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Florian Wöller • Ueli Zahnd (eds.)

Dominican Culture, Dominican Theology

The Order of Preachers and Its Spheres of Action (1215 – ca. 1600)

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Black Friars as Heresy Experts
Dominican Identities and Inquisitorial Expert Culture in Late Medieval France and Aragon

Marcel Bubert

In his study on "the hybrid subject", the German sociologist Andreas Reckwitz has described the practices of self-formation in modern societies by which individuals actively incorporate different patterns of behaviour and social roles.[1] In his perspective, this particular phenomenon has been especially significant since the 1970s, as he observes an increasing attempt on the part of social actors to adapt and to combine heterogeneous elements from different social fields in order to create a distinguished, idiosyncratic personal identity that is characterised by a unique mixture of features.[2] However, whereas this 'hybridisation' or mixture of identity features for the purpose of creating 'singularity' is certainly a relatively recent phenomenon, it seems that individuals in modern societies (even before the 1970s) are generally presumed to act and to choose more freely between different social domains and patterns of interaction than was the case in earlier centuries.

In a longstanding tradition, the societies of the European Middle Ages, by contrast, have been held to be characterised by a structure of rather collective identities, of corporations and communities which essentially determined the social position of each particular person. In this perspective, social actors are monks, knights, craftsmen, or merchants, according to their particular social belonging. This view was of course largely shaped by the famous judgement of Jakob Burckhardt, who described the self-perception of medieval actors as determined by their affiliation to social collectives and corporations before the alleged 'discovery' of the individual in the Renaissance.[3] However, more recent research has questioned this older perspective by pointing out the fact that people in the Middle Ages conceptualised their individuality differently than persons in modern societies do, and could in fact develop a strong self-consciousness.[4] More impor-

1 Reckwitz, Andreas*: Das hybride Subjekt. Eine Theorie der Subjektkulturen von der bürgerlichen Moderne zur Postmoderne*, Frankfurt a.M. 2020.

2 See also Reckwitz, Andreas: *Die Gesellschaft der Singularitäten. Zum Strukturwandel der Moderne*, Frankfurt a.M. 2017.

3 Burckhardt, Jacob: *Die Kultur der Renaissance in Italien*, Frankfurt a.M. 2009 [Basel 1860], p. 135, where he states that the breakthrough of individualism in the Italian Renaissance overcame the specific bonds of the Middle Ages: "[...] der Bann, welcher auf dem Individualismus gelegen, ist hier völlig gebrochen; schrankenlos spezialisieren sich tausend einzelne Gesichter."

4 Arlinghaus, Franz-Josef: "Conceptualizing Pre-Modern and Modern Individuality. Some Theoretical Considerations", in ed. *id.*: *Forms of Individuality and Literacy in the Medieval and Early Modern Periods* (Utrecht Studies in Medieval Literacy 31), Turnhout 2015, pp. 1–46;

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tantly, in contradiction to the assumption that medieval actors were ubiquitously bound to groups and corporations, one could refer to a number of persons, particularly from the High Middle Ages onwards, who cannot easily be assigned to a definite social category: Peter Abelard is probably one of the most striking examples in this regard.[5] "For you are neither a cleric, nor a layman, nor a monk, I am not capable of deciding which name I should give to you",[6] wrote Roscelin of Compiègne in his letter to Abelard, indicating the difficulty in categorising a person that did not fit into the established patterns of social reality. With regard to Abelard's seemingly multiple identities Bernard of Clairvaux even stated that he was "a man who is dissimilar to himself" (*homo sibi dissimilis*).[7]

In the following considerations, I shall discuss these issues with respect to the social identity of Dominican inquisitors,[8] since they apparently acted at the 'crossroads' of mendicant affiliation and the particular social role of the professional inquisitor, which was just beginning to take shape and to become institutionalised in the course of the later Middle Ages.[9] I argue that this process of the subsequent institutionalisation of the Inquisition, which has been analysed

id.: "In and Out, Then and Now. The Confident Self and his Relation to Society in Premodern and Modern Times", in *The Medieval History Journal* 18.2 (2015), pp. 378–403; Aertsen, Jan A. et al., eds.: *Individuum und Individualität im Mittelalter* (Miscellanea mediaevalia 24), Berlin 1996.

5 Clanchy, Michael: *Abelard. A Medieval Life*, Oxford 1997. Clanchy portrays Abaelard as an actor moving between different social roles, such as master, logician, knight, lover, monk, and theologian; cf. Rexroth, Frank: *Fröhliche Scholastik. Die Wissenschaftsrevolution des Mittelalters*, Munich 2019, pp. 154–166; *id.*: "'Mönchlein, Mönchlein, du gehst einen Scheideweg'. Seit dem zwölften Jahrhundert sind die Mischwesen unter uns: Die Entdeckung des Individuums ging einher mit der Erfahrung menschlicher Zerrissenheit", in *Frankfurter Allgemeine Zeitung*, 3. April 2021, pp. 11–13; Arlinghaus, Franz-Josef: "Abaelard als Kronzeuge der 'Individualität' im 12. Jahrhundert? Einige Fragen", in eds. Christoph Dartmann/Thomas Scharff/Christoph F. Weber: *Zwischen Pragmatik und Performanz – Dimensionen mittelalterlicher Schriftkultur* (Utrecht Studies in Medieval Literacy 18), Turnhout 2011, pp. 165–197.

6 "Si igitur neque clericus neque laicus neque monachus es, quo nomine te censeam, reperire non valeo" (Roscellinus de Compodiis: *Epistola ad Petrum Abaelardum*, ed. Jacques-Paul Migne, *Patrologia Latina*, vol. 178, Paris 1853, cols. 370–371); see also Bezner, Frank: *Vela Veritatis. Hermeneutik, Wissen und Sprache in der Intellectual History des 12. Jahrhunderts* (Studien und Texte zur Geistesgeschichte des Mittelalters 85), Leiden 2005, pp. 163–164.

7 Quoted in Gurjewitsch, Aaron J.: *Das Individuum im europäischen Mittelalter*, Munich 1994, p. 181.

8 On Dominican inquisitors in general see: Hoyer, Wolfram, ed.: *Praedicatores Inquisitores. The Dominican and the Medieval Inquisition*, Rome 2004; Ames, Christine Caldwell: "Obeying God, Not Man. Heresy Inquisitors, and Obedience in the Dominican Order", in ed. Cornelia Linde: *Making and Breaking the Rules. Discussion, Implementation, and Consequences of Dominican Legislation*, Oxford 2018, pp. 37–58.

