inquisitor describes as fatal errors. To be happy, he says, men must be ruled by those who will give them bread, astonish them with spectacles, and control them with absolute power.

The Inquisitor admits that he practices a great deception. Though he claims to represent Christ, he has in reality accepted the political schemes of the Adversary. Though he understands the utter incongruity of his own actions, he persists in them out of a perverted love for the poor, blind human race and he does so in the name of Him, in whose



ideal he "had so fervently believed all his life long." He even threatens Jesus with execution, but when his lengthy monologue is over, Christ looks gently at him and does not reply. The sad Inquisitor longs for a word from Him; instead, Jesus approaches him with the same silence with which He stood before the spokesman of Rome's indisputable power, and kisses him. There is nothing left for the Inquisitor but to open the door, through which the Prisoner quietly leaves. Only the terrible incongruity remains: The kiss of Christ glows in the old man's heart, but he continues to be the Grand Inquisitor who will not turn from the way of absolute power.

The Christ of this fantasy is the image of divine Love. Like all lovers, God "exposes" Himself to the possibility of betrayal by the beloved. From the beginning, He has endowed men with intelligence and free will by which they may know the perfect happiness of freely and lovingly giving themselves to Him. He has done so, knowing that men would abuse these gifts and rise up in pride against Him. Admittedly, this is a mystery but it is also a measure of the inestimable worth God attaches to the love with which we return His own. So great is His love for men that He does not abandon even those who abuse it. He is vulnerable as any loving father is and cannot give up Ephraim whom He taught to walk and drew with the bands of love (see *Os* 11:3-8). To draw all men closer to Himself He wrought their redemption on Golgotha.

In the act of redemption, however, as in the act of creation, divine Love runs a risk, the risk not only of all love, but the immeasurably greater risk of the Infinite bending down to the finite. In establishing His Church, Christ gave her infallibility in matters of faith and morals. But He did not and does not take from her members the gift of free choice, not even from those who administer her temporal affairs or construct her ecclesiastical policy. Because of this freedom some, like Peter in Gethsemane, will confuse the use of the sword to the point of tragedy.

## I

THE ecclesiastical problem that gave rise to the various Catholic inquisitions—episcopal, legatine, and monastic—was primarily that of heresies springing up within the Church; occasionally offenses, such as



sodomy, necromancy, and the bearing of false witness, were under consideration, too. The medieval inquisitors were ecclesiastical officials concerned with the administration of Church discipline and the failure of baptized persons to abide by their obligations. Although an objective and critical history of the inquisitions is yet to be written,<sup>1</sup> certain facts are well established, and it is possible to draw a general picture of how the inquisitions came to be.

The attitude of early Christian writers toward heresy is reflected in the words of St. Ignatius of Antioch who wrote at the beginning of the second century A.D.:

Make no mistake, brethren; the corrupters of families will not inherit the kingdom of God. If, then, those are dead who do these things according to the flesh, how much worse if, with bad doctrine, one should corrupt the faith of God for which Jesus Christ was crucified. Such a man, for becoming contaminated, will depart into unquenchable fire; and so will anyone who listens to him.<sup>2</sup>

In his work *Against the Heresies*, written about 180 A.D., St. Irenaeus condemned those who would falsify the word of God and the truths of the Catholic faith, which like the sun is one and the same all over the world. The true doctrine, he said, was to be found only in the Catholic Church, the depository of the apostolic teaching, while heresies are of more recent origin.<sup>3</sup>

Yet for all their vehemence against Docetism, Gnosticism, and all other ancient heresies, the early defenders of orthodoxy used no force other than argument against their opponents. Excommunication was the most severe punishment possible; even the suggestion of the

1. Henry Charles Lea, *A History of the Inquisition of the Middle Ages* (3 vols.; New York: Harbor, 1887-88) and his *History of the Inquisition of Spain* (4 vols.; New York: Macmillan, 1906-07) are extensive, thorough works but somewhat outmoded and open to charges of having a generally anti-Catholic bias. Bernardino Llorca, *La Inquisición en España* (Barcelona: Editorial Labor, 1946) and his *La Inquisición Española* (Santander: Universidad Pont. Comillas, 1953), represent a modern Spanish scholar's efforts to present the subject in a more favorable light. Introductory studies which represent different points of view are: Arthur S. Turberville, *The Spanish Inquisition* (New York: Oxford University Press, 1932); Cecil Roth, *The Spanish Inquisition* (London: Hale, 1937); George Gordon Coulton, *Inquisition and Liberty* (London: Heinemann, 1938); Henri Maison-neuve, *Etudes sur les origines de l'inquisition* (Paris: Vrin, 1942).

2. St. Ignatius of Antioch, "To the Ephesians, XVI," *The Apostolic Fathers*, trans. Gerard G. Walsh (New York: Cima, 1930), p. 93 (PG 5:658B).

3. St. Irenaeus, *Adv. Haer.*, I, Praef; I, x; III, iv (PG 7:437, 553, 858).



death penalty for heretics was foreign to the minds of the early Fathers. "It is man's right and within the natural endowment of everyone to worship what he thinks he should. . . . It is not religion's way to enforce religion, which ought to be accepted freely and not by coercion. . . ." <sup>4</sup> These are words Tertullian addressed to Scapula, a Roman governor in Africa, in 212 A.D., shortly after the governor had begun to persecute the Church.

The ecclesiastical attitude toward heretics during the first four centuries was expressed in the canonical principle: *Ecclesia abhorret a sanguine*, "The Church detests the shedding of blood." <sup>5</sup> It was no less clearly stated by the third-century bishop of Carthage, St. Cyprian, who saw the New Dispensation transcend some of the harsh demands of the Old:

God commanded that those who did not obey His priests or hearken to His judges . . . should be slain. Then indeed they were slain with the sword, while the circumcision of the flesh was yet in force; but now that circumcision has begun to be of the spirit among God's faithful servants, the proud and contumacious are slain with the sword of the spirit by being cast out of the Church. <sup>6</sup>

During the fourth century, with the conversion of Constantine and the evolving ideal of the unity of Church and Empire, the early tradition began to change. The emperors—whether they were orthodox like Constantine or heretical like Constantius—were primarily concerned with civil peace. Beginning with the reign of Theodosius the Great (346–395), efforts to achieve imperial unity were inevitably combined with those enforcing religious harmony; it was believed that prosperity in temporal affairs could not be achieved unless the exercise of imperial power was extended so as to protect the true religion. That the beliefs and practices of certain groups of nonconformists were extremely antisocial cannot be denied. The Manicheans, for example, who in some cases condemned marriage and family life, presented an especially difficult problem. Again, the schismatic followers of Bishop Donatus in North Africa disturbed the social order by rising

4. Tertullian, *Ad Scapulam*, II (PL I:777).

5. Elphège Vacandard, *The Inquisition, a Critical and Historical Study of the Coercive Power of the Church*, trans. Bertrand L. Conway (New York: Paulist Press, 1949), p. 6.

