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2020

Article

To cite this version:

Sabapathy, J. (2020). Making public knowledge -- making knowledge public : the territorial, reparative, heretical, and canonization inquiries of Gui Foucois (ca. 1200–1268). *Journal for the History of Knowledge*, *1*(1). https://doi.org/10.5334/jhk.23

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Available at: https://commons.warburg.sas.ac.uk/concern/journal_articles/37720c74n

DOI: 10.5334/jhk.23

Date submitted: 2021-04-27

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JHoK Journal for the History of Knowledge

Sabapathy, John. "Making Public Knowledge—Making Knowledge Public: The Territorial, Reparative, Heretical, and Canonization Inquiries of Gui Foucois (ca. 1200–1268)." *Journal for the History of Knowledge* 1, no. 1 (2020): 10, pp. 1–21. DOI: https://doi.org/10.5334/jhk.23

SPECIAL ISSUE

Making Public Knowledge—Making Knowledge Public: The Territorial, Reparative, Heretical, and Canonization Inquiries of Gui Foucois (ca. 1200–1268)

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This article investigates the spread of inquisition as an influential administrative technique across thirteenth-century Europe in religious, civil, and governmental fields. It shows how by looking at the single life of Gui Foucois (d. 1268), who inquired for the church and state, first as a French lawyer and administrator and eventually as Pope Clement IV. The details varied, but the constituent elements of an inquisition were very similar: questionnaires, local interrogation, recording and archival collection, abbreviation, and review. These elements of knowledge production served an impressive range of goals: to prove sanctity, to prove heresy, to prove ownership, and to repair wrongs done by those in power. I argue that the rationality of these inquisitions was not something determined unilaterally, but with a view to securing the consent of the publics who ultimately produced the inquisitorial knowledge and often consumed it. Inquisitions were so successful precisely because their dynamics could be both assertive and responsive, coercive and permissive, with legibility operating back and forth between "publics" and powers. By reconstructing the knowledge produced by these due processes, this article shows how the bureaucratic-juridical treatment of public knowledge rendered it reliable through a critical, expert process of inspection and analysis.

This article is part of a special issue entitled "Histories of Bureaucratic Knowledge," edited by Sebastian Felten and Christine von Oertzen.

Keywords: inquisition; *fama*; *infamia*; public; knowledge; saints; heresy; canonization

Medieval "inquisitions" are most notorious as institutions for prosecuting heretics, although it is usually late organizational forms that are popularly invoked (the Iberian Inquisition, established in 1478, the Roman in 1542).[1] *Inquisitio* in medieval sources could certainly denote a particular procedure whereby public knowledge triggered ex officio romano-canonical investigations, but it was not necessarily directed towards heresy. It could include very different objects of knowledge (saints, heretics, seignorial rights, criminal and civil wrongs). Further, inquisition could denote a range of procedures—not all romano-canonical—even if the elementary repertoire was common enough (questionnaires, interrogation, recording and archival collection, abbreviation, review). What sorts of knowledge, then, did medieval inquisitions produce and how did they do so? This question is addressed here through the helpfully versatile career of Gui Foucois, who inquired for the church and state, first as a French lawyer and administrator and eventually as Pope Clement IV.

[1] This article was written during a much appreciated Leverhulme Trust Research Fellowship. I thank Jean-François Moufflet for invaluable help at the Archives nationales (Paris); John Arnold, Marie Dejoux, and Alice Taylor for generous criticism of an earlier draft; David d'Avray for advice on papal Latin; Tom Horler-Underwood for his doctoral thesis; and the journal's reviewers for helpful criticism. Discussion at King's College London's 2017 "Revealing Records," the Heidelberg Historisches Seminar, and—especially—the Max-Planck-Institut für Wissenschaftsgeschichte has been invaluable. My appreciation to the journal's editors for permitting a long article. To Sebastian Felten and Christine von Oertzen: prostrate gratitude. Translations are mine unless noted.

Gui Foucois was born ca. 1200 at St.-Gilles-du-Gard, near Nîmes in the Languedoc, and was a walking advertisement for medieval social mobility on the basis of *studium* and *administratio*.[2] He studied law at Paris and was married with children. Between 1238 and 1243, he provided legal *consilia* (advice) to Provençal Dominicans conducting inquisitions.[3] In 1249, he entered the service of the Count of Toulouse, Alphonse of Poitiers (count 1241–1271), younger brother of King Louis IX (r. 1226–1270), for whom he would also work that year.[4] Widowed, Foucois entered minor religious orders in the 1250s. In 1251 he may have helped in drafting "reformist" regulations of Alphonse's Toulosain officers. In 1253, he investigated wrongs committed by the comital government in the Agenais, Quercy, and the Toulosain.[5] Between 1253 and 1254, he was involved in drafting a summary of Alphonse's territorial holdings (a *terrier*) following inquiries into the disputed area of the Venaissin.[6] From the 1250s, he moved into Louis' service more fully, undertaking between 1254 and 1262 "reparative" royal inquiries in the Languedoc (Nîmes and Beaucaire; on "reparative," see below).[7] In 1257, he was elected Bishop of Le Puy while continuing as a royal *enquêteur* in Carcassonne 1257–1258.[8] Southern France during the 1230s–1250s begins to look like a remarkable inquisitorial laboratory. In 1259, Foucois was elected Archbishop of Narbonne, and in 1261 Cardinal Bishop of Sabina. Following this, in 1263 he was sent as papal legate to arbitrate in King Henry III's dispute with his English barons—including contested inquiries into royal and baronial officials' misdeeds—which ended in civil war and the rebels' bloody defeat at Evesham (4 August 1265). Before that, Foucois found himself elected Pope (5 February 1265) as he traveled home after his failed English embassy.[9] His pontificate as Clement IV was short but eventful (d. 29 November 1268). It included the English civil war's fallout, renewed crusading plans, and successful military campaigns orchestrated against the heirs of Emperor Frederick II (his illegitimate son Manfred killed at Benevento, February 1266; his grandson Conradin executed after the battle of Tagliacozzo, August 1268). Contemporaries allocated a significant date in the pontificate to Foucois' canonization inquisition into the sanctity of Duchess Hedwig (Jadwiga) of Silesia (d. 1243), which he affirmed on 26 March 1267.[10] Foucois' continuation of the recent canonization inquiry into Philip Berruyer, Archbishop of Bourges (d. 1261), was also underway at the time of his death, an inquisition that would run inconclusively for a hundred years.[11]