9 Moore, Jill: *Inquisition and its Organisation in Italy, 1250–1350* (Heresy and Inquisition in the Middle Ages 8), York 2019; Scharff, Thomas: "Problematische Anfänge – schwieriges Erbe. Strukturelle Probleme der mittelalterlichen Inquisition", in *Frühmittelalterliche Studien* 52 (2019), pp. 401–418; Ames, Christine Caldwell: *Righteous Persecution. Inquisition, Dominicans, and Christianity in the Middle Ages*, Philadelphia 2009; Kieckhefer, Richard: "The Office of Inquisition and Medieval Heresy: The Transition from Personal to Institutional Jurisdiction", in *Journal of Ecclesiastical History* 46 (1995), pp. 36–61.

in a classic study by Richard Kieckhefer,[10] was essentially prepared and fostered by the inquisitors' attempt to performatively create and define the social role of the inquisitor in terms of being an 'expert' for heresy, and to demarcate and to distinguish this role from other types of experts and authorities. By doing so, the emergence of the role of the inquisitor comes to be regarded in the broader context of the formation of 'expert cultures' in the later Middle Ages.[11] Against this background, the 'hybridity' of Dominican identities will be discussed, insofar as Dominican inquisitors combined different identity features by performing their particular roles as heresy experts, friars, and/or theologians.

1. The Practitioner and the Professors

In the case of the famous inquisitor Bernard Gui (d. 1331), for instance, who extensively worked on the history of the order,[12] Dominican affiliation was obviously crucial to his own social identity. From the very beginning, the historiography of Dominican friars had profound effects on the self-perception of the order and contributed essentially to the construction of a new collective Dominican identity.[13] Jordan of Saxony, who became master general of the order in 1222 (after the death of Dominic), as well as Gerard de Frachet with his *Chronica Ordinis* and *Vitae fratrum* from the 1250s, produced historiographical works which provided a basis for constructing a continuity of the order from the time of its foundation onwards.[14] Significantly, this constructed Dominican identity was itself from the outset an essentially 'hybrid' phenomenon, as it combined different features to create a new social pattern and a unique conduct of religious life.

[10] Kieckhefer 1995.

[11] On the concept of expert cultures, see Rexroth, Frank: "Systemvertrauen und Expertenskepsis. Die Utopie vom maßgeschneiderten Wissen in den Kulturen des 12. bis 16. Jahrhunderts", in eds. Björn Reich/Frank Rexroth/Matthias Roick: *Wissen, maßgeschneidert. Experten und Expertenkulturen im Europa der Vormoderne* (Beiheft der Historischen Zeitschrift 57), Munich 2012, pp. 12–44; Füssel, Marian/Rexroth, Frank/Schürmann, Inga, eds.: *Praktiken und Räume des Wissens. Expertenkulturen in Geschichte und Gegenwart*, Göttingen 2019; Bubert, Marcel: *Kreative Gegensätze. Der Streit um den Nutzen der Philosophie an der mittelalterlichen Pariser Universität* (Education and Society in the Middle Ages and Renaissance 55), Leiden 2019, pp. 232–276.

[12] Lamarrigue, Anne-Marie: *Bernard Gui (1261–1331). Un historien et sa méthode* (Études d'histoire médiévale 5), Paris 2000.

[13] Jäkel, Gerd: *... usque in praesentem diem. Kontinuitätskonstruktionen in der Eigengeschichtsschreibung religiöser Orden des Hoch- und Spätmittelalters* (Vita regularis 52), Berlin 2013; Wesjohann, Achim: *Mendikantische Gründungserzählungen im 13. und 14. Jahrhundert. Mythen als Elemente institutioneller Eigengeschichtsschreibung der mittelalterlichen Franziskaner, Dominikaner und Augustiner-Eremiten* (Vita regularis 49), Berlin 2012, pp. 311–496.

[14] Iordanus de Saxonia: *Libellus de principiis ordinis praedicatorum*, ed. Heribert Christian Scheeben (Monumenta Ordinis Fratrum Praedicatorum Historica 16), Rome 1935; Gerardus de Fracheto: *Vitae Fratrum Ordinis Praedicatorum necnon cronica Ordinis ab anno 1203 usque ad 1254* (Monumenta Ordinis Fratrum Praedicatorum Historica 1), ed. Benedikt Maria Reichert, Rome 1897; cf. Jäkel 2013, pp. 19–26; Wesjohann 2012, pp. 372–384, 398–401.

By perpetuating the historiographical tradition in the 14th century, Bernard Gui contributed to this practice of identity formation in the Dominican order. At the same time, however, he endeavoured to establish a connection between the founding history of the order and the history of the Inquisition in southern France. When it comes to the first Dominican house at Toulouse, for instance, Gui remarks:

> From this time on they began to live in these houses at Toulouse and, therefore, all who were with him [Dominic de Guzmán] turned more and more to humility and to a religious way of life. [...] It is in these very houses that the inquisitors of heresy were afterwards living at Toulouse until the present day.[15]

By means of this narrative strategy, Bernard Gui obviously intended to link the inquisition of southern France with the identity of the Dominican order. Since Gui himself was inquisitor in Toulouse until 1317,[16] this connection was certainly crucial to his own place in society. However, as far as his activity as an inquisitor is concerned, Gui is also specifically anxious to distinguish his position and his expertise from other social actors—and these 'others' could also include Dominicans who belonged to a different expert group. In his famous manual for the inquisitor, Bernard evinces a strategy of demarcation for the purpose of conceptualising a specific sort of inquisitorial expert knowledge.[17]

The manual for the inquisitor which he compiled during his activities as inquisitor in southern France in the early 14th century was intended as a guidebook and compendium for the interrogation of heretics. To that end, the work deals sequentially with several supposedly heretical and suspicious groups, in particular the Cathars, Waldensians, the Pseudo-Apostles and Beguines.[18] However, Bernard Gui was not a university man, but rather had acquired his skills through actual experience as inquisitor. His expertise, therefore, is presented as relying on his extensive personal experience in carrying out interrogations. Consequently, he continuously emphasises that all his knowledge is based on empirical observation and direct interaction with heretics. The effectiveness of

[15] Bernardus Guidonis: *Libellus seu Tractatus Magistrorum Ordinis Praedicatorum*, ed. Edmond Martène/Ursinus Durand: *Veterum scriptorium et monumentorum historicorum, dogmatorum, moralium amplissima collectio*, vol. 6, Paris 1729, col. 400: "[...] a quo tempore coeperunt primum apud Tolosam in eisdem domibus commorari, atque ex tunc omnes qui cum ipso aderant magis ac magis ad humilitatem descendere, et religiosorum se moribus conformare. Praefatus frater Petrus postmodum ludendo saepius dicebat, quod ipse ordinem in suis videlicet domibus, non ordo ipsum recepisset. In eisdem vero domibus inquisitores pravitatis haereticae postmodum habitaverunt Tolosae usque in praesentem diem"; cf. Jäkel 2013, p. 45.