6. St. Cyprian, *Epist. LXII* (PL 4:381–382).



in armed rebellion when their appeals against the decisions of two Church councils were rejected by the emperor.

In his early dealings with both Manicheans and Donatists, St. Augustine of Hippo was as a rule tolerant and strongly opposed the use of such penalties as torture and death.<sup>7</sup> But since rulers must answer to God for their policies and, as St. Paul taught, must punish those who do evil (see Rom 13:4), St. Augustine admitted the right of the state to punish schismatics and heretics with the common punishments of flogging, fines, and exile whenever these religious dissenters disturbed the public peace.<sup>8</sup> Like St. Ambrose and other outstanding theologians of his age, St. Augustine could scarcely escape the consequences of a changed historical situation. From the time of Constantine, theologians were confronted with the problem of professedly Christian rulers. Matters were far simpler when the pagan Nero was Rome's emperor.

It seems significant that the most notorious example of the death penalty imposed by the state against one accused of heresy should have taken place in Spain during the fourth century. What Vacandard rightly calls the deplorable trial and execution of Priscillian, the learned bishop of Avila, prefigures the same domination of ecclesiastical authority by the civil administration that, centuries later, was to be responsible for the abuses of the Spanish Inquisition. Priscillian was accused of Manicheism and the practice of magic. In 385, after Pope Damasus and St. Ambrose had refused to hear his defense, a synod was assembled at Bordeaux to examine the condemnation that had been pronounced against him at Saragossa five years earlier. Then Priscillian himself, not the bishops who had accused him, presented his case to the Emperor Maximus, much to the distress of St. Martin, who argued that the state could not judge a question of theological doctrine.

Eventually, Priscillian was tried and condemned by the secular courts for the crime of magic; he and some of his followers were executed. Popular feeling was so strong against Bishop Ithacius, one of the chief accusers, that he was driven from his see, and many outstanding theologians of the time condemned the penalty inflicted.<sup>9</sup>

7. See Vacandard, *op. cit.*, pp. 12-14.

8. See *ibid.*, p. 15.

9. See *ibid.*, pp. 17-20 and Adhémar D'Alès, *Priscillien et l'Espagne chrétienne à la fin du IV<sup>e</sup> siècle* (Paris: Beauchesne, 1936).



Though Ithacius had disassociated himself from the secular trial and though Priscillian was not actually executed for heresy, it was an irony of history that the Christian emperors of fourth century Rome should have considered themselves responsible for the forcible defense of the faith, which their pagan predecessors had persecuted.

## II

FROM the sixth to the eleventh century, there was little organized persecution of heresy. But, as Lord Acton has pointed out, during the same period certain events took place in Spain that laid the foundation for the establishment of the Spanish Inquisition some centuries later.<sup>10</sup> Arianism was then the religion of the Gothic state, while the Catholic faith was that of the Hispano-Roman majority—a division that made the political union of Spain difficult to achieve. King Euric (467–485), like the Gothic kings of Italy and southern Gaul, sought to meet this threat to his rule by a policy of conciliation and compromise.<sup>11</sup>

Under the Arian King Leovigild (568–586), however, religious war broke out in Andalusia. Hermenegild, one of Leovigild's sons who had been converted to the Catholic faith, headed a serious insurrection of Catholics and Byzantines. Though he was defeated at Cordova and executed by his father, his brother Reccared, on his accession to the throne, became a Catholic, too. During his rule, religious unity became a Spanish political principle; the Third Synod of Toledo (589) condemned Arianism and placed certain disabilities on the Jewish population.

Jews were then numerous in Spain. Before the Gothic invasions they had generally not been persecuted, although the Code of Theodosius forbade them to build new synagogues, to hold public or military office, and to own Christian slaves. Under the Goths, these restrictions were barely enforced. More highly cultivated than the barbarian conquerors and in no way involved in the Arian-Catholic controversy, Jews made ideal civil servants. But upon the conversion of Reccared, a change took place. According to the decrees of Toledo, the old

10. See Lord Acton, *Essays on Church and State*, ed. Douglas Woodruff (London: Hollis and Carter, 1952), pp. 383–389.

11. See Rafael Altamira, *A History of Spain*, trans. Muna Lee (New York: Van Nostrand, 1949), p. 78.



Theodosian restrictions were to be rigidly enforced. In addition, no further marriages were to be permitted between Jews and Catholics, and all children of existing mixed marriages were to be baptized.

Those responsible for the enforcement of the old restrictions and the issuance of the new evidently supposed that the conquest of Judaism would be no more difficult than was the victory over Arianism. But they were mistaken. In 612, during Sisebut's reign, the Crown adopted a measure which, in the words of Lord Acton, threw "a gloom over the whole history of Spain, [a measure] which proved in its results injurious to the Church, pernicious to the State, and which was the real cause of the establishment of the Inquisition, and of the consequences which ensued."<sup>12</sup> All Jews who did not consent to baptism were ordered to leave the country. This decree—which, incidentally, was censured by St. Isidore of Seville and by the Fourth, Sixth, and Seventh Synods of Toledo—established a principle of action that confirms John Henry Newman's opinion: "Christian states move forward upon the same laws [as pre-Christian states] and rise and fall, as time goes on, upon the same internal principles. Human nature remains what it was though it has been baptized; the proverbs, the satires, the pictures of which it was the subject in heathen times, have their point still."<sup>13</sup>

By forcing the faith upon those who did not freely accept it, the law of Sisebut was contrary to Catholic doctrine. St. Thomas Aquinas, for example, explicitly says: "Among the nonbelievers [in Christ], there are some who have never received the faith, such as the heathens and the Jews. They are by no means to be compelled to the faith, in order that they may believe, because to believe depends on the will."<sup>14</sup> Under the criticism of theologians, the law fell into disuse a few years after it had been established. As a result, many of those who had chosen exile rather than forced baptism returned. But there remained a grave problem, that of "converts" who had returned to Judaism.