Gui Foucois was thus involved in: advising Occitan Dominicans on heretical inquisitions; Occitan seignorial investigations into rights, lands, and comital misrule; French royal *enquêtes* into governmental misrule; legatine investigations and negotiations into English political disputes; and papal inquisitions into ostensible French and Polish saints.[12] He is a highly instructive figure through whom to investigate similarities and differences in inquisitorial "knowledge practices" (notably, their public aspects), the "knowledge" these investigations produced, and the uses made of them—laterally and outside their conventional historiographical boxes.[13]

These are important questions. Inquisitions were a technique for making the world by knowing it, legally, religiously, jurisdictionally, proprietorially, and otherwise.[14] Historians have commented on crossovers

[2] For Foucois: Fournier and Guébin, *Enquêtes*, xxxvii–xxxviii; Dossat, "Gui Foucois"; Kamp, "Clemente IV"; Dejoux, "Catalogue prosopographique," 28–32; Bivolarov, *Inquisitoren-Handbücher*, 206–13. I was not able to consult Bautier, "Un grand pape méconnu."

[3] Edited in Bivolarov, *Inquisitoren-Handbücher*, 225–55. I follow his dating (214–15) of the *consilium* earlier in Foucois' career to autumn 1238 × August 1243, given the references to Guido of Sora (papal legate in Provence August 1238–July 1239) and the absence of references to the Council of Montpellier (July 1243 × August 1244) as well as the similar *consilium* connected with the Council of Narbonne (1243 × 1245), which makes sense as post-dating Foucois's *consilium*. Note on date notation: date ranges denoted with an "×," such as 1238 × 1243, signify that a text or an event was written or occurred at some point between the date range specified as opposed to continuously over that period, as denoted by the conventional en-dash.

[4] Delisle, RHGF, 694; Teulet et al., LTC, 5:174–77 (no. 527).

[5] Fournier and Guébin, *Enquêtes*, (no. 7).

[6] Teulet et al., LTC, 3:206–8 (no. 4096) (=AN, J. 319, no.3.) and on the records Fournier and Guébin, *Enquêtes*, xxivn1.

[7] Delisle, RHGF, 531–39.

[8] Ibid., 619.

[9] Heidemann, *Papst Clemens IV*, 194–248.

[10] A contemporary's view is e.g., Martinus Polonus, *Chronicon pontificum*, 441–42. The extant documentation for Hedwig is in Braunfels, *Hedwigs-Codex*, 2:71–181. The canonization bull ("Exultat cunctorum fidelium") is edited in Irgang, *Schlesisches Urkundenbuch*, 4:18–23 (no. 15). See also Gottschalk, *St. Hedwig* (esp. 11–12, 14–17 on sources' reliability); Gottschalk, "Hedwigs-Predigt," 31–33; Klaniczay, *Holy Rulers*, esp. 203, 221; Krafft, "Drei Predigten"; Krafft, *Papsturkunde und Heiligsprechung*, 588–624.

[11] Vauchez, *Sainteté*, 73n6 and s.v. "Philippe de Bourges"; Paciocco, "Processi," 85–174, and Paciocco, *Canonizzazioni*, 99–115, 193–94. On Philip: Goodich, "*Mirabilis Deus*," 140, 151–56; "Use of Direct Quotation," 182–83; "Microhistory and the *Inquisitiones*"; "Judicial Foundations," 635–41.

[12] I exclude Foucois' English experience in this article.

[13] Cf. Daston, "History of Science," 147.

[14] See Felten and Von Oertzen in this issue's introduction.

between different inquisitorial literacies and practices.[15] In some cases the relationship is "completely osmotic."[16] But research on "inquisitions" often remains canalized within particular historiographical streams (heresy, sainthood, territorial control, state-like practices, criminal procedure). The value of Gui is that he waded through so many.[17]

Canalization is unfortunate. Questions of trustworthy testimony, procedural rigor and credibility, worry about error, inquisitorial scepticism, and documentary proof apply across the investigative forms. Did they take the same shape? Inquisitions influenced by romano-canonical procedure (criminal, heretical, canonization) had apparently parallel late twelfth- and thirteenth-century chronologies.[18] How distinct, how integrated were these developments, and from what influences? Were the same decades equally important for all of them? How "institutionalized" were inquisitions and how did that happen?[19] Insights from one field seem pertinent to others. So, historians of canonization have asked how far procedure created a "saint factory," or whether saints were rather "the individual products of a pre-industrial workshop manufacture [than the] results of a standardized mass production," a question other inquisitorial historians could ask.[20] Separately, historians of heresy have debated whether inquisitorial filters and lenses naturally created merely *trompe l'oeil* heretics.[21] Did inquisition also create *trompe l'oeil* saints (a deliberately problematic question)? After all, canonization was not inquisition's inevitable result. Re-examination and rejection were not uncommon (the success rate was about 50 percent), although ironically inquisitorial attention itself encouraged veneration.[22] *Mutatis mutandis*, did princely *enquêtes* also create merely *trompe l'oeil* government?[23] Elsewhere, historians of sainthood and heresy have thought interestingly but mostly separately about the seeming paradox of a "bureaucratic" legalistic process producing highly heterogenous "surplus" testimonial material in multiple forms, notwithstanding the monotonous rigor of the interrogative model.[24] So too have historians of "secular" *enquêtes*.[25] Questions of "voice," agency, and subjecthood have been explored in heretical depositions but apply equally to other fields.[26] Historians of heresy have stressed the effects of inquisitorial control and coercion, whereas (some) canonization historians have emphasized the fragility of any ecclesiastical control mechanisms and their reliance on popular assent.[27] In all cases, participation in inquisition entailed consenting to the terms of the question and the right of the powerful questioner to ask in the first place. Contiguously, questions of official control, dominance, and the role of inquisition as a mode of governance loom large in accounts of "state" investigations.[28] Here, too, historians have suggested that the cross-pollination of ecclesiastical techniques into "secular" ones needs recognition.[29] Strong claims have been made for the distinctive, penetrative *European* power of knowing through inquisition/inquest in sharp contrast to Mughal, Ottoman, Song, or Ming capabilities.[30] Others have noted

[15] Sabapathy, *Officers*, 8, 139, 253; Wetzstein, *Heilige vor Gericht*, esp. 14, 17–18, 157–58, 501–13; Elliott, *Proving Woman*, chap. 4; Vauchez, "Conclusion"; Paciocco, "Processi," 85–86, 98, 104, 105; Goodich, "Judicial Foundations," 637–38; "*Mirabilis Deus*," 136–41; Kleinberg, "Canonization," 10, 11–12; Bartlett, *Why Can the Dead*, 62–63. For comment on Foucois' inquisitorial literacies see Jedin, "Eine falsche Spur," 18–19.