[16] Pales-Gobilliard, Annette: "Bernard Gui, inquisiteur et auteur de la *Practica*", in ed. Jean-Louis Biget: *Inquisition et société en pays d'Oc*, Toulouse 2014, pp. 125–132.

[17] See also: Bubert, Marcel: "Empiricism and the Construction of Expertise in Handbooks of the Later Middle Ages", in *Jahrbuch für Universitätsgeschichte* 21 (2020), pp. 43–52.

[18] Bernardus Guidonis: *Practica officii inquisitionis heretice pravitatis*, ed. Guillaume Mollat, Paris 2007; Hill, Derek: *Inquisition in the Fourteenth Century. The Manuals of Bernard Gui and Nicholas Eymerich*, Woodbridge 2019.

Gui's interrogation techniques, for instance, is exemplified by his practical experience, which is frequently evoked throughout the treatise. He writes:

> I have seen (*vidi ego*) and I have experienced (*expertus sum*) how one person refused to tell the truth, although he had been kept in prison for two years and been questioned many times. Eventually, however, he broke his silence and surrendered and repented.[19]

With his explicit intention of relying on personal experience, Bernard purposefully features himself as a practical expert for heresies and the examination of heretics. This phenomenon, however, was not independent from the specific social and historical contexts of the early 14th century. As a supposed expert for heretics and heresies, Bernard claimed a particular position in a social field that was related to other expert-type positions. Precisely at the same time, other protagonists had successfully established themselves as acknowledged experts for orthodoxy and heresy—and among them were of course also Dominicans.

Already since the beginning of the 13th century, learned university theologians were repeatedly consulted by bishops, archbishops, and popes in the context of debates about suspicious or heretical doctrines and writings.[20] Both in the case of the followers of Amalrich of Bena (whose doctrines were officially condemned by the Fourth Lateran Council of 1215), and at the forefront of the Parisian condemnation of 1277, for instance, theologians had given their expert assessment.[21] In the 1240s, Parisian theologians—among them Albertus Magnus—participated several times in condemning the Talmud, where their learned judgement gave legitimacy to the sentences of the prelates.[22] And when the French king, Philip the Fair, became involved in multiple explosive struggles with the papacy, the Knights Templar, and the French mystic Marguerite Porete,[23] the court repeatedly asked the masters of theology at the university

[19] Bernardus Guidonis *Practica officii inquisitionis*, p. 106: "Vidi ego et expertus sum de uno quod per duos fere annos detentus in carcere et sepius examinatus tergiversando veritatem noluit confiteri, quam tandem aperuit et detexit et penituit et fuit tanquam penitens hereticus ad peragendum penitentiam inmuratus."

[20] Gorochov, Nathalie: "Expertise et conseil des maîtres aux premiers temps de l'Université (XIIe–XIIIe siècles)", in *Experts et expertise au Moyen Âge. Consilium quaeritur a perito*, Paris 2012, pp. 73–86; Bubert 2019, pp. 253–269.

[21] Bianchi, Luca: *Censure et liberté intellectuelle à l'université de Paris* (XIIIe–XIVe siècles), Paris 1999; Thijssen, Johannes M.M.H.: *Censure and Heresy at the University of Paris, 1200–1400*, Philadelphia 1998; van Steenberghen, Fernand: *La philosophie au XIIIe siècle* (Philosophes médiévaux 28), Louvain-la-Neuve 1991.

[22] Tulier, André: "La condamnation du Talmud par les maîtres universitaires parisiens, ses causes et ses conséquences politiques et idéologiques", in ed. Gilbert Dahan: *Le brûlement du Talmud à Paris 1242–1244*, Paris 1999, pp. 29–78; the papal legate, Odo of Châteauroux, explicitly emphasises that he has consulted experts ("viros discretos et expertos in talibus") before rendering his decision: "Exhibitis nobis auctoritate apostolica a magistris Judeorum regni Francie quibusdam libris, qui Talmud appellantur, quos inspeximus et per viros discretos et expertos in talibus Deum timentes et zelum habentes fidei christiane fecimus inspici diligenter" (*Chartularium Universitatis Parisiensis*, no. 178, ed. Heinrich Denifle/Émile Chatelain, vol. 1, Paris 1889, p. 209).

[23] According to William Courtenay, the royal court was probably the driving force behind the trial against Marguerite Porete; in any case, the theologians of the university were asked to

of Paris for their learned opinion, including, for instance, the Dominican John of Paris.[24] In the process, however, these communicative practices inevitably attributed the social role or status of 'experts' in a certain field of knowledge to the group of university scholars, performatively creating a specific type of institutionalised expertise.[25]

Bernard Gui had, of course, attentively recognised the existence and widely accepted authority of the learned experts for matters of faith. However, in order to demarcate his own expertise and to define his own social status as a professional inquisitor, Gui inevitably had to distinguish himself from the group of university scholars and their specific type of expert knowledge. The fact, however, that their academic expertise was based on the knowledge of theological textbooks, such as the writings of the Church Fathers or the Sentences of Peter Lombard, and not on practical experience in the first place, seemed to offer a suitable point of departure. Whereas the theoretical reasoning of the theologians certainly enabled them to pronounce judgements on the contents of doctrines and writings, their ability to deal with heretics in practice was, from Bernard's perspective, highly questionable. Consequently, Bernard repeatedly highlights the academic scholars ineptitude at uncovering the heretics' deceptions:

> For today's heretics try and seek to clandestinely hide their errors, instead of confessing them publicly. The learned men (*viri litterati*), therefore, are unable to convict them with the knowledge of the Scriptures (*per scientiam Scripturarum*), because they manage to escape through the falsities of their words and through their intended frauds. And hence the learned men get rather confused by them, and the heretics themselves are boasting and become even stronger, when they see how they can play with the scholars, and how they can escape from their hands through the cunning, shifty, and intricate ways of their answers.[26]

give their judgment on the *Mirror of the Simple Souls*: Courtenay, William J.: "Marguerite's Judges. The University of Paris 1310", in eds. Sean L. Field/Robert E. Lerner/Sylvain Piron: *Marguerite Porete et le Miroir des simples âmes. Perspectives historiques, philosophiques et littéraires*, Paris 2013, pp. 215–231.

24 Courtenay, William J.: "Learned Opinion and Royal Justice: The Role of Paris Masters of Theology during the Reign of Philip the Fair", in eds. Ruth Mazo Karras/Joel Kaye/E. Ann Matter: *Law and the Illicit in Medieval Europe*, Philadelphia, PA 2008, pp. 149–163; Courtenay, William J./Ubl, Karl: *Gelehrte Gutachten und königliche Politik im Templerprozess*, Hannover 2010; Ubl, Karl: "Haeretici relapsi. Jean de Pouilly und die juristischen Grundlagen für die Hinrichtung der Tempelritter", in eds. Andreas Speer/David Wirmer: *1308. Eine Topographie historischer Gleichzeitigkeit* (Miscellanea mediaevalia 35), Berlin 2010, pp. 161–170.