Theologians argued that, while acceptance of the faith is a matter of the will, keeping the faith is a matter of obligation. Consequently,

12. Acton, *op. cit.*, pp. 388-389.

13. John Henry Newman, *Parochial Sermons* (New York: Appleton, 1843), II, 91.

14. *Summa Theol.* II-II, q. 10, a. 8, c. See also Canon 1351 of the *Codex Juris Canonici*. It reads: *Ad amplectendam fidem catholicam nemo invitus cogatur*, "No one may be forced to embrace the Catholic faith against his will."



in 633 the Fourth Synod of Toledo, the same that had disapproved the law of Sisebut,<sup>15</sup> declared that, although the Jewish *conversos* had been baptized under compulsion, they were now Christians and subject to disciplinary punishment for abandonment of the faith. It was decreed, therefore, that those who had relapsed and persisted in their error were to be reduced to slavery. In the words of Lord Acton: "The government could not escape from the terrible consequences of the first compulsory conversion, by which an element of unbelief and hypocrisy was introduced into the Church, which she could neither crush nor cast out."<sup>16</sup>

The action of the Fourth Synod of Toledo was not related, however, to an existing system of inquisitorial tribunals in the universal Church. There was no such system in the seventh century; it was to evolve gradually out of conditions that arose some four hundred years later. About the year 1000, various Neo-Manichean heresies began to penetrate northern Italy, Spain, and southern France. These heresies posed a number of disturbing social problems; there was a kind of madness about many of their adherents which modern psychiatry might better understand, but which medieval men may be pardoned for attributing to demonic activity. Theirs was a pessimistic doctrine of the fundamental duality and incessant warfare between the flesh and the spirit. They frequently expressed this belief by extreme, indeed, suicidal fasts and by repudiating marriage. No doubt, many were sincere in the practice of these austerities, but like Puritans of all times, they were frequently given to denouncing the supposed vices of others and to rejecting all authority that did not conform to their own views. Often calling themselves Cathari, "the Pure," they were the offspring of the dualistic Paulicians and Bogomiles, many of whom had fled from the Byzantine Empire into Western Europe in order to escape persecution.

Neo-Manichean teachings and influence spread rapidly and penetrated all classes of society, especially in Languedoc. There not only the nobility but many members of the clergy were infected. Wherever the heretics gained strength, they provoked violent reactions and some-

15. See Mansi's *Sacrorum conciliorum nova et amplissima collectio* (Florence and Venice, 1759-98), X, 663.

16. Acton, *op. cit.*, p. 389.



times retaliated with attacks on orthodox Catholics and the property of the Church. It was a time of cruel passions and brutal penalties, but we who live in a world that has produced Dachau, Buchenwald, the labor camps of Soviet Russia, the atrocities of the Spanish Civil War, and the lynchings of American Negroes can hardly claim that ours is in every way a gentler environment.<sup>17</sup>

Mob violence, as much as the threat the heretics themselves posed to the security of Church and state, brought demands from both bishops and princes that severe judicial measures be taken. These demands, together with the revival of Roman law and the development of Canon law from the time of Gratian (1140) onward, lay behind the development of what is now called the Medieval Inquisition. At first most churchmen either kept aloof from the action of both the princes and the populace or expressed their objection to the death penalty.<sup>18</sup> A synod held at Rheims in 1157 and the Third Council of the Lateran in 1179, however, called for the establishment of episcopal tribunals to combat heresy and for the support of the secular arm in carrying out their decisions. In 1184 and 1198, then, decretals of Popes Lucius III and Innocent III founded episcopal inquisitions. Pope Innocent also made use of papal legates to inquire into the spread of the doctrines of the Cathari in southern France. When one of these legates, Peter of Castelnau, was murdered in 1208, the Pope proclaimed a crusade against the heretics, who were ruthlessly suppressed by Catholic armies under Simon de Montfort.

The proper history of the Medieval or Monastic Inquisition begins with this lamentable struggle (1208-1229).<sup>19</sup> Authorized by Pope Gregory IX in 1233, the Inquisition's work was largely entrusted to the Dominicans and the Franciscans. It is scarcely just to say, as does Rabbi Meyer Kayserling, that "the mendicant orders of friars . . .

17. I mention lynching of Negroes in America, because I think a Christian author should not castigate the sins of other nations without mentioning those of his own. Yet I do not wish to imply that the sporadic lynchings of American Negroes are on a par with Nazi and Communist atrocities. They are not. The latter took and take place with full sanction of the state; the former occur when mobs take the law into their own hands, and not through government action.

18. See Vacandard, *op. cit.*, pp. 44-49; also Jean Guiraud, *Histoire de l'inquisition au moyen âge* (2 vols.; Paris: Picard, 1935) and Alan L. Maycock, *The Inquisition, from Its Establishment to the Great Schism* (London: Constable, 1927).

19. See Albert C. Shannon, *The Popes and Heresy in the Thirteenth Century* (Villanova: Augustinian Press, 1949), *passim*.



being severed from all worldly ties, were sure to show themselves pitiless in the persecution of heretics and infidels.”<sup>20</sup> The reason for entrusting the friars with the combat against error seems rather to have been the mission of preaching and teaching that was theirs from the beginning; not only did they have among their members highly competent theologians but they were also in the best position to consult with local bishops while operating under papal authority. Moreover, before his death in 1221, St. Dominic had played a particularly notable role in the attempt to win back the heretics of Languedoc by preaching, prayer, and the example of self-denial. Although he had no direct part in the establishment of the Monastic Inquisition, the order which he founded was quite understandably associated with the defense of orthodoxy.

### III

BY THE middle of the thirteenth century, the Monastic Inquisition was well-established though not universally active; in some areas, such as England, it was virtually unknown. In Spain it was permanently established after 1258 only in Aragon, where its activities were local and spasmodic.

As a modern Spanish novelist reminds us, there has always been deeply imbedded in the minds of Spaniards an intense feeling that religious faith is the foundation of their national unity.<sup>21</sup> Heresy itself was no real problem in medieval Spain; many persons investigated by the Monastic Inquisition were simply refugees from southern France. In fact, the rise of the new, the purely Spanish Inquisition had little to do with the causes that produced the older, papal institution, although its procedures were influenced by the earlier model. The Spanish Inquisition, primarily directed against Jews and Moors who had accepted baptism and who were thought to have secretly reverted to their former beliefs and practices, was the outcome of a situation peculiar to the Iberian peninsula.

The rule of the Visigothic kings was ended by the Saracen invasion and victory at Guadalete in 711. According to one author, some Jews

20. "Inquisition," *Jewish Encyclopedia*, VI, 587.

21. See José Maria Gironella, *The Cypresses Believe in God*, trans. Harriet de Onís (2 vols.; New York: Knopf, 1955), II, 643.



conspired with the Saracens to bring this about.<sup>22</sup> Another simply says that the Moslems invaded Spain as allies and supporters of one Visigothic party contending for the crown.<sup>23</sup> In any event, from the end of the first decade of the eighth century to the fall of the Moorish kingdom of Granada in 1492, the history of Spain was marked by a long struggle to reconquer the land from the Moslems. The goal of this struggle was political and religious unity: Orthodoxy and Spanish nationalism were to become synonymous.