[16] See Paciocco, "Processi," 105, on the questioning of canonization witnesses (which was absorbed into canon law as X 2.20.52).

[17] Henceforth, I use "investigations" as a non-technical term, *enquêtes* for the French governmental tradition of inquiry, and *inquisitio*/inquisition when stressing this term's use or a canonically based procedure.

[18] Vauchez, *Sainteté*, 39–67; Fraher, "IV Lateran's Revolution," 97–111; Kelly, *Inquisitions*, esp. chaps. 1 and 2; Kéry, "*Inquisitio*," 226–68; Vallerani, *Medieval Public Justice*, chap. 1; Théry-Astruc, "Judicial Inquiry," 875–90; Goodich, "*Mirabilis Deus*," 136–41 (1230s overlap between heretical inquisitors and canonization inquisitors).

[19] For heresy: Kieckhefer, "Office of Inquisition," 36–61; Biller, "Rolando of Cremona." For canonization: Vauchez, *Saintété*; Paciocco, *Canonizzazioni*.

[20] Respectively, Schmitt, "Fabrique des saints," 297; and Wetzstein, *Heilige vor Gericht*, 513.

[21] See Sennis, *Cathars in Question*.

[22] Vauchez, *Sainteté*, tables 61–62, 301; Bartlett, *Why Can the Dead*, 64; Klaniczay, "Proving Sanctity," 135, 140–41.

[23] Cf. Karl Marx's comments on "real" versus "bureaucratic" knowledge and Michael Power's critique of modern auditing as proving primarily that an organization can make itself auditable: Marx, "Critique," 37; and Power, *Audit Society*, 248–51.

[24] On heresy, see e.g., Bruschi, "*Magna diligentia*," 84, 94–104 on the "tremendous variation" in registration of the 1237–1289 Doat registers; Arnold, *Inquisition and Power*, 12–13, 75–76, 86, 114–15, 119–23, 224–25, 228 on surpluses. On sanctity, see e.g., Klaniczay, "Proving Sanctity," 130–34; Vauchez, "Conclusion," 361–62. Elliott, *Proving Woman*, 121–28, 127–44 analyses both exceptionally.

[25] Dejoux, *Enquêtes*, 274–96.

[26] Heretical voices: Arnold, *Inquisition and Power*; Pegg, *Corruption*; Biget, "Inquisition médiévale," 500–504. Other inquiries: Verdon, *Voix des dominés*; and Lemesle, "Viva Voce," 65–81. For deponents' profiles in French royal *enquêtes*: Dejoux, *Enquêtes*, 219–72; Strayer, "Conscience du roi." On canonization voices, cf. e.g., Goodich, "Use of Direct Quotation"; "*Mirabilis Deus*," 143–46.

[27] Cf. e.g., Given, *Inquisition and Medieval Society* and Moore, *War on Heresy*, with Kleinberg, "Canonization," 14, 18.

[28] Pécout, *Quand gouverner c'est enquêter*; Gauvard, *Enquête au Moyen Âge*; Mailloux and Verdon, *Enquête en questions*; Andrade and Inglês Fontes, *Inquirir na Idade Média*; Dejoux, "Gouverner," 271–302.

[29] Dejoux, *Enquêtes*; Pécout, "Visite," 265–80. On the French Crown's "pontificalisation," see Théry-Astruc, "Hérésie d'État" and Théry-Astruc, "Pioneer of Royal Theocracy." Forrest, *Trustworthy Men* has wide implications.

[30] Moore, *Formation of a Persecuting Society*, 169–70; and "Eleventh Century."

that Christian attempts to officially regulate sanctity (through inquisitions) at least had no Islamic or Judaic parallels.[31] More dedicated comparative work would be highly instructive.

Plainly one essay cannot cover these territories. Any agenda also needs careful framing because "inquisition" risks being both too particular and too imprecise. Too particular because the broad approach of empowered men moving around asking questions was sufficiently generalized as to be "a way of ruling, not just an administrative method or even a means of government."[32] Too imprecise because even looking only at Alphonse of Poitiers's Occitan inquiries into the wrongs done by his officers and the rights owed to his titles shows the "astonishing" "juxtaposition of numerous systems of inquiry," leading Gaël Chenard to conclude that "the inquiry remains a polymorphous instrument where the context of execution counts as much as the actual application in fulfilling the objectives assigned to it."[33] He, accordingly, suggests it would be misleading—for the mid-thirteenth century—to "want to gather together the multitude of actions and intentions which govern the production of *enquêtes* on the grounds of an apparently unique procedure."[34] My intention, however, is neither to seek mythical typologies nor fix geneaological filiations, but to argue that comparison of how inquisitions worked in particular contexts is instructive. In the context of this journal, my essay's particular aim is to analyse Gui Foucois' inquisitions specifically in relation to the question of who produced the "knowledge" in them, how, and how it was consumed and archived. My comments are therefore focused on southern French material—with the exception of the canonization material, which is both "centrally" papal and regionally focused. My argument is that looking laterally across Foucois' activities shows that the knowledge produced by inquisitions/*enquêtes*/surveys was public in more ways than one. Its expression was multipolar. It could be as important for the state/church to communicate and make knowledge about itself apparent to its communities as to exact any such knowledge from communities. This is James C. Scott's "legibility," usually treated as a one-way mirror imposed on communities by those in power as a way to control its inhabitants.[35] Scott's contrast between professional, expert, external, "imperial knowledge," and practical, vernacular know-how (*mêtis*) entailed attempting to impose imperial grids onto local contexts *de haut en bas* in order to render them "legible." Scott's model ultimately concerns qualitatively different sorts of knowledge. I treat his model here as an ideal type for exploring the dialectics between the elements it explores.

Medieval inquisitorial techniques (comital, regnal, or ecclesiastical) mixed both imperial and vernacular forms of knowing and were so successful precisely because their dynamics could be both assertive and responsive, coercive and permissive. Legibility operated back and forth between "publics" and powers. By no means were such practices innocent of control, coercion, or manipulation—but nothing required their straightforward manifestation.[36] My analysis proceeds first by analysing parallels, similarities, and differences in investigative procedure—notably regarding public knowledge (*fama*), questionnaires, and expert questioners. Second, I explore the quality of knowledge produced by these due processes: how it was rendered "knowledgeable" (in the sense of knowable); how it was certified and communicated; how it was consumed and by whom; and how it was archived (if it was). Turning what the public knew into knowledge by "treating" it inquisitorially was crucial to what was happening in this process. The dynamics varied according to different goals (identifying saints, heretics, land rights, wrongs done). "The public" was often the end audience of inquisitorial results, even if other experts were intermediate audiences, or God the absolute one.