25 On the construction of expertise by way of attribution, see Bubert, Marcel/Merten, Lydia: "Medialität und Performativität. Kulturwissenschaftliche Kategorien zur Analyse von historischen und literarischen Inszenierungsformen in Expertenkulturen", in eds. Frank Rexroth/Teresa Schröder-Stapper: *Experten, Wissen, Symbole. Performanz und Medialität vormoderner Wissenskulturen* (Historische Zeitschrift, Beihefte 71), Berlin 2018, pp. 29–68.

26 Bernardus Guidonis *Practica officii inquisitionis*, p. 6: "Set quia moderni heretici querunt et nituntur latenter palliare errores suos magis quam aperte fateri, ideo viri litterati per scientiam Scripturarum non possunt eos convincere, quia per fallacias verborum et per excogitatas astutias dilabuntur; et ideo potius confunduntur ab eis viri litterati, et ipsi

From Bernard's point of view, the theologians of the university could easily be deceived by the frauds of the heretics because they lacked practical experience.[27] Bernard Gui was by no means alone in having this polemical attitude towards the scholars. The manual for inquisitors of David Augustensis from the middle of the 13th century, for instance, likewise underlined that fraudulent heretics could not be convicted by the theoretical knowledge of learned theology (*per scienciam literarum et scripturarum*).[28] Therefore, the learned men (*viri litterati*) would simply be deceived and embarrassed by the tricks of the heretics. Even a totally illiterate person who knew the strategies of the heretics by experience could convict them more effectively than could a famous theologian who had taught for years at the University of Paris.[29]

However, this critical stance towards university scholars did not imply that the inquisitors rejected the authority of learned experts out of hand. As far as the assessment of suspicious *writings* was concerned, Bernard Gui readily acknowledged the competence and responsibility of the university scholars. When Bernard talked about the treatise on the apocalypse by the Franciscan Peter John Olivi, he referred without hesitation to its examination by eight Parisian masters of theology (including both Dominicans and Franciscans) in order to prove the heretical nature of the work. The expert testimony of the theologians from 1318 is cited by Bernard as reliable authority:

> By recording their judgement on the aforementioned articles in a written account with their proper seals, they published it as an official document. And whoever sees it and reads it and holds it in his hand, will accept it as true.[30]

This acknowledgement of the learned opinion on writings, however, apparently implies a relatively clear demarcation between particular sorts of expertise: a division of labour, as it were, that leaves the assessment of writings to scholars but insists on the authority of inquisitors insofar as direct interactions and personal interrogations are concerned. The internal dynamics of the social field of different types of experts, and the necessity to demarcate a particular position within this network, thus had a profound effect on Bernard's social identity. In his role as inquisitor, the Dominican Bernard Gui assigned himself to a social category which was opposed to learned theologians. Among these learned ex-

heretici gloriantes per hoc amplius roborantur, videntes quod viris litteratis ita illudunt quod de manibus eorum per suas vulpinas, versutias et tortuosas responsionum ambages callide celabuntur."

27 *Ibid.*

28 David Augustensis: *Tractatus de inquisitione hereticorum*, ed. Wilhelm Preger: *Der Tractat des David von Augsburg über die Waldesier* (Bayerische Akademie der Wissenschaften München. Abhandlungen der Philosophisch-historischen Klasse 14/2), Munich 1878, pp. 204–235: 228.

29 *Ibid.*: "Talis ergo eciam vilis persona, que nosset hereticorum fallacias, cicius convinceret hereticum, quam magnus theologus qui Parisius diu in cathedra rexisset."

30 Bernardus Guidonis *Practica officii inquisitionis*, p. 112: "Suumque judicium de predictis redactum in scriptis sigillis propriis cum instrumento publico muniverunt; et qui vidit et perlegit ac tenuit, hic testimonium perhibet veritati."

perts, however, were in fact also Dominicans. From the inquisitor's perspective, they nonetheless belonged to a different group—the *viri litterati*—with a different social identity.

2. Friar, Scholar, Heresy Expert: Nicholas Eymerich

This specific strategy of 'doing boundaries', as it were, with respect to other expert groups and actors of authority is even more significant in the work of another Dominican inquisitor of the 14th century, the Aragonese Dominican Nicholas Eymerich (d. 1399). Eymerich wrote a number of treatises in which he seeks not only to demarcate but also to justify the specific competences of the inquisitor.[31] By doing so, he likewise articulates a well-defined concept of the role and function of inquisitorial experts, in contrast to other social groups and authorities. However, there are also some crucial differences in comparison to Bernard Gui. As has repeatedly been observed in several studies, Nicholas Eymerich largely extends the competence of inquisitors as he sets out to include judgements on the orthodoxy of writings within inquisitorial remit as well; furthermore, Eymerich also aims at expanding the boundaries of inquisitorial jurisdiction over both non-Christians and magicians.[32] With this in mind, he defines the circumstances under which the Inquisition is authorised to pronounce judgements on the alleged heresy of Jews, for instance, in a much broader sense, and extends the competence of the Inquisition even to the examination and conviction of Muslims.

However, this endeavour to expand inquisitorial jurisdiction, as compared to Bernard Gui, should not only be regarded as an indication of general changes in the Inquisition of the 14th century, as has recently been suggested by Derek Hill.[33] Rather, it is necessary to take Eymerich's individual social identity and intellectual background into account in order to explain his different attitude vis-à-vis Gui. Eymerich's social identity is characterised by different features, as he was in fact a learned theologian who had studied at the University of Paris,

[31] Heimann, Claudia: *Nicolaus Eymerich (vor 1320–1399).* Praedicator veridicus, inquisitor intrepidus, doctor egregius. *Leben und Werk eines Inquisitors* (Spanische Forschungen der Görresgesellschaft 2/37), Münster 2001; Véronèse, Julien: "Nigromancie et hérésie: le 'De jurisdictione inquisitorum in et contra christianos demones invocantes' (1359) de Nicolas Eymerich (O.P.)", in eds. Martine Ostorero/Julien Véronèse: *Penser avec les démons. Démonologues et démonologies (xiiie-xviie siècles)*, Florence 2015, pp. 5–56; Brugada Gutiérrez-Rave, Josep: *Nicolau Eimeric (1320–1399) i la polèmica inquisitorial*, Barcelona 1998; Hill 2019.