As the Catholic Spanish forces slowly pushed back the Saracen power, the presence of large, flourishing Jewish communities in the regained sections was a potential source of conflict, particularly since some Spaniards believed that the Jews favored the Saracens. Yet, from the time of reconquest until the middle of the fourteenth century, most Jews enjoyed a greater security in Spain than elsewhere in Europe. Living in some 250 communities, they continued to develop their culture and the prosperity they had attained under Moslem rule.<sup>24</sup> As under the Saracen hegemony, some Spaniards had been converted to Islam, so at the time of reconquest an indeterminate number of Moors and Jews adopted Christianity. The first were known as *moriscos*, the second as *conversos*.<sup>25</sup> Outstanding among these was Rabbi Selemoh ha-Levi, who not only became a Catholic but a priest and later even Bishop of Burgos.

So greatly did Jewish life in Spain flourish that many Jews became extremely powerful in the economic and political life of its Christian kingdoms. Their skill in finance made them indispensable to the kings whose struggles with Saracens, rebellious nobles, and other Christian monarchs constantly drained their resources. Unhappily for the Jews

22. See William Thomas Walsh, *Characters of the Inquisition* (New York: Kennedy, 1940), p. 141.

23. See Altamira, *op. cit.*, p. 92.

24. The number of Jews living in Castile at the close of the thirteenth century has been estimated at between four and five million, but this is disputed. (See Walsh, *op. cit.*, p. 141.)

25. Popularly, the *conversos* were known as *marranos*. Several interpretations have been given to the term, the most likely being that of Cecil Roth: "The word Marrano is an old Spanish term dating back to the early Middle Ages and meaning swine. Applied to the recent converts in the first place perhaps ironically, with reference to their aversion from the flesh of the animal in question, it ultimately became a general term of execration which spread during the sixteenth century to most of the languages of western Europe." (*A History of the Marranos*, Philadelphia: Jewish Publication Society, 1941, p. 28.)



and the *conversos*, they were frequently employed in the unpopular role of tax collectors. Under Pedro the Cruel, who was king of Castile and León from 1350 to 1369, taxes were especially oppressive. Hence the people rebelled against him, but in the ensuing civil war their hatred was unleashed against the Jewish tax collectors.

The last decade of the fourteenth century marked the end of relative security for the Jews in Spain. They were charged with plotting to take over the country, but also with blasphemy, witchcraft, and alchemy. High rates of interest, sometimes as much as forty per cent, were attributed to Jewish moneylenders. The Archdeacon of Seville, Fernando Martinez, went so far as to resurrect the old calumny that the Jews were responsible for the Black Death, a charge which Pope Clement VI roundly condemned.<sup>26</sup> In 1391, openly defying the papal condemnation and the orders of his own ecclesiastical superiors, Archdeacon Martinez incited mobs to plunder, even to exterminate the Jews of Seville. Many died in the pogrom, others submitted to baptism or were sold into slavery. The fire of hatred spread through Castile, Aragon, and Catalonia, but the measures taken to punish those responsible served only to infuriate the population further.

From 1385 to the outbreak of these dreadful massacres, the number of Jewish *conversos* had increased by the thousands, largely as a result of the efforts of the eloquent Dominican preacher St. Vincent Ferrer. It cannot be doubted that many of the *conversos* were sincere, men of conviction, but during and after the pogrom of 1391, as in the time of King Sisebut, great numbers of Jews were compelled to accept baptism in order to save their lives and their possessions. Consequently, there were among the New Christians, as the *conversos* were frequently called, and among their descendants, those who paid no more than lip service to the Catholic faith, in fact they "preserved their love for Judaism and secretly observed the Jewish law and Jewish customs."<sup>27</sup>

The New Christians prospered both in business and in the learned professions; some rose to high positions through intermarriage with the nobility; others gained posts of great importance in the hierarchy of the Church. A few examples of insincerity among those who took

26. Other popes had condemned this falsehood. See Lea, *History of the Inquisition of Spain*, I, 101, and Walsh, *op. cit.*, p. 120.

27. "Inquisition," *Jewish Encyclopedia*, VI, 588.



Holy Orders can be cited.<sup>28</sup> There may even be some substance to the charge made about 1459 by the Franciscan Fray Alonso de Espina in his notorious tract,  *Fortalitium Fidei* , "Stronghold of Faith," that if an inquisition were established in Castile, many of the New Christians would be shown as having made a mockery of the faith. De Espina, however, himself a New Christian and rector of the University of Salamanca, repeated all the ancient lies about the Jews. By both writing and preaching he spread the calumnies that they caused plagues by poisoning the wells, that they practiced ritual murder, and that the New Christians, too, were guilty of the same abominations. Wherever he went, the  *conversos*  suffered persecution.

In 1467, a series of violent attacks against the New Christians began in Toledo, where the population had been forced to raise a huge loan for the defense of the frontier. Since the tax collectors were either Jews or  *conversos* , all anger turned against them. When two canons preached resistance against the levy and summoned the people to the cathedral, a bloody fight broke out between New and Old Christians. It was followed by a wild butchery in that quarter of the city most of the New Christians occupied. A succession of similar episodes here and there resulted in what must be called a civil war. In 1474, the situation was brought to a climax by a particularly furious outbreak in Segovia, the temporary capital of Isabella, who was still trying to establish herself as the queen of all Castile. The New Christians were attacked as a pretext for overthrowing the governor of the city, and only the timely warning of the papal legate, the future Pope Alexander VI, saved them from total destruction.

To King Ferdinand of Aragon and Queen Isabella of Castile, who married in 1469 and, ten years later, were firmly in control of their separate dominions, Spain's political unity and stability were of paramount consideration. The violence and disunity caused by the conflicts between the New and the Old Christians could not be tolerated if Spain was to achieve national greatness. Dissident elements, like the factious nobles, hindered the imperial aspirations of the two rulers. Their aspirations, rather than racial prejudice or religious fanaticism, were the immediate causes of the Spanish Inquisition which,

28. Walsh (see  *op. cit.* , pp. 145-146) draws his information from Lea ( *History of the Inquisition of Spain* , II, 2), who was certainly not prejudiced in favor of the Inquisition.



from its inception, was far more a means to augment and preserve royal power than a purely ecclesiastical tribunal. Like the seventh-century law of King Sisebut, it was an instrument designed to unify and centralize the nation, a means considered necessary for the safety of the emerging state.

