

Thomas F. Mayer. *The Roman Inquisition: A Papal Bureaucracy and Its Laws in the Age of Galileo*.

Haney Foundation Series. Philadelphia: University of Pennsylvania Press, 2012. 386 pp. \$79.95. ISBN: 978-0-8122-4473-1.

Thomas Mayer's most recent book is of great interest not only because it is the first systematic study of the Roman Congregation of the Holy Office as an institution over a long period (1590–1640), but above all because of the impressive amount of archival material the author uses — beginning with the *Decreta Sancti*

Officii, extremely difficult to read — and the many new findings he presents, only a few of which can be mentioned in this brief review. Mayer is very well informed about and attentive to questions raised in recent historical writing on the general history of the Inquisition. For historians and legal scholars, the book will serve as a model: it will become an essential point of reference in ensuing discussions.

In the very first sentence of his first chapter, Mayer rejects a current view that the Inquisition was formed by Inquisitors. “The Roman Inquisition,” he asserts, “belonged to the pope. . . . It reflects better than any other papal institution the long-term tendency to concentrate power in the pope’s hands” (9). Following this strong statement are cogent observations about the nomination of local Inquisitors, more dependent on the pope than previously believed, and on the functions of principal officials (commissary, assessor, fiscal procurator, notary, *summista*) and consultors. Mayer’s description of the Inquisition’s regular meetings (Wednesdays with the cardinal members alone, Thursdays in the pope’s presence) and extraordinary gatherings is detailed, as is his novel analysis of the notaries’ work in the registers of the *Decreta*, which are sometimes incomplete and contain numerous errors in names, as well as certain manipulations perhaps ordered by the pope himself. The general conclusion to this section is harsh: “Although the Inquisition had lots of rules, and regularities can be observed in its procedure, it was also full of almost infinite variations and subtleties, and rules were constantly subject to reinterpretation. . . . To say of any act in a Holy Office case that it was illegal or improper is an almost meaningless statement. . . . It could be hard to predict what the Inquisition might do, and almost impossible to discern the principles behind its actions” (36–37).

The central part of the book concerns the careers of popes, cardinals, and principal officers of the Congregation. Mayer analyzes the percentage of cardinals’ presences at meetings, illustrated by tables in the appendix, reporting figures higher than those of Pierre-Noël Mayaud. He examines in detail the cardinal-secretaries, the cardinals who assisted them, and other cardinal-Inquisitors before and after the election of Urban VIII in 1623. Then he turns his attention to the heads of the Inquisition, Paul V and Urban VIII, and the commissaries, assessors, notaries, a fiscal procurator, a *summista*, and (briefly) some consultors. Thus he is able to show that the cardinals’ and officials’ level of education and professional preparation fell steadily under the Barberini pope: “That the pontificate of Urban VIII really did mark a nadir for the institution is suggested both by the relatively higher caliber of men serving under Paul V . . . and the much higher prestige of the office of assessor later in the century” (134–35). In making nominations, popes, specially Urban VIII, paid greater attention to loyalty than to competence, as is shown in the case of Vincenzo Maculano, who directed the interrogations of Galileo, described by Mayer as “the most poorly prepared commissary during this period” (208).

The last chapter describes in rich detail the evolution of the *processo formale* (formal trial) used by the Inquisition beginning in Innocent III’s reign, which shows once and for all that without attending to medieval developments, one

cannot understand the Inquisition of the early modern period. Mayer identifies eleven phases in a *processo*: opening of an *inquisitio*, preliminary investigation (questioning of witnesses), citation, capture of a suspect, interrogation, *repetitio* (new questioning of witnesses), defense, *expeditio* (decision in the case), termination and sentence, abjuration, and punishment. Analyzed for the first time in this context are at least thirty-five inquisitorial and criminal manuals quoted frequently and others referred to in passing, which illuminate the procedural differences in various types of law: Roman (used, for example, by the Rota), canon, and civil. Not bound by any of these, popes could make their own decisions. With extensive powers and many norms, the Inquisition over the course of centuries “continued to modify, adapt, and streamline the procedure” (206). Hence, “compared to many secular tribunals . . . the Inquisition’s procedure and jurisprudence . . . played a role in the evolution of ‘human rights’ that has been completely overlooked” (207). This not too accurate claim merited more extensive treatment on Mayer’s part.

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