[32] Heimann, Claudia: "Nicolaus Eymerich OP. Der Inquisitor und die Juden im Aragon des 14. Jahrhunderts", in eds. Elias H. Füllenbach/Gianfranco Miletto: *Dominikaner und Juden – Dominicans and Jews. Personen, Konflikte und Perspektiven vom 13. bis zum 20. Jahrhundert* (Quellen und Forschungen zur Geschichte des Dominikanerordens 14), Berlin 2015, pp. 135–154; Heimann, Claudia: "'Quis proprie hereticus est?' Nicolaus Eymerichs Häresiebegriff und dessen Anwendung auf die Juden", in ed. Wolfram Hoyer: *Praedicatores Inquisitores. The Dominican and the Medieval Inquisition* (Dissertationes historicae 29), Rome 2004, pp. 595–624; Hill 2019.

[33] Hill 2019, pp. 165–206.

where he earned his doctorate of theology in 1352.[34] It is no coincidence, therefore, that Eymerich not only displays a much more theologically grounded concept of heresy, which heavily relies on Thomas Aquinas, but also extends his competence as an inquisitor to the judgement of allegedly heretical writings. The most striking example of such expansion of competency is certainly his resolute campaign against the writings of the Catalan scholar Raymond Llull, some of which were formally condemned by Pope Gregory XI in 1376 as a result.[35] In contrast to Bernard Gui, the 'hands-on' man of experience who opposed the university scholars, the Dominican Nicholas Eymerich incorporated different social roles and behaviour patterns into his own identity, presenting himself as both theologian and professional inquisitor.

Eymerich's academic background and scholarly identity certainly played no small role in his self-perception and social practice, as he produced a great deal of learned theological writings from the 1350s onwards.[36] However, in his position as black friar, Eymerich also held offices within his order, becoming vicar of the Dominican province of Aragon in 1362.[37] Likewise, he was a committed preacher who repeatedly addressed current affairs in his sermons.[38] With his multiple social roles and activities, Nicholas Eymerich—the friar, the preacher, the scholar, the inquisitor—appears in fact as a 'hybrid' actor who cannot easily be assigned to a single social category. Contrary to the perception of Peter Abelard in the 12th century, however, this phenomenon did not seem necessarily outrageous to Nicholas's contemporaries, who attentively noticed his multiple pursuits and activities. After his death in the monastery of Sant Daniel in Girona in 1399, Eymerich's epitaph called him a "praedicator veridicus, inquisitor intrepidus, doctor egregius".[39] The explicit of his *Tractatus brevis* from the 1380s reads: "Explicit tractatus brevis editus a predicto fratre Nicholao Eymerici, sacre theologie magistro, Aragonie inquisitore heretice pravitatis".[40] In the same way, Eymerich and other Dominicans of his time are frequently addressed in letters

[34] Sullivan, Karen: *The Inner Lives of Medieval Inquisitors*, Chicago 2011, p. 170; Heimann 2001, p. 12.

[35] de Puig i Oliver, Jaume: "Nicolás Eymerich, un inquisidor discutido", in Hoyer 2004, pp. 545–594.

[36] Heimann 2001, pp. 171–182; Reinhardt, Klaus: "Nicolas Eymerich, OP, inquisidor y exegeta: edición de dos textos selectos de su *Postilla literalis super evangelia*", in ed. José María Soto Rábanos: *Pensamiento Hispano Medieval. Homenaje a D. Horacio Santiago-Otero*, Madrid 1998, pp. 1215–1236.

[37] Kirsch, Johann Peter: "Nicolas Eymeric", in *The Catholic Encyclopedia* V (1909), online: http://www.newadvent.org/cathen/05735c.htm (accessed August 12, 2024).

[38] See, for instance, his polemical sermons against the Llullists: de Puig i Oliver 2004.

[39] Heimann 2001; Kirsch 1909.

[40] Nicolaus Eymerici: *Tractatus brevis super iurisdictione inquisitorum contra infideles fidem catholicam agitantes*, ed. Josep Perarnau i Espelt, in *Arxiu de textos Catalans antics* 1 (1982), pp. 79–126: 125; the manuscript (MS Palma de Mallorca, Biblioteca de la Fundación Bartolomé March, 104-II-7 [olim 15-III-6]), which belonged to the convent of Saint Dominic in Girona, was produced between 1385 and 1399. On the manuscript, see Perarnau i Espelt, Josep: "Tres nous tractats de Nicolau Eimeric en un volum de les seves 'Opera Omnia' manuscrites procedent de Sant Domènec de Girona", in *Revista catalana de teologia* 4 (1979), pp. 79–100.

in this fashion.[41] Whereas Roscelin had struggled to find a single name for Abelard, the existence of individuals with hybrid identities, *or* "Mischwesen"[42], had become a natural phenomenon at the end of the 14th century.

As a theologian and inquisitor, Eymerich did not distinguish his own field of activity from the domain of learned university scholars in the same way as Bernard Gui had done. Rather, he sought to extend his competence over areas which had been the responsibility of learned theological experts from the 13th century onwards. However, precisely because he enlarged the competence of the Inquisition, Eymerich became much more involved in conflicts with other jurisdictional authorities. His struggles with King Peter IV eventually led to his expulsion from the Kingdom of Aragon in 1376, right after his campaign against Raymond Lull and his followers.[43] As a consequence, however, it became inevitable that Eymerich would demarcate the expertise of the inquisitor in a different way and establish new boundaries against other authorities.

3. Doing Boundaries: What Pertains to the Inquisitor's Office?

It is illumining to look at the arguments Eymerich produced in order to establish this boundary and define his own role as inquisitor. As will be shown, there are some analogies—but also crucial differences—to the demarcation strategies of Bernard Gui. First of all, Nicholas Eymerich equally emphasises his considerable experience (*experientia*) as an inquisitor, which enables him to detect the frauds of the heretics.[44] The empirically trained inquisitor is even capable of dealing with the most cunning strategies such as tricks of equivocation, by which the heretics seek to escape from the inquisitor's hands.[45] On the basis of his extensive practical experience, Eymerich can present himself as a veritable "expert" inquisitor: "Ego frater Nicolaus Eymerici Aragoniae inquisitor [...] expertus sum".[46]

Furthermore, however, Eymerich was particularly anxious to distinguish his area of responsibility from that of other authorities. In his treatise *Contra infideles demones invocantes* from 1370, he makes some significant distinctions concerning the competence and legitimacy of inquisitorial jurisdiction, especially over

41 For example in a letter from 1368, ed. Jaume de Puig i Oliver, "Documents relatius a la inquisició del 'Registrum Litterarum' de l'Arxiu diocesà de Girona", in *Arxiu de textos Catalans antics* 17 (1998), pp. 381–462: 436: "[...] frater Nicholaus Eymerici, ordinis sancti Dominci, magister in sacra theologia, inquisitor generalis heretice prauitatis in Aragonie et Cathalonie prouinciis"; cf. ibid., pp. 437, 441, 445, 452, 461.

42 Rexroth 2021.

43 de Puig i Oliver 2004; Sullivan 2011, p. 170.