#### IV

THE Spanish Inquisition of the fifteenth and sixteenth centuries was thus markedly different from earlier inquisitions. Its rigid organization, its close supervision by the Crown, its independence of episcopal—and at times even papal—control were new phenomena in inquisitorial history. An anomaly in the hierarchical structure of the Church, it may rightly be thought of as the device by which the rulers of Spain, especially Ferdinand and Philip II, secured powers which the French kings later gained by their own system of control over ecclesiastical affairs.

The principle of national and religious conformity which the Spanish Inquisition sought to enforce was neither uniquely Spanish nor peculiarly Catholic. Both the Catholic and Protestant signatories of the Treaty of Augsburg in 1555 agreed to the principle *cuius regio, eius religio*. According to it, the religion of the ruler decides the religion of the subjects. The idea of religious pluralism within the state, although recognized for a time in France under the Edict of Nantes, was no more appealing to Calvinists, Lutherans, or Anglicans in the sixteenth century than it was to Catholics. Elizabeth I of England and her Secretary of State, Lord Burleigh, organized and directed a secret police force that hunted down Catholic recusants, confiscated their property, subjected them to judicial torture, brought them to trial, and often to a terrible death with quite the same zeal and efficiency as did the rulers of Spain and the inquisitors who served them. At the time that the American colonies were founded, conformity with established belief was a matter of course—the Catholics of Maryland, the Quakers in Pennsylvania, and the various nonconformists of Rhode Island were but exceptions in the practice of religious tolerance. The Protestant terrorism at Basel in 1528 and the violent persecution of the Arminians in Calvinist Holland in 1619 are further evidence



of the fact that the subjugation of religion to the ruling powers was not exclusively a Spanish or a Catholic tragedy.

Professional historians may debate many questions of fact concerning Spain's Inquisition, but one thing seems clear: The Spanish Inquisition was the logical outcome of a common belief that no state could develop, maintain, and expand its authority while the religious outlook of a strong section of the community differed from that of the rulers. It was this conviction that in 1478 led Ferdinand and Isabella to ask Pope Sixtus IV for the authority to establish the tribunal of the Inquisition in Castile. Much had stood in the way of this decision. The New Christians were not without influence at court: Not a few of Isabella's statesmen, secretaries, close friends, and leading ecclesiastics were *conversos*. Many of the most influential noble families were not only staunchly conservative and opposed to all innovations, they also numbered *conversos* or their descendants among their own ranks. Moreover, the Medieval Inquisition, long established in Aragon, was an instrument of the papacy, and it seemed to some that introducing the Inquisition elsewhere in Spain would unduly extend the papal power.

We do not know who first suggested an organized inquisition to Queen Isabella. To ascribe its beginnings to Fray Tomás de Torquemada, the Dominican Prior of Santa Cruz in Segovia, is certainly an oversimplification. Even Thomas Hope, whose biography of Torquemada is in no way sympathetic to its subject, considers that many other influences were at work on the mind of the young, pious Queen.<sup>29</sup> Nicolao Franco, papal legate and Bishop of Treviso, for example, strongly urged that an inquisition be introduced to deal with relapsed *conversos*. Fray Alfonso de Ojeda and Fray Diego de Merlo advised the same in a report on conditions in Andalusia. The great Renaissance Cardinal Pedro Gonzales de Mendoza, although somewhat reluctant at first, may have influenced the Queen by asking Pope Sixtus IV to name four delegates so that they could aid the bishops of Castile in dealing with the secret apostasy of *conversos*. At the same time, the Sicilian inquisitor Fray Felipe de Barberis, while visiting Spain, instructed Isabella in the methods of the Monastic Inquisition.

29. See Thomas Hope, *Torquemada Scourge of the Jews* (London: Allen and Unwin, 1939), pp. 46-52.



In November 1478, Sixtus IV issued a bull to the Spanish monarchs authorizing the establishment of the Inquisition in Castile. He may have had in mind a Monastic Inquisition of the sort that already existed in Aragon, yet he permitted the rulers to appoint either secular priests or members of any religious community. They were to act "under the usual jurisdiction and authority that law and custom allow to Ordinaries and Inquisitors of heretical depravity."<sup>30</sup> For almost two years, however, the powers the bull had granted were not used. Persuasion and instruction were employed instead, and Cardinal Mendoza's *Catecismo de la Doctrina Cristiana* was widely circulated to overcome the Judaizing tendency or secret apostasy of many Castilian *conversos*.

The apparent failure of these efforts and the rising threat of the Turks, suggesting new dangers from the Moslem kingdom of Granada, brought matters to a head. In September 1480, at Medina del Campo, Cardinal Mendoza was authorized by the Crown to establish an active tribunal of the Inquisition, with Fray Tomás de Torquemada acting as consultant. The first inquisitors were the Dominicans Fray Michael Morillo and Fray Juan de San Martín who, assisted by two secular priests, set up the first court and proclaimed the first edict of grace in Seville. The edict of grace called upon all who were guilty of offenses against the faith to come forward, to put away their errors, and be reconciled with the Church. The *conversos*, understandably enough, planned to defend themselves by armed force. Many leading citizens, including a number of priests and the dean of the cathedral, were parties to this ill-fated conspiracy. But the plans were betrayed, and on February 6, 1481, the first auto-da-fé was held. Six persons were handed over to the civil authorities and burned to death outside the walls of the city, while various penances were imposed on those who confessed under the edict of grace.

It soon became evident that, as an instrument of Spanish royal power, the New Inquisition would follow a stormy course to its very end. The Holy See was given early proof that even Queen Isabella, intensely Catholic as she was, could put her own authority above that of the pope. In a dispute over the appointment of a bishop

30. Walsh, *op. cit.*, p. 150. See also Bernardino Llorca, "Bulario Pontificio de la Inquisición Española," *Miscellanea Historiae Pontificae*, XV (Rome: Gregorian University, 1949).



for the See of Cuenca, Isabella wrested from Pope Sixtus IV the right to appoint her own candidate, Alonso of Burgos, the royal chaplain and the offspring of a family of *conversos*. Having refused to accept the Pope's nominee, one of his own nephews, the Queen even threatened to stir other rulers into action against the Holy See. This attitude of hers lent weight to a stream of complaints against the inquisitors of Seville. Thus in January 1482, the Pope wrote a stern letter to the Spanish Crown, charging that Morillo and San Martin were not co-operating with the bishops as the medieval inquisitors had done, and that they were proceeding with undue cruelty and much injustice to the innocent.