Investigating public and local knowledge

What were the parallels between Gui Foucois' inquiries? First, let us take the role of public knowledge. Public investigations are dependent on the testimony they can secure for any knowledge they can assert. Foucois' investigations included both (a) those generally dependent on sworn testimony and (b) those based on romano-canonical procedure where formal inquisition was dependent on prior public report (*publica*

[31] Kleinberg, "Canonization," 7–9; Bartlett, *Why Can the Dead*, 636–37. On Islamic/Jewish veneration, see Bynum, *Christian Materiality*, 194–95, 274–77.

[32] Pécout, "Déambulation," 314 (quote); and "Visite," 266; cf. Burt, "Demise," 12–13.

[33] Chenard, *Administration*, 512, 524.

[34] Ibid., 494 (his remarks exclude heretical/canonization inquisitions). Cf. Bühler-Reimann, "*Enquête–Inquesta–Inquisitio*," 53–62; and Besnier, "Inquisitiones et Recognitiones," 183–212.

[35] Scott, *Seeing Like a State*, 2–3, 183–84, and chaps. 1 and 2.

[36] Cf. Foucault, "Truth and Power," 120, on power's generation of pleasure, knowledge, and discourses.

fama) for licensing *ex officio* judicial investigations without needing any accuser.[37] Canonizations and heresy inquisitions exemplified this second type.[38] Foucois-Clement sketched prior public knowledge's formal saint-making role in his 1267 bull affirming Hedwig's sanctity:

> But, as so many miracles proliferated the signs grew and the benefits were bestowed, it was impossible for the faithful devotion of the people to not be aroused, nor the clamour confined, rather it drew that knowledge into the world, through eager lips. Thus you [the Polish bishops] and the noble dukes of her province, all the more excited by the clamour of the people … sought to set out the matter systematically to Pope Urban [IV].[39]

Similarly, the letter remitting Philip of Bourges' inquisition back to Foucois-Clement refers to its solicitation by Louis IX and the French bishops in response to the "growing glory of [Philip's] miracles and the widespread excited devotion of clergy and people." Investigation was required "since no one should be venerated as a saint without the authority of the apostolic see, nor should the sanctity of the said man be assumed for long under the shadow of ignorance."[40] *Fama*'s fruitful role was asserted also in witness testimonies (1262–1263) which were filletted in turn to write Hedwig's *Vita* (ca.1300).[41] Once dead, Hedwig "began to make herself manifest by many and great miracles, by which the Saviour's clemency consoled her faithful who invoked her aid with holy devotion far and wide."[42] One miracle concerned a girl, Pribislawa, with a "protruding lump on her back the size of a pot," whose mother took her to Hedwig's tomb, "hearing about the miracles which God had worked in many places through the merits of holy Hedwig."[43] *Publica fama* thus reinforced itself, making sanctity more productive.[44]

If *fama* was common knowledge about something positive that mandated investigation, its negative flipside, *infamia*, was instrumental in providing the starting pistol for heretical investigations, again based on formal inquisitorial procedure. In terms of knowledge, *fama* and *infamia* are odd, circular objects. ("*Infamia* is the removal of *fama*" ran one definition.)[45] They are supposed facts, non-technical terms legalized, but did not require the law to affect legal/social status. They made neighbors and the law move. Their mobile ambiguity is well-captured by the Bolognese jurist Thomas de Piperata (d. 1282) in his *Tractatus de fama* where he defined *fama* as "something that the people of any city, town, camp, village, or district commonly believe, asserting it in words or speech, but that they do not hold as certain and true or manifest."[46] Its indeterminate nature and real standing was socially and legally useful. *Fama* and *infamia* produced a fruitful space between certainty and ignorance.[47]

Infamia's role in heretical inquisitions is clear in Foucois' widely circulated 1238 × 1243 guidance to the Toulouse Dominicans.[48] Foucois begins by quoting Gregory IX's important 1233 bull *Ille humani generis* (revised from 1231) licensing independent, non-episcopal inquisitions into heresy, stressing *infamia*'s role for inquisitors, "who will search with scrupulous care for heretics and those infamed as such [*de hereticis et etiam infamatis*], and if they find them culpable and infamed [*culpabiles et infamatos*]" will act accordingly.[49] The *Ordo processus Narbonensis*, the earliest extant heretical manual (1248–1249), also refers to *infamia*'s

[37] This is the inquisitorial method in contrast to the accusatorial one. For romano-canonical inquisitorial procedure, see above n. 18 and Sabapathy, *Officers*, 140–42, 150–51, 153n96, 169. For interaction with French secular law, see Esmein, *Histoire de la procédure*, 66–134.

[38] Wetzstein, *Heilige vor Gericht*, 164; Elliott, *Proving Woman*, chap. 4.

[39] Braunfels, *Hedwigs-Codex*, 2:174.

[40] "Olim proper transitum" (22/8/1266), edited in Paciocco, "Processi," 170.

[41] On the process and re-use of its material, see Braunfels, *Hedwigs-Codex*, 2:105, 150.

[42] Ibid., 118.

[43] Ibid., 137.

[44] Comments: Klaniczay, "Proving Sanctity."

[45] Migliorino, *Fama e infamia*, 79, and more generally, 45–83; Fenster and Smail, *Fama*.

[46] Trans. in Fraher, "Conviction," 33–34.

[47] Cf. "knowledge and non-knowledge are equally constitutive for the decisionmaking process. It is the relationship between what we know, what we do not know, what we cannot know and what we do not like to know that determines the cognitive frame for political practice," Daase and Kessler, "Knowns and Unknowns," 412.

[48] Edited in Bivolarov, *Inquisitoren-Handbücher*, 225–55. See also on this, Biller, "Deep is the heart," 267–80; Sackville, *Heresy and Heretics*, 116–21. Arnold and Biller, *Heresy and Inquisition*, 230–35 translates part of the *consilium*.

[49] Bivolarov, *Inquisitoren-Handbücher*, 225.

instrumental procedural role.[50] The idea discussed there of a "general inquisition" into a region depended *a priori* on widespread public rumors about heresy.[51] (Foucois' connection with this text is discussed below.)