44 Nicolaus Eymerici: *Directorium Inquisitorum*, Rome 1578, p. 276: "[...] vt nos paulo ante rerum magistra omnium experientia docuit euidenter"; cf. *ibid.*, p. 277: "[...] per experientiam diuturnam esse nouimus"; *ibid.*, p. 278: "[...] experientia solida comprobatam"; *ibid.*, p. 280: "[...] per propriam experientiam aliquorum inuenerimus"; *ibid.*, p. 294: "[...] experientia docet rerum omnium magistra."

45 *Ibid.*, p. 289.

46 *Ibid.*, p. 275.

non-Christians.[47] By doing so, he accounts for the precedence of the inquisitor over both secular judges and ordinary bishops in matters of heresy. In a series of conclusions, he first states that "the crime of heresy is purely ecclesiastical", from which basis he then states "that the secular lords can neither detect nor judge the crime of heresy."[48] Subsequently, however, Eymerich places the inquisitor also above the bishop. This is justified by the following argument:

> The sixteenth conclusion, however, is that the inquisitor is higher than the bishop in the office of the Inquisition. This is because the inquisitor is delegated by our lord the Pope, whereas the bishop, by contrast, is ordained. A delegate of the Pope, however, is higher in his office than someone who is ordained in that office.[49]

Against this background, Eymerich finally sets out to demarcate the inquisitor's competence from the responsibility of the bishop. As the inquisitor ranks higher than a bishop via the office of the inquisition, the latter is said to not be allowed to meddle in an inquisitorial investigation:

> The seventeenth conclusion is that the bishop cannot interfere with the process of the inquisitor by any means. This is true because, if 'equals have no sovereignty or jurisdiction over equals', then much less does an inferior have such over a superior person.[50]

This argument is significant, as Eymerich quotes a principle from Roman law, namely that "equals have no sovereignty over each other",[51] in order to prove that the responsibility of the inquisitor is independent from the authority of the bishop. If equals have in fact no sovereignty over each other, Eymerich argues, than much less does an inferior person, that is the bishop, have authority over a superior, namely the inquisitor.

This particular argument is even more relevant when it comes to Eymerich's statements on jurisdiction over non-Christians. In article 5 of his treatise, Eymerich discusses extensively the terms under which Jews could or could not be judged by Christian authorities, and reconsiders who would be responsible for judging offences committed by Jews.[52] In addition to stating that the

47 Mesler, Katelyn: "The Jurisdiction of Medieval Inquisitors over Jews and Muslims: Nicholas Eymeric's *Contra infideles demones invocantes*", in ed. David J. Collins: *The Sacred and the Sinister. Studies in Medieval Religion and Magic*, University Park, PA 2019, pp. 163–199.

48 Nicolaus Eymerici: *Contra infideles demones invocantes*, ed. Mesler 2019, pp. 168–199: 180: "Prima conclusio est quod heresis crimen mere ecclesiasticum est. [...] Secunda conclusio est quod domini temporales de crimine heresis nec cognoscere nec iudicare possunt."

49 *Ibid.*, p. 182: "Decima sexta conclusio est quod inquisitor est maior episcopo ordinario in inquisitionis officio. Hec patet, nam inquisitor est domini nostri pape delegatus, episcopus autem est ordinarius. Delegatus autem domini pape maior est in officio suo quam aliquis ordinarius in eodem officio."

50 *Ibid.*: "Decima septima conclusio est quod episcopus non potest inquisitoris processum aliquatenus impedire. Hec patet, nam par in parem non habet imperium nec iurisdicionem, multo minus inferior in maiorem."

51 *Dig.* 4.8.3, §3; 4.8.4; and 36.1.13, §4; see *The Roman Law Library*, ed. Alexandr Koptev/Yves Lassard, https://droitromain.univ-grenoble-alpes.fr (accessed August 12, 2024).

52 Nicolaus Eymerici *Contra infideles demones invocantes*, p. 184: "Quintus articulus princi-

examination of ecclesiastical crimes does not fall under the remit of secular judges,[53] Eymerich particularly troubles to give reasons for the assumption that Jews could in some respect be regarded as heretics and, therefore, convicted by the Inquisition. Although Eymerich admits that Jews, from a Christian point of view, cannot be heretical in a direct sense, he claims that they could in fact be heretical indirectly. This would be the case, he argues, with regard to the rabbinic tradition. Since the "modern Jews" (*iudei moderni*) are said to follow the "perverse rabbinic tradition" (*rabinorum perversam traditionem*), they deviate from Mosaic law and would thus be heretical with respect to the Old Testament. By extension, according to Eymerich, since the Old Testament was the common ground of Judaism and Christianity and provided the basis for the New Testament, a deviation from the Old Testament would thus be heretical in an indirect sense with regard to Christianity and the New Testament.[54]

Furthermore, Eymerich continues, modern Jews would constantly offend the faith of Christ and Christians by being followers, receivers, supporters, and protectors of heretics, since they would continually strive to convert Christians to their Jewish perfidy and, having done so, hide these newly created heretics in their midst.[55] Finally, Eymerich adds, the Jews would never cease to invent, distribute and publish heretical doctrines against the Christian faith, and teach Christians to invoke demons and make offerings to them.[56] Given all that, the inquisitor concludes, the Jews turn Christians into heretics.[57]

On the basis of these arguments, Eymerich justifies his view that Jews could in fact be regarded to a certain degree as heretics who were threatening the Christian faith. Consequently, their examination would fall under the competence of the Inquisition. In his *Tractatus brevis super iurisdictione inquisitorum contra infideles fidem catholicam agitantes* written in the 1380s, Eymerich reproduces

palis est iudeos et alios infideles in fide vel contra vel circa fidem delinquentes quis an dominus temporalis vel ecclesiasticus habeat iudicare, ubi prius videndum est ecclesia si et qualem in iudeos et in infideles ceteros potestatem habeat; secundo ex hoc videbitur si eos delinquentes in fide iudicare valeat."

53 *Ibid.*, p. 189: "Octavo sic: in crimine ecclesiastico iudex ecclesiasticus per se cognoscit et discernit, nec habet ibi communicare iudex civilis. [...] Ergo de talibus non habent cognoscere iudices seculares."

54 *Ibid.*, p. 177: "Hec probatur: iudei moderni fideiubendo et promittendo credere que sunt veteris testamenti, etiam secundum rabinorum perversam traditionem et expositionem, fideiubent et promittunt se credere quedam que sunt realiter etiam testamenti novi et fidei Christi. Igitur si hereticant in testamento veteri directe, hereticant et in novo quo ad contenta in utroque indirecte."

55 *Ibid.*: "Quinta conclusio est quod iudei moderni delinquendo circa et contra fidem Christi et christianorum, etsi non possunt in illa directe hereticare, sunt tamen hereticorum fautores receptatores deffensores et celatores vel frequentius possunt esse. Hec patet: iudei christianos transire ad eorum perfidiam frequenter procurant, et ad talem perfidiam translatos receptant deffensant occultant atque celant. [...] Consequentia patet quia tales christiani taliter agentes heretici sunt."