As a result the Pope refused the monarchs permission to extend the New Inquisition into Aragon and announced, in February 1482, that henceforth he would appoint the inquisitors himself. He then proceeded to name eight Dominicans, including Torquemada, to be in charge of the tribunals of Castile and León, expecting them to act in accordance with the traditions of the Monastic Inquisition. The Pope seems to have suspected that the *conversos* were being plundered and that, because war with the Moors had been renewed, measures taken against them were made harsher. In any case, in February 1483, he complained once more of the injustices by the Spanish inquisitors that had been reported to him. Again, in August of the same year he sent a ten-page bull declaring that he was displeased with the weakness of the papal court of appeals he had authorized in Seville and with the severity of the inquisitors which went far beyond the "moderation of law."

## v

HOWEVER one may judge the motives and vacillations of Pope Sixtus IV, the fact is that he eventually yielded to the pressures of the Spanish Crown. Torquemada, whose devotion to the Spanish monarchy fostered a kind of caesaropapism, convinced Isabella and Ferdinand that all the powers of the Inquisition should, under their joint direction, be centralized in him. In October 1483, the Pope appointed Torquemada as Inquisitor-General with supreme power to elect or replace his subordinates.<sup>31</sup> He was also authorized to reor-

31. It should be noted that Llorca remarks that he has not been able to find the Pope's letter of appointment. (See "Bulario Pontificio," p. 111, n.)



ganize the whole structure of the Inquisition in Spain, and later in the same month, his jurisdiction was extended to Aragon, Catalonia, and Valencia.

Thus it is true that Torquemada, who according to the authority of Pulgar was himself partly of Jewish descent,<sup>32</sup> shaped the Spanish Inquisition which brought untold suffering on both Jews and *conversos*. If we accept the estimate of *The Jewish Encyclopedia*, he condemned more than 8,000 Jews and *conversos* to the stake.<sup>33</sup> Many Catholic apologists, adopting the figure of Pulgar, say that no more than 2,000 persons were executed during the entire reign of Queen Isabella, while William Thomas Walsh thinks that of some 100,000 cases dealt with by Torquemada, only about one per cent ended with the death penalty.<sup>34</sup> In dealing with so great an assault upon the dignity of the human person, statistical debate seems not only worthless but out of place. The horror is in no way mitigated by proving, if it can be proved, that during the period under discussion, 2,000 rather than 8,000 human beings were burned alive. Nor are the actual executions less shocking because they were carried out by secular courts rather than ecclesiastical authorities: A legal subtlety cannot lessen the dread of the historic record.

Still, the popular image of Torquemada as a monster of cruelty and viciousness is but a caricature of the misdirected and lamentable part he actually played. For him, and for the outlook he represented, membership in the Catholic Church as a supranational community was subordinated to the demands of a consuming nationalism. As Thomas Hope correctly sees it: "Before all else he was a Spaniard. His first interest was the unification and development of Spain, with which was unhappily combined the destruction of the Jews and the Moors and the integration of religion."<sup>35</sup>

The methods of procedure Torquemada established were based upon those described in such works as the *Practica Inquisitionis* of Bernard of Gui and the *Directorium Inquisitorum* of Nicholas Eymeric, both

32. Hernando de Pulgar, himself a *converso*, was a contemporary of Torquemada and secretary to Queen Isabella. If his claim had been false, it seems that Torquemada would have denied it and punished the author. There appears to be no evidence that he did so.

33. "Inquisition," *Jewish Encyclopedia*, VI, 592.

34. See Walsh, *op. cit.*, pp. 174-175.

35. Hope, *op. cit.*, p. 234.



compiled in the fourteenth century. The system of judicial torture associated with Torquemada's name was first authorized for the Medieval Inquisition by Pope Innocent IV in 1252 and was the common practice of civil authorities everywhere in Europe. The extreme penalty of death by burning at the stake for recalcitrant heretics and apostates, employed by the Holy Roman Emperor Frederick II in Lombardy in 1224, was given canonical sanction a few years later by Pope Gregory IX.

The inquisitional process was as severe for relapsed converts from Islam as it was for Jewish *conversos*, and one can safely say that the standards of justice prevalent in those days were observed. Following a period of grace, accusations and depositions were received; the accused were then cited or arrested for interrogation. According to the *Instrucciones* of Torquemada, two witnesses of good repute had to make a deposition against a person before the secret preliminary investigation could begin, and false accusers were dealt with most harshly. During the formal interrogation counsel represented the accused, and while the names of witnesses for the prosecution were withheld, the defendant could provide a list of his enemies, which had to be examined. Judicial torture was by no means always applied, and confessions obtained by it were subject to further investigation and confirmation. Canonical penances, imprisonment, banishment, and the confiscation of property were among the penalties far more common than death at the stake. Considering the ways of the fifteenth century, it is fair to say that the procedures of the Inquisition were often more just and more humane than those of the secular courts.

By making the Inquisition an arm of the Spanish government, Torquemada effected a radical departure from his medieval predecessors. The Supreme Council of the Inquisition—made up of two members of the Royal Council, of a Dominican, and of another member taken in rotation from the other religious orders—became one of the departments through which all of Spain was governed. Attempts at resisting the Inquisition by the Catholic population of Aragon (1484), Catalonia (1487), and Mallorca (1490) were suppressed. Furthermore, reprisals taken by the *conversos*—such as the assassination in September 1485 of the inquisitor Pedro Arbués in Aragon—only gave the Inquisition increased popular support.

Served by a growing army of lay "familiaris" and informers, many



of whom belonged to the Confraternity of St. Peter Martyr, the Inquisition became so integral a part of Spanish life that it was not abolished until 1820. In the course of its long history many of the greatest figures of the Spanish Church, indeed, the true representatives of Spanish Catholic thought and life, were persecuted or hampered in their work. Among them were Fray Luis de León, Fray Luis de Granada, the Venerable Juan de Avila, the great St. Teresa, and no less a man than St. Ignatius de Loyola, the founder of the Jesuits. Of the latter, Francisco Giner de los Rios, the eminent Spanish lawyer and teacher, says that he "laid the foundations of a religious life more in conformity with human nature . . . and stood . . . for an ideal in every way sounder, more realistic, and loftier than that of the supporters of that terrible institution [the Inquisition]." <sup>36</sup> No group or religious order was exempt from its oppressive power. Even one of its most faithful servants, the Dominican Archbishop of Toledo and Primate of Spain, Bartolomé Carranza de Miranda, fell victim to its intrigues and was persecuted for supposed Protestant leanings—a charge which his entire career makes highly dubious.<sup>37</sup>