Other sorts of inquiries depended on testimony in less complex ways.[52] The seignorial investigation into Alphonse of Poitiers' "properties, fiefs, rights and income in the seneschalcy of Venaissin" (pre-Easter 1254) produced a leather-covered paper register.[53] It describes how

> we have inquired into some things personally, into others we gave them to be inquired into, using the given form, through our beloved and faithful notary Guillaume Bermond … with the counsel of our beloved Gui Foucois, through whom he may track down [*indaginem*] the truth more fully and plainly.[54]

Two volumes were prepared. One recorded holdings and dues (the surviving register). The other (lost), "contains the *inquisitio* made about your rights by sworn knights and other men of good standing and reputation [*bone opinionis et fame*] to which inquisition accordingly one can refer to if some doubt regarding the said rights arises."[55] Public knowledge and testimony provided the knowledgeable content without initiating the inquiry.

Viewed in terms of common knowledge, Foucois' other inquiries—royal/comital, "reparative," and "reformist" ones—were more intriguing. Royal interest in officials' conduct during the 1240s has traditionally been viewed as a strictly governmental concern, but Marie Dejoux has shown that Louis IX's focus was reparation, not reformation (Jacques Le Goff had earlier spoken of "purification").[56] Recalling royal violence and expropriation during the conquest of Normandy (1204) and the Occitan "Albigensian crusade" (1209–1229), Louis' pre-1248 *enquêtes* aimed to provide satisfaction *to his subjects* for earlier Capetian wrongdoing that might otherwise thwart divine support for his planned crusade (eventually 1248–1254).[57] *Post-*1254 *enquêtes* were a response to that crusade's manifest failure since it produced epidemics, military defeat, royal capture, and expensive ransoming. They included both reparative and properly "reformist" governmental ones.[58]

Capetian reparative *enquêtes* were extraordinary, but they were also circumscribed, limited, and evanescent (later *enquêtes* were more purely governmental). In making amends, Louis carefully "reserves our free power to change and correct all of these matters."[59] Such inquiries were given by, not taken from, the king. (As papal legate, Foucois later opposed English baronial rebels' attempts to impose similar investigations on Henry III.)[60]

The relevant knowledge here was divine, not public. *God* already knew about the disfiguring Capetian wrongs which Louis (and his brother Alphonse) needed to make reparations for before crusading. *They* were struggling to work this out. This is also implicit procedurally. Despite being activist investigations resembling *ex officio* romano-canonical ones, Capetian reparation relied on actively soliciting individual civil complaints, *not* on pre-existing *fama/infamia*.[61] Formally, prior *ignorance* characterized civil reparative *enquêtes*, prior *fama* romano-canonical ones, even though in both the impetus for investigation came from the ruler-judge.

Thus, following Alphonse's return from crusade (July 1250), we have from March/April of 1253 rough memoranda of Foucois' investigations in the Agenais and Quercy (sites of a recent pro-English rebellion) where:

> having sent public notifications through the whole of the diocese of Agen, we fixed the Thursday after Ash Wednesday for those wanting to complain about the Lord Count or his [men] after he

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[50] Tardif, "Document," 671 (letter of commission to inquisitors), 674 (reconciliation of heretics and infamed). Trans. Wakefield, *Heresy*, 250–58; Dossat, *Crises*, 167; and "Plus ancien manuel," 33–38; Arnold, *Inquisition and Power*, 48–51; Sackville, *Heresy and Heretics*, chap. 4.

[51] Tardif, "Document," 673; cf. the *Doctrina de modo procedendi contra hereticos* on the general inquisition (Carcassone and Toulouse ca. 1271 × 1273 for this portion) in Arnold and Biller, *Heresy and Inquisition*, 273.

[52] Chenard, *Administration*, 494–95, 524 stresses the indistinguishability of (secular) *inquisitiones* generally, but this is less marked once romano-canonical *inquisitiones* are included.

[53] AN J 319, no. 3, partly edited in Teulet et al., LTC, 3:206–8 (no. 4096), and on the records Fournier and Guébin, *Enquêtes*, xxivn1.

[54] Teulet et al., LTC, 3:206–8 (no. 4096). Cf. Olesko "*Indaganda Survey*" in this issue.

[55] Ibid.

[56] See Dejoux, *Enquêtes*, esp. 335–37, 346–51, 376–79 for the typological chronology that follows.

[57] Jordan, *Louis IX*; Le Goff, *Saint Louis*, 216–20, 291–97, and on purification, 779. See also, Horler-Underwood, "*Querimoniae Normannorum*," 61–70, 350–62, which stresses the difficulty of integrating Normandy and the 1247 *enquête* as a partly penitential, partly reparative exercise.

[58] Reparation after 1254 focused on wrongs by the king himself. Earlier the focus was wrongs by the king and officials: Dejoux, *Enquêtes*, 188; "Une main," 90–92. See also Dejoux, "Gouverner."

[59] Delisle, RHGF, 612 (1258 letter to Beaucaire/Carcassonne *enquêteurs*); see on this, Dejoux, "Une main," 93–94.

[60] E.g., Heidemann, *Papst Clemens IV*, 211–12, 220–22; Ambler, *Bishops*, 151, 158, 160–69, 185–87; Sabapathy, *Officers*, 128–29.

[61] Dejoux, *Enquêtes*, 73–78.

> held this land and place of Agenais. And when, beyond the individual complaints, it was shown to us more generally by prelates and other trustworthy persons [*aliis fide dignis*] that many things had happened in that land which tended to the disgrace of the Christian faith and the oppression of the Church as well as the damage of that land generally.[62]

Accordingly, Alphonse sent Foucois and his team "to see the state of his [Alphonse's] land and reform those things which seem to need reforming [*ad statum terre sue videndum et ea que reformanda viderimus reformandum*]."[63]

Holding an agenda, which appears equally reparative *and* reformist (seemingly before royal equivalents), they applied the "remedy of correction" and compensation to wrongs done by both seneschal and lesser *baillis*.[64] A more purely reparative agenda on the basis of providing princely justice is exemplified by Foucois' November 1254 group commission. Its job was "to make restitution on behalf of [the king] for those things which we shall recognize he holds unjustly in the seneschalcies of Beaucaire and Carcassonne."[65]

All of these inquiries relied on public knowledge in more or less complex ways. Seignorial/domanial investigations solicited testimony. Romano-canonical ones (sainthood, heresy) required public *fama/infamia* as a predicate. Royal/comital inquiries were the latter's antitype: they offered civil justice for wrongs attributable, but allegedly unknown, to the Crown—although notorious to God who had made their existence visible through His disfavor. The dependence on and the search for public knowledge was distinct, with rulers' uncertainty shaping it in different ways.