56 *Ibid.*, p. 178: "Et non solum hec faciunt, ymo hereses contra Christi fidem inveniunt scribunt divulgant et promulgant et christianos hiis deformant, demones invocare eis sacrificare adorare venerari et colere christianos docent, verbo facto pariter et exemplo ad ritum paganorum et hereticorum eos taliter pertrahendo."

57 *Ibid.*: "In omnibus enim predictis iudei faciunt christianos hereticare."

his arguments for the expansion of inquisitorial jurisdiction over non-Christians, including Muslims.[58] Again, he accounts for the inquisitor's competence by referring to the threat for Christians said to arise from the evil activities of Jews and "Saracens": "The third conclusion is that Jews and Saracens and other infidels of that kind can seduce Christians to their horrible rites and they often do. Consequently, inquisitors can investigate and punish them in that case."[59]

On the other hand, however, Eymerich does not go so far as to define the investigation of Jewish and Islamic 'heresies' as the exclusive task of the inquisitor, and he does admit the responsibility of bishops in this respect. Nevertheless, in the earlier *Contra infideles demones invocantes* he subtly distinguishes the inquisitor's competence by referring to the already quoted primacy of the inquisitor over the bishop. After having stated that the "delegated" office of the inquisitor is higher than the merely "ordained" authority of the bishop, and that the bishop is therefore not allowed to interfere in the inquisitor's investigation, Eymerich remarks with regard to the examination of non-Christians:

> The twentieth conclusion is that bishops and inquisitors of heresy have to investigate and convict the aforementioned infidels and all those perverting the faith of Christ—the bishops by their ordained authority and the inquisitors by their delegated power.[60]

If we keep in mind what Eymerich had said before about the relation of ordained authority and delegated power, this statement of course implies the assumption that jurisdiction over non-Christians likewise pertains to the Inquisition in the first place, and that bishops would not be allowed to intervene in an inquisitor's trial against Jews and Muslims.

4. Contesting Boundaries: The Inquisitors and Their Critics

Eymerich's intention of enlarging his competence as an inquisitor to include the investigation of non-Christian 'heresy' was by no means uncontested. As an expert on heresy, the inquisitor laid claim to a specific position in a social field that was related to the position of other actors who did not readily accept the inquisitor's assertions. For his part, Eymerich reflects well the existence of those

[58] With regard to non-Christians, Eymerich was still primarily concerned with Jews in his treatises. This was certainly due to the social and religious contexts of the Crown of Aragon, where Jews were more numerous than Muslims. However, Eymerich by far paid more attention to Muslims than any other inquisitor before him, cf. Bailey, Michael D.: "Muslims in Medieval Inquisitorial Thought: Nicolas Eymeric and His Contexts", in *Church History* 90 (2021), pp. 1–20: 16; Bernard Gui, by contrast, made no attempt to expand inquisitorial jurisdiction to include Muslims.

[59] Nicolaus Eymerici *Tractatus brevis*, p. 112, "Tertio sic: iudei et saraceni ac infideles huiusmodi ad eorum ritum execrabilem christianos possunt inducere ac inducunt sepe; ergo inquisitores in hoc casu possunt de eis cognoscere et eos punire."

[60] Nicolaus Eymerici *Contra infideles demones invocantes*, p. 193: "Vicesima conclusio est quod episcopi et inquisitores heretice pravitatis habent de predictis infidelibus et quibuscunque generaliter sicut predicitur fidem Christi pervertentibus cognoscere et iudicare, episcopi auctoritate ordinaria et inquisitores delegata."

groups who opposed his views and occasionally responded to their arguments. At the end of both the *Tractatus brevis* and *Contra infideles demones invocantes* the inquisitor addresses the "adversarii veritatis" who held that the jurisdiction over non-Christians did not pertain to the Inquisition.[61] However, this was in fact the view of the Carmelite theologian Felip Ribot (d. 1391), who denied that Jews or Muslims could be regarded as heretics.[62] According to Ribot, such persons could not be considered heretics from a Christian point of view since they had never confessed the Christian faith and thus had never turned away from it.[63] Consequently, Jews and Muslims could not fall under the Inquisition's remit.[64]

The question of whether the Inquisition was authorised to pronounce judgement over non-Christians was apparently highly contentious in the Crown of Aragon. One of the best examples of this controversy in practice is the conflict between Eymerich and King Peter IV of Aragon (d. 1387) regarding the case of Astruc de Piera, a Jew who had been accused of invoking demons.[65] Both the royal court and the inquisitor claimed jurisdiction. From the court's point of view, jurisdiction over Jews in Aragon did not fall to the inquisition but to the Crown. Eymerich, however, appealed to Pope Gregory XI (d. 1378), who decided that in this case, the inquisitor should be responsible for passing judgement. In the *Tractatus brevis*, Eymerich proudly relates this incident and presents the papal decision as an additional argument for the competence of the Inquisition.[66]

61 *Ibid.*: "Nonnulli autem adversarii veritatis predictam veritatem nituntur multipliciter impugnare, volentes probare quod cognitio et punitio iudeorum et sarracenorum in vel contra fidem delinquentium pertineat non ad episcopum et inquisitorem sed tantum ad dominos temporales"; cf. *id.: Tractatus brevis*, p. 124.

62 De Puig i Oliver, Jaume: "El *Tractatus de haeresi et de infidelium incredulitate et de horum criminum iudice,* de Felip Ribot, O. Carm. Edició i estudi", in *Arxiu de textos Catalans antics* 1 (1982), pp. 127–190: 127–149.

63 Philippus Ribot: *Tractatus de heresi et de infidelium incredulitate et de horum criminum iudice*, ed. de Puig i Oliver 1982, pp. 150–190: 161: "Hinc est quod iudeos, sarracenos et ceteros paganos, qui nunquam fidem religionis Christiane fuerunt professi nec ab ea divisi, nos vocamus non proprie in ea hereticos, sed infideles."

64 *Ibid.*, p. 180: "Ex premissis sequitur quod inquisitor pravitatis heretice non potest ex suo officio cognoscere de iudeo vel pagano heretico in sua lege. Patet primo, quia ecclesia de tali non iudicat, ut in hoc capitulo et in precedenti probatum est; multo ergo minus inquisitor de eo iudicabit."