Directed at first against the *conversos*, the Inquisition proved to be a weapon of total royal control, aimed at anything or anyone that stood, or seemed to stand, in its way. In 1569, Pope St. Pius V was therefore driven to pray that the Church of Christ might be delivered from the tyranny of the Spanish Crown. So far did the Inquisition become removed from all outside ecclesiastical control that the president of King Philip's Royal Council could boldly declare to the papal nuncio: "There is no Pope in Spain."<sup>38</sup> If one remembers the goal of the inquisitors, it was inevitable that the Inquisition should finally lead to the expulsion of the Jews. Their presence frustrated its task, for only in isolation could the *conversos* be made to surrender. From 1483 to 1486, King Ferdinand had pursued a policy of local expulsions, with fees for exemption to benefit his treasury. After the fall of Granada in March 1492 all Jewish persons in the kingdoms of Castile and Aragon were ordered either to be baptized or to leave the

36. As quoted by Altamira, *op. cit.*, p. 358.

37. See Heinrich Laugwitz, *Bartholomäus, Erzbischof von Toledo* (Kempten: Köfel, 1870), and Vincent Beltran de Heredia, *Las corrientes de espiritualidad entre los Dominicos de Castilla durante la primera mitad del siglo XV* (Salamanca: Imp. Commercial, 1941), pp. 110-156.

38. See Walsh, *op. cit.*, p. 253.



country. Between 210,000 and 300,000 went into exile, despoiled of much of their wealth, and many met death in the course of their wanderings. Fortunate were those who took refuge in Rome under the tolerant protection of Alexander VI.

One of the pretexts for this dire expulsion was the trial of two Jews and six *conversos* from the parish of La Guardia. They were said to have confessed to the crimes of having defiled the Sacred Host, practiced black magic, and committed a ritual murder—before a great crowd they were burned in November 1491. The facts behind the trial are still disputed<sup>39</sup> so that even the most ardent apologist of the Inquisition can write: "Some of the Jewish arguments against the guilt of the men executed at Avila in 1491 have considerable force. . . . I leave the matter to future historians, who may have more complete evidence on which to base a conclusion."<sup>40</sup> In any event, the trial and condemnation of these eight men—as much as the banishment of the whole Jewish population to which the calamity of La Guardia gave impetus—are evidence of the hatred and the violence engendered by the mentality and the methods of the Inquisition.

The evil effects this institution had upon Spain are impossible to estimate. The final judgment of history, however, may not be far from that of Lord Acton: "It did more than any other thing for the ruin of Church and State in Spain, by promoting political despotism and intellectual stagnation."<sup>41</sup> Some may argue that the Inquisition preserved Spain from heresy and the wars of religion, but an equally strong case can be made for the theory that the conflict was merely postponed till it broke out in the Civil War of our day, when the battle was not with Protestantism but with a militant atheism, an atheism that might never have come about were it not for the repression the Inquisition had made habitual.

39. See Isidor Loeb's studies in *Revue des Etudes Juives*, Vols. XV, XVIII, XIX, XX. See also Cecil Roth, "Jews, Conversos, and the Blood-Accusation in Fifteenth Century Spain," and William T. Walsh, "A Reply to Dr. Roth," in *The Dublin Review*, CXCI, 383 (October 1932), pp. 219-252. Much useful information on the general background and history of this trial and the series of events leading to the expulsion may be found in the following: Roth, *A History of the Marranos*; Valeriu Marcu, *The Expulsion of the Jews from Spain*, trans. Moray Firth (London: Constable, 1935); Antonio Domínguez Ortiz, "Los conversos de origen judío después de la expulsión," *Estudios de historia social de España*, III (Madrid, 1955), 225-431.

40. Walsh, *op. cit.*, pp. 176-177.

41. Acton, *op. cit.*, p. 394.



## VI

SOME critics of the various Catholic inquisitions confuse the Catholic faith with periods in the history and culture of predominantly Catholic nations.<sup>42</sup> To such writers, civil and practical intolerance toward dissent as well as the use of force in the service of God seem an essential part of the Catholic way. They assume that wherever Catholics find themselves in complete political control, their religious beliefs compel them to use the power of the state in order to exterminate dissenters and discipline apostates. According to this view, the Church tolerates pluralism only where she is powerless to destroy it, and her attitude toward the secular, liberal democracies is said to be much the same as that of the Communists. The Catholic writer Louis Veillot has even been charged with saying to modern liberals: "When we are a minority, we claim freedom for ourselves in the name of your principles of tolerance; when we are a majority, we deny freedom to you in the name of our own principles." But the charge is false: Veillot never made the statement attributed to him.<sup>43</sup>

What these critics overlook is the fact that the Spanish Inquisition arose out of a conflict between Catholic doctrine and the actions of powerful Spanish Catholics who forced the Jews to accept baptism. In the light of the teachings of the early Church fathers, however, and those of the recent popes, beginning with Leo XIII's encyclical *Libertas* (1888), it should be evident that the relationship between the Church and the State which made both the Spanish and the Medieval Inquisitions possible was, no matter how long it lasted, an accidental and temporary arrangement that did not derive from the essential and enduring nature of the Church.<sup>44</sup>

To a true Catholic, the Church is not "a spiritual police force, but blood of my own blood, the life of whose abundance I live."<sup>45</sup> Ac-

42. Such is the viewpoint of Coulton, *op. cit.*, and *Is the Catholic Church Anti-Social, a Debate with Arnold Lunn* (London: Burns, Oates and Washbourne, 1946). One effective reply is that found in James M. O'Neill's *Catholicism and American Freedom* (New York: Harper's, 1952).

43. See Giacomo Cardinal Lercaro, "Religious Tolerance in Catholic Tradition," *Catholic Mind*, LVIII, 1147 (Jan.-Feb. 1960), p. 15.

44. See John A. Ryan, S.J., and Moorhouse F. X. Millar, S.J., *The State and the Church* (New York: Macmillan, 1922), p. 34.

45. Romano Guardini, *The Church and the Catholic* (New York: Sheed and Ward, 1940), p. 47.



ording to Pope Leo XIII, she is a discerning mother who takes account of the great burden of human frailty and of the special problems confronting every age. She realizes, therefore, that what she holds to be "at variance with truth and justice" must often be permitted to exist in human society, "partly that greater good may not be impeded and partly that greater evil may not ensue."<sup>46</sup>

As the story of the Inquisition abundantly proves, there have been men in the Church who assumed that in a given historical situation enforced religious conformity and the necessary order of society are coextensive. Even saints have offered a religious justification for violence in the militant defense of cultural patterns that were only of temporary significance. Yet, in dealing with error and unbelief, Catholics may not forget the fundamental implications of the parable of the cockle and the wheat (see Mt 13:24-30). In the Middle Ages, this was not always apparent to those responsible for ecclesiastical policies, especially in Spain as the bitter period of reconquest drew to a close. "The medieval knight was," as Christopher Dawson has seen so well, "a barbarian warrior with a veneer of Christian chivalry, and the medieval prelate was first cousin to the medieval baron."<sup>47</sup> To those accountable for the rise of the Spanish Inquisition the distinction between intolerance of error in the intellectual order and intolerance of men in the civil and practical order was far from clear, whereas today representative Catholic leaders take the distinction for granted.<sup>48</sup>

The dogmatic intolerance of the Church is based upon the unshakable conviction that she is the one divinely empowered teacher of moral and religious truths, of truths that are objective and everlasting. By her very nature she cannot accept the relativism that holds equally valid moral and religious teachings that not only contradict one another but also stand opposed to the truth she is committed to proclaim and defend. Yet, this intolerance in the intellectual order by no means requires a civil policy of intolerance toward dissenters.

46. See the encyclical *Libertas* (1888) by Leo XIII, as quoted by Lercaro, *loc. cit.*, p. 13.

47. Christopher Dawson, *Religion and the Modern State* (London: Sheed and Ward, 1935), p. 120.

48. In addition to the authoritative statement of Cardinal Lercaro (*loc. cit.*), see the pronouncement of the Bishop of Lausanne, Geneva, and Fribourg, François Charrière, "The Church and Tolerance," *Catholic Mind*, trans. Gerald F. Yates, S.J., LVI, 1138 (July-August 1958), pp. 293-304.



On the contrary, as Cardinal Lercaro stresses, respect for the dignity of truth requires that freedom of assent should be granted to all men. Truth imposed is truth degraded; if not freely accepted, truth is not accepted for its own sake.<sup>49</sup> When a state seeks to force its citizens to conform to the Catholic religion—as the inquisitors did in Spain—there is an inevitable confusion between politics and religious truth whereby the latter becomes servant to the former.

Catholic truth holds, furthermore, that each person is made in the image and likeness of God. There is something in every man that transcends the historical moment and relates him to an eternal destiny. In every conflict between the Church and modern totalitarian states, this insistence upon the transcendent worth of the human person has been crucial. In Nazi Germany, as in the Communist empire, countless Catholic martyrs have witnessed to the Church's belief that the consciences of men must not and cannot be determined simply by historical forces.<sup>50</sup> The human soul receives faith in Christ as a divine gift. It is, therefore, nothing short of sacrilege to substitute coercion for grace, to seek to achieve by human force what only God can bring about.<sup>51</sup> The evil consequences of such attempts cannot but be violently destructive to the life of religion and the common good of society.

In what Maritain has called "the decoratively Christian state"—in which a government uses its police powers to impose a Catholic social order more apparent than real—the vitality of a truly Christian political society disappears.<sup>52</sup> Certainly truth must be given precedence over error, and in a society in which the religion of Christ is known, those who recognize it as true are obliged to further its spiritual mission. But social or political discrimination in favor of the Church

49. See Lercaro, *loc. cit.*, p. 18.

50. Only recently, the Catholic bishops of the Dominican Republic declared in a joint pastoral letter that "the basis and foundation of all positive law is the inviolable dignity of the human person. Each human being boasts, even before his birth, of a heritage of prior and higher law than those of any state whatever." In the same pastoral, the bishops spelled out a list of natural rights belonging to every human person and declared that any violation of these rights constitutes "a grave offense against God, against the dignity of man—made in the image and likeness of his Creator—and brings about many and irreparable evils in society." (*The New York Times*, February 3, 1960.)

51. See Lercaro, *loc. cit.*, pp. 18–19.

52. Jacques Maritain, *The Rights of Man and the Natural Law*, trans. Doris C. Anson (New York: Scribner's, 1943), p. 23.



almost inevitably compromises rather than helps this spiritual mission.

In fact, it can be said that the temporal common good of present-day society requires a pluralist conception that would—within the limits of public morality—assure the freedom and security of recognized religious bodies as well as protect the freedom of individual consciences. Pope Pius XII unmistakably revealed the mind of the Church when he declared:

God has not given to human authority . . . an absolute and universal control in matters of faith and morality. Such a command is unknown to the common convictions of mankind, to Christian conscience, to the sources of revelation and to the practice of the Church. To omit here other scriptural texts which are adduced in support of this argument, Christ in the parable of the cockle gives the following advice: Let the cockle grow in the field of the world together with the good seed in view of the harvest (see Mt 13:24-30). The duty of repressing moral and religious error cannot therefore be an ultimate norm of action. It must be subordinate to higher and more general norms which in particular circumstances permit, and perhaps even seem to indicate as the better policy, toleration of error in order to promote a greater good.<sup>53</sup>

The late Pope's reference to "higher and more general norms" indicates that the Catholic concept of tolerance on the civil and practical level is not a mere matter of prudence, much less of opportunism. It is founded upon the demands of the common good of society and is, even more profoundly, a consequence of the Church's regard for truth and of her knowledge of the workings of God's grace in the souls of men. The dignity of the human person and its relation to the dignity of truth are eternal Christian verities.

The fact that, as it is generally agreed, limits must be placed upon such forms of worship as ritual prostitution, human sacrifice or cannibalism shows that no society can hold to a doctrine of total freedom of religion. Still, the principle that civil law and human authority must protect the freedom of men's consciences against abuse, and that it must avoid even the semblance of coercing nonbelievers to accept belief in Christ, is an essential part of Catholic tradition.

53. Pius XII, "Allocution to the Italian Catholic Jurists," December 3, 1953, as quoted by Lercaro, *loc. cit.*, pp. 13-14. See also "International Community and Religious Tolerance," *The Pope Speaks*, I, 1 (1954), p. 68.



Dostoyevsky's Grand Inquisitor is a vivid image of the confusion of these values, of the abuse of power, and of the choice of means that are alien to the persuasive love of Jesus. The Holy Spirit is the soul of the Church, and her only sword is His. Her right to discipline her own members, from imposing the smallest penance to the supreme penalty of excommunication, belongs to the realm of the spirit; it is inevitably perverted when made to serve purely temporal ends.

Whenever men of the Church put their whole trust in princes or in the acts of parliaments in order to accomplish what only holy zeal, loving patience, and above all the grace of God can do, they unwittingly prepare a disaster. Where Christ truly reigns, He reigns from the cross. He, the Lord of redeeming love, requires no other throne, and those who think that they are called upon to build Him a seat of power according to the secular pattern become entangled in a great and tragic illusion.