Such differences were accommodated, even facilitated, by the apparently standardizing device used to obtain reliable knowledge: the questionnaire.[66] The Venaissin register above made reference to "using the given form," an allusion to its template. Canonization inquisitions had their own set *formula interrogatorii* from at least the 1230s. Philip of Bourges's said:

> you should first carefully ensure to examine [the legitimate witnesses] and ask them about everything that they say how they know it, at what time, what month, what day, with whom present, in what place, by invoking whom, with what words of appeal, [and ask them] of the names of those on whom the miracles were performed … and thus the sequence of witnesses and the witnesses' words can carefully and faithfully be collected in writing.[67]

The *Ordo processus Narbonensis* gave a heretical questionnaire:

> thereafter the person is diligently questioned about whether he saw a heretic or Waldensian, where and when, how often, and with whom, and about others who were present; whether he listened to their preaching or exhortation and whether he gave them lodging or arranged shelter for them whether he conducted from place to place or otherwise consorted with them or arranged for them to be guided or escorted; whether he ate or drank with them or ate bread blessed by them; whether he gave or sent anything to them [etc].[68]

A little before the 1248 × 1249 *Ordo*, Louis IX had ordered (January 1247) his reparative investigators in the dioceses of Meaux, Troyes, Auxerre, Nevers:

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[62] Fournier and Guébin, *Enquêtes*, (no. 7) (= BNF MS Baluze 394, (no. 694), (no. 2) mem. 1) for the Agenais; *Enquêtes* (no. 9) (= BNF MS Baluze 394, (no. 694), (no. 2), mem. 2) for Quercy. A separate document exists for his group's Toulouse activities (*Enquêtes* (no. 10) from later copies). Since Agenais and Quercy formed one seneschalcy, it makes sense that their memoranda are together; Toulouse and the Albigeois formed a separate seneschalcy. The digitized MS (at https://gallica.bnf.fr/ark:/12148/btv1b9001544h) shows that this is a working, not an official, record (the printed edition "formalizes" it).

[63] Fournier and Guébin, *Enquêtes*, §§1–3 (no. 7).

[64] E.g., on handling heretical excommunicates, see Fournier and Guébin, *Enquêtes*, chap. 4 (no. 7); *baillis's* "indiscriminate acts" (chap. 9); their "confused jurisdictions" (chap. 23). Topics relating to the Agenais, Quercy, and Toulouse are generally similar, barring e.g., the Agenais focus on the jurisdictional complications of new *bastide* settlements. Space precludes commenting on the chronology of reformist *enquêtes* across royal and comital administrations. For Foucois as a connecting vector across Capetian policy making, see Firnhaber-Baker, *Violence*, 28.

[65] Sentence in favor of the consuls of Nîmes, 24 November 1254, Delisle, RHGF, 531.

[66] On questionnaires and lists, see Goody, *Domestication*, 74–145; and in ancient states, Goody, *Logic of Writing*, 87–126.

[67] Edited in Paciocco, "Processi," 167–68. This "*Testes legitimos*" formula was a standard piece of canonization procedure. Elizabeth of Thuringia's 1232 process provides the earliest extant version: Auvray, *Registres de Grégoire IX*, 1:548, no. 913; Vauchez, *Sainteté*, 58–60. For debate about the headings used in local investigations (*in partibus*), see Paciocco, "Processi," 118–21.

[68] Tardif, "Document," 672 (trans. Wakefield, *Heresy*, 252).

> to hear and record in writing and to inquire about complaints according to the form given to them by us, whether those things some hold against us are reasonably held, either done by us, or done by our ancestors; further to hear, record, and inquire simply and straightforwardly about the injuries and exactions, the undue services received and other complaints, by whomsoever it was done, whether done by our bailiffs, provosts, foresters, servants or their servants, during our reign, and to impose on them or their heirs that they may restore those things….[69]

The same concerns to evaluate the reliability of testimony bled across multiple fields of inquiry. Plainly these templates were structured by the axes of their interrogators' instructions, but they were also more or less open and closed questionnaires. Open, where solicitation of greater detail was required to fulfil investigators' aims; closed, where conformity to more fixed prior categories was sufficient. Reparative *enquêtes* produced richly textured lists of complaints.[70] This was part of their purpose—context and detail were key to assessing damages due. The same was true—for different purposes—in canonization inquisitions. Indeed, the detailed stories in saints' *vitae* were very often repurposed deposition testimonies. Data became story. Contemporaries mistook Foucois-Clement's bull canonizing Hedwig and summarizing supportive depositions as a formal papal treatise on her.[71] The error was right. The surplus context of depositions also implied their knowable credibility. Some testimonies were literally excessive. Witnesses to Philip of Bourges's sanctity were so numerous and garrulous that "the immense masses of pages to read" jeopardized the manageability of canonization. The inquisitors therefore "thought best to abstain from accepting all witnesses who come forward from now on," promptly sending the dossier on to the curia.[72]

More closed questionnaires would include seignorial inquests producing detailed but standardized information about rights and dues. Heretical depositions are the most complex, pointing in both closed and open directions. Peter Biller has argued that variation between more standardized (1240s) and more expansive responses (1270s–) was a function of lightened inquisitorial workload and waning heresy and not inherent to the questionnaire framework itself.[73] Like an accordian, the *pro forma* could expand and contract. Even in depositions in the 1240s, "the process permitted much that is not formulaic to be recorded."[74] In ways similar to canonization depositions, heretical inquisitions could permit deponents "excessive" rights of reply.[75]

The detail of investigations could therefore flex according to agendas or resources, varying not just from procedure to procedure but from case to case.[76] They could be industrial or made-to-measure, according to the demands of the investigator, the investigated, or the public.

All such investigations required sifting by expert questionners: a fortiori those producing "excessive" data. Obviously, investigators brought "imperial" baggage and a priori agendas (an issue often stressed by historians of heresy). Yet often investigations emphasized their baggage should include the local knowledge that justified many inquisitors' appointments in the first place. The make-up of the 1253 Alphonsine *équipe* cited above is predictably local. The complexion of Foucois' royal reparative group also tilted locally: Archbishop Philip of Aix, the Dominican Ponce of Saint-Gilles, and the Franciscan Guillaume Robert of Beaucaire.[77] Canonization inquiries tried most explicitly to balance local knowledge (the local bishop) with disinterested judgment (a delegated non-local ecclesiastic) as a matter of policy.[78]

If local knowledge was needed, many practical questions were nevertheless transferable *across* types of investigations. Foucois' heretical *consilia* for the Toulouse Dominicans concerned matters practical, procedural, and probative as much as religious. How is the inquisitors' food and lodging to be paid? Can

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[69] AN J 1034 no. 1; edited in Delisle, RHGF, 4*. This is extant alone on a single small sheet and is possibly an *enquêteur's* copy. No reparative "manual" survives, if one ever existed. For the implicit process Dejoux, *Enquêtes*, 76–86. For lower level questionnaires on investigating witness partiality, see Dejoux, *Enquêtes*, 84–85; and Delisle, RHGF, 519–20.

[70] Delisle, RHGF, *passim*.

[71] E.g., as a "Libellus de vita mirabilis et canonizatione beate Haduigis de Polonia," in BNF MS latin 3278 fols. 378–83. See Jedin, "Falsche Spur."

[72] "Olim proper transitum" (22/8/1266), edited in Paciocco, "Processi," 171.

[73] Biller, "Cathars," 107.

[74] On Tolosain depositions from 1245–1246, whose fragmentary documentation still includes 5,000 depositions, see Arnold and Biller, *Heresy and Inquisition*, 380–81.

[75] On the excessive nature of (later) heretical depositions and their inability to deny deponents some agency, see Arnold, *Inquisition and Power*, 12–13, 75–76, 86, 114–15, 119–23, 224–25, 228. See also n. 24 above.

[76] This likely contributes to the difficulty sometimes in differentiating between "inquisitorial" procedures.

[77] AN J 473 no 14.1 (14 July 1256) is a nice notarized inquisitorial sentence including all of their seals.

[78] Vauchez, *Sainteté*, 51, esp. n. 45.

one be condemned by a single witness or does one need "clearer light"? Can one delegate executing an inquisition?[79] Practical questions for non-heretical princely inquisitions were very similar.[80]

Indeed, Foucois provides a paradigmatic embodiment of how pragmatic literacy in one sphere intermixed with another. Questions from Foucois' first tourn as a reparative *enquêteur* ostensibly prompted Louis himself to provide *consilia* (doubtless with expert input) for Foucois' second 1258 tourn in Beaucaire and Carcassonne.[81] Presumably, Foucois' fellow inquisitors helped draft the questions, including the Dominican Ponce of Saint-Gilles (Foucois' hometown).[82] As a *heretical* inquisitor, Ponce had been expelled from Toulouse by its consuls (November 1235); then became a go-between between Gregory IX and the Toulouse mission (1236); and subsequently established inquisitors at the Toulouse convent where he became prior (October 1244).[83] Indeed, Ponce's letter appointing those inquisitors was the model letter for appointing inquisitors retained by the Carcassonne inquisitors in the 1248–1249 *Ordo processus Narbonensis* quoted above.[84] If Foucois' heretical *consilia* was written 1238 × 1243, then both he and Ponce had already thought hard together about (heretical) *inquisitiones* well before their 1254–1257 collaboration prompted Louis's own 1258 (non-heretical) inquisitorial *consilia*. The king's advice to Foucois on how to think for the state had its roots not only in reparative religious thinking but was also a response to longer established ecclesiastical reflections on the difficulties of seeing like a church. Such techniques were being partly improvised and developed in parallel and sometimes connected ways. In either area, quasi-autonomous agents developed the rules of their games within overlapping if semi-circumscribed fields.[85]

These techniques' rationalities drew on procedural forms of reasoning that were transferable, even compulsive, across inquisitorial forms. Romano-canonical ideas were influential whether or not the procedure was strictly romano-canonical. (Roman law surfaces in a reparative *enquête* below.) Bureaucrats' commitment to due process shaped the rationality of their procedures. Whether he was seeing for state or church, Foucois was invariably thinking like a jurist.[86] Insofar as there was an overarching official persona he adopted, it was probably this one.[87]

One particular transferable skill investigators needed intersected with local knowledge: how to recognize and transfer one sort of wrong/debt/action into another. Louis IX's reparative inquiries characteristically used a mixed ecclesiastical team of mendicant friars and secular ecclesiastics (like Foucois).[88] The implicit logic of using mendicants was to draw on a trustworthy cadre whose concern with poverty was producing increasingly subtle explorations of wealth and economic thinking, often rooted in local experience.[89] Credible expertise recommended mendicants as reparative *enquêteurs*. As someone with wide local knowledge, it is obviously logical to presume a connection between Foucois' involvement in assessing Venaissin land and jurisdictions and his appointment as a reparative *enquêteur* assessing damages and wrongs (often to property or rights). How much *were* the trees worth which the king had had cut down around Sommières and Sauve?[90] What was needed was not merely financial expertise but the ability to transpose complex exchange rates between material apples and (sometimes) spiritual oranges.

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[79] Bivolarov, *Inquisitoren-Handbücher, quaestiones* (hereafter, q/qq) 3, 14 at 234, 249, respectively.

[80] Cf. questions of judges' expenses in legal cases in the 1251 Toulouse regulations—possibly involving Foucois: Fournier and Guébin, *Enquêtes*, chap. 17 (no. 5). Cf. also levels of acceptable proof in chap. 19 and in the 1253 Quercy ordonnance: *Enquêtes*, chap. 9 (no. 9); and Dejoux, *Enquêtes*, 79–80. Cf. also the question of delegating investigations in Chenard, *Administration*, 499–500. Bivolarov notes parallels with the confiscation of goods between Foucois' heretical *consilia* and Louis IX's reparative *enquêtes*: *Inquisitoren-Handbücher*, 250–51nn4, 8.

[81] Delisle, RHGF, 619–21; and see the discussion in Dejoux, "Une Main," 93–95. Cf. Alphonse's interactions with heretical *inquisitores* through his *enquêteurs*: Dossat, *Crises*, 277–78. Jacques Chiffoleau comments on exchanges across groups in "Inquisition franciscaine," 184–87.

[82] On Ponce, see Dossat, *Crises*, 131–34; Dejoux, "Catalogue," 106–8. He was the only heretically experienced inquisitor in Foucois' two tourns for Louis.

[83] For Ponce's 1235–1236 activities, see Guillaume de Pelhisson, *Chronique*.

[84] Dossat, *Crises*, 167; and "Plus ancien manuel."

[85] See Biller, "Rolando of Cremona" for how Roman law and scholastic theology organically shaped heretical questionning in 1230s Toulouse. How "playful" such games were merits discussion. For negative views of bureaucracies and games, see Graeber, *Utopia of Rules*, 190–93.

[86] I thank John Arnold for the phrase.

[87] Cf. Daston and Sibum, "Introduction: Scientific Personae," 1–8. For medieval official personae and their techniques, see Sabapathy, *Officers*, esp. 5–10.

[88] For tables, see Dejoux, *Enquêtes*, 107–18; Dejoux, "Gouverner," 292–99.

[89] Dejoux, *Enquêtes*, 131–34; Dejoux, "Valeur des choses"; Todeschini, *Ricchezza francescana*, 72–88; Piron, *Occupation*, 157–80 and references.

[90] A complaint addressed by Foucois et al. on 20 September 1255: (AN J 473, no. 13 = Delisle, RHGF, 533–34).

Inquisitors routinely proposed agreements when investigating and assessing.[91] Reparative exchange in the service of subjects' satisfaction is well-articulated by the notarized renunciation of Sibille of Alès's claims for damages on 6 October 1257 following the investigators' award (including Foucois) where she completely renounced her claim against the king.[92] Similar written attestations of penitences were made for heretical inquiries.[93]

Foucois was perhaps especially skilled in such judgments. His earliest inquisitorial activity—his heretical *consilia*—carefully differentiated how to differentiate between believer (*credens*), supporter (*fautor*), receiver (*receptator*), and defender (*defensor*). So, in the case of powerful alleged defenders of heretics, Foucois argued:

> Some say that prelates or princes who do not correct and punish [heretics] can be called "defenders" because "to neglect to disturb the perverse when you could do so is nothing other than to encourage them" [D. 86. c. 1], that is defend them (so they say) but I do not agree but say: to encourage is to feed as in D. 86. c. 1. Therefore I call those [prelates/princes] "supporters"….[94]

Fine grading mattered. Different penitential tariffs followed from it.[95]

More binary was the case of canonization: did acts = saint? In remitting his case to Foucois-Clement, Philip of Bourges' inquisitors recommended making this equation. Philip's life was "a living lesson and instruction."[96] Through bad luck, his case stalled. Foucois-Clement's canonization bull for Hedwig (quoted above) fully effected her transformation. To do so was to "declare and assert [*publicat*] someone as holy, so that without a shred of any doubt people may venerate them," as preeminent canonization specialist Eudes of Chateauroux exhorted the curia the day before her canonization.[97] Such awards were fundamentally acts of exchange: heretical crimes or complicity for imprisonment, penitential pilgrimages, social stigmatization, and sometimes alms; princely abuses or expropriations for financial damages; acts of piety and intercession for sainthood. Sometimes these exchanges were done for a count or the king, sometimes for the church on behalf of Christendom more widely.

This special issue's wider question of whether "bureaucrats" wanted to know themselves or the world can be asked here. Foucois' external grid for parsing heretical *credentes*, *fautores*, *receptatores*, and *defensores* certainly appears external, objectifying, and "imperial," but it was a shell without the local, organic understanding of the social relations at issue.[98] Foucois explicitly preferred local knowledge at important points. In deciding whether a receiver (*receptator*) should be recognized by the frequency with which they received heretics, he argued that what matters is the *knowing* receiving of heretics.[99] The first reading could rely on external "objective" knowledge ("Did X enter the house more than once?"); the second required internal understanding of those involved.[100] Context also mattered in questions of coercion (has someone come "willingly" to repent?) or witness reliability (is there an animus against the person accused?).[101]

This can be usefully compared to Louis's own 1258 "*consilia*" for the Beaucaire/Nîmes reparative *enquêteurs* made in response to questions about dubious cases, including former heretics.[102] The Crown's violent securing of the Languedoc still echoed. Understanding this context was crucial to securing the Crown's reparative purposes since participation necessitated consenting to Capetian jurisdiction.[103] Thus, southerners, who had opposed the crusader Simon de Montfort or advised how to repel him, were not to

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[91] Chenard, *Administration*, 518.

[92] AN J 473 no 15.

[93] E.g., Edmond, "Inquisiteurs en Quercy," 460–72 (no. 1–2); Arnold and Biller, *Heresy and Inquisition*, 357–58, 440–41.

[94] Bivolarov, *Inquisitoren-Handbücher*, 247 (q. 12).

[95] Cf. Given's differentiation between heretical penitences which were therepeutic, regulative of social belonging, and/or didactic socially: *Inquisition and Medieval Society*, 66–67.

[96] "Olim propter transitum," edited in Paciocco, "Processi," 170.

[97] Edited in Charonsonnet, "Université," 837.

[98] Anti-heretical manuals demonstrate this by stressing the "feel" of inquisitorial skills. The *Ordo processus narbonensis* closes by acknowledging that, "we do various other things, indeed in procedure and in other matters which cannot easily be reduced to writing…" (Tardif, "Document," 677; trans. Wakefield, *Heresy*, 257). Cf. Scott on how "*mêtis* resists simplification into deductive principles which can successfully be transmitted through book learning, because the environments in which it is exercised are so complex and nonrepeatable that formal procedures of rational decision making are impossible to apply," *Seeing Like a State*, 316. On manuals, see Sackville, *Heresy and Heretics*, chap. 4; Arnold, *Inquisition and Power*, 48–56.

[99] Bivolarov, *Inquisitoren-Handbücher*, 245–46 (q. 11).

[100] For more on questions of inquisitorial understanding, see Biller, "Deep is the heart."

[101] Respectively: Bivolarov, *Inquisitoren-Handbücher*, 231–33 (q. 2), 251–52 (q. 15).

[102] Delisle, RHGF, 619–21.

[103] See Dejoux, "Main tendue," esp. 93–95.

be dismissed out of hand per se if they wished to complain against the Crown. Likewise, those who had merely held land in Carcassonne (a rebel stronghold) should be compensated as appropriate, assuming that they had done nothing else during the war. There was also recognition that local customary considerations could conceivably trump more general rules (e.g., against the sale of lands held in fee).[104] Furthermore, the need for more than mere *fiat* was a recognized principle. As Dejoux pointed out, Louis's 1247 reparative questionnaire contains an interesting quote from the *Digest*. The context was ensuring *enquêteurs* do justice and so should evaluate the trustworthiness of witnesses. The guidance quotes the *Digest* regarding on-site judges who "are best qualified to ascertain