65 Heimann 2015, p. 142; Heimann 2001, pp. 57–61; Bailey 2021, p. 14.

66 Nicolaus Eymerici *Tractatus brevis*, pp. 120–121: "Quarto, quia cum tempore bone memorie domini Gregorii pape XI, predictus inquisitor Aragonie, frater Nicholas Emyerici, processisset contra quemdam iudeum de Barchinona, vocatum Astruc de Aspiaria, eo quia demones invocabat, et fuisset causa mota contra inquisitorem quod de illo iudeo ad eum iudicare non pertinebat nec etiam ad ecclesiam, proposita causa in consistorio Avinione per predictum inquisitorem contra quemdam Franciscum Rome, qui pro parte domini temporalis contrariam defendebat, commissa est causa domino cardinali Moriciensi; et partibus illarumque allegationibus hinc inde auditis et habitis per dominum papam tribus consistoriis super illis, tandem dictus dominus papa Gregorius, de consilio fratrum, declaravit dictum iudeum ad cognitionem dicti inquisitoris pertinere, et mandavit dominis cardinalibus Boloniensi et Moriciensi predicto quatenus ex parte sui mandarent

The ambitions of both Bernard Gui and Nicholas Eymerich to demarcate inquisitorial expertise were thus not universally appreciated by other groups who claimed to be responsible in matters of faith and heresy. Eymerich's endeavour to expand his competence and to establish the inquisitor's primacy over other actors was sharply criticised by his opponents. The view that the inquisitor was higher in his office than the bishop and that the latter should not be allowed to interfere in inquisitorial affairs did not ubiquitously meet with approval. The bishop of Girona, for example, wrote in a letter to Eymerich that "it pertains to us and not to you [...] to investigate and punish those blaspheming God and the saints in our diocese."[67] In the same way, Pope Gregory XI reflected this sort of criticism towards the Inquisition, when he stated in a letter to a French inquisitor with regard to the invocation of demons that "even some literate people are opposed to this and claim that it does not pertain to your office."[68] Gregory himself, however, did confirm the competence of the Inquisition in this respect, stating that the Dominican inquisitor (and theologian) to whom he addressed the letter, Jacques de Morey,[69] should be authorised to investigate the invocation of demons in the Kingdom of France.

Yet these literate people (*litterati*) who opposed the ambitions of the inquisitor were obviously themselves anxious to distinguish their expertise and to defend their area of competence against the intrusions of others. These *litterati*, who were attacked by Bernard Gui, were themselves experts who claimed a specific domain of competence. This intention is particularly significant in the statement of a learned jurist from the University of Bologna, Zanchino Ugolini, who was active in the first half of the 14th century. Ugolini wrote polemically against the inquisitors and demarcated his expertise. His argument is quite noteworthy:

> Since inquisitors are very often ignorant of the law and can thus easily be deceived in trials, so that they absolve one who should be condemned, they should, in order to proceed according to justice in such cases, consult those learned in the law regarding the processes.[70]

episcopo Ilerdensi, qui dictum iudeum in sequestro tenebat, quod redderet inquisitori puniendum, quod et factum est."

67 Episcopus Gerundensis: *Venerabili et religioso fratri Nicholao Emerici inquisitori heretice prauitatis*, ed. Jaume de Puig i Oliver, in *Arxiu de textos Catalans antics* 17 (1998), pp. 381–461: 415–416: "Et cum, ut scitis, ad nos tantum, non ad uos, uel saltem ad nos sine uobis pertineat inquirere et punire Deum et sanctos blasfemantes in nostra diocese et de huiusmodi nec de hereticis etiam si qui sint uel essent in nostra diocese nobis irrequisitis non potestis iudicare et multo minus cum alio extraneo judice, vellemus et nobis placeret multum vt talia debita deliberatione deberetis considerare et uobis super his in posterum precauere."

68 Gregorius XI: *Letter to Jacques de Morey*, ed. Jean-Marie Vidal, *Bullaire de l'Inquisition française au xive siècle et jusqu'à la fin du Grand schisme*, Paris 1913, p. 406: "[...] nonnulli etiam quandoque litterati in hoc se opponent, pretendentes id ad tuum non expectare officium."

69 *Ibid.*, p. 405: "Dilecto filio Jacobo de Moreio, ordinis fratrum predicatorum professori, magistro in theologia, inquisitori heretice pravitatis in regno Francie auctoritate apostolica deputato, salutem."

70 Zanchinus Ugolini: *Tractatus super materia hereticorum*, cap. 15, in *Tractatus illustrium in utroque tum pontificii, tum caesarei iuris facilitate iurisconsultorum de iudiciis criminalibus S. Inquisitionis*, Venice 1584, ff. 234r–271r: 248v: "Quia inquisitores, ut plurimum, sunt iuris ignari,

Not only does this statement in fact distinguish between the "inquisitors" on the one hand and "those learned in the law" on the other, which is already remarkable; it also recalls the analogous polemics of Bernard Gui against the scholars' lack of practical experience. According to Gui, the "learned men" were easily deceived by the heretics because they had no real-life experience in the practice of interrogation. Ugolini turns the tables, as it were, by claiming that it is the inquisitors' lack of learning which enables the heretics to deceive them by their frauds. In this manner, Bernard Gui and Zanchino Ugolino produce similar arguments to demarcate their specific expertise from the domains of competence of other experts.

5. Conclusion

The strategies employed both by Bernard Gui and Nicholas Eymerich served to construct and to demarcate inquisitorial expertise against the background of other social actors with their own particular competence and expertise. Their writings can thus be situated in the broader context of the emergence of expert cultures in the later Middle Ages. The attempt to claim a specific position in a social field of different experts contributed significantly to the construction of the social role of the inquisitor and, therefore, to the institutionalisation of the Inquisition. This social role could be adapted by different actors and could be combined with other identity features. By the later Middle Ages, 'hybrid' identities had become a natural phenomenon. Social identity was not simply determined by belonging to a single group or community; rather, social actors could combine different roles and switch between them. The differences between the self-perceptions of Bernard Gui and Nicholas Eymerich can thus be partly explained by their individual social identities, which were 'composed' of significantly different features, as it were. Eymerich, as a learned theologian, displays a different profile than the practical man Gui. There was thus no social identity unique to Dominican inquisitors. Both Dominicans were 'hybrid preachers', so to speak, as they both incorporated different roles and behaviour patterns. For Nicholas Eymerich, it was not least his walk on the 'crossroads' which made him a target of criticism from those in whose areas of competence he dared to interfere. Indeed, it would seem that some of his critics would have preferred a medieval society with clearly defined boundaries of collectives and corporations in the Burckhardtian sense mentioned above.

et possent faciliter sic decipi ex processibus, quod absoluerent condemnandum, idcirco ut in talibus procedant semper preuia iustitia, debent circa occurrentia et processus conuocare consilia peritorum in iure" (cf. Diehl, Peter: "An Inquisitor in Manuscript and in Print: The *Tractatus super materia hereticorum* of Zanchino Ugolini", in eds. Siân Echard/ Stephen Partridge: *The Book Unbound. Editing and Reading Medieval Manuscripts and Texts*, Toronto 2004, pp. 58–77: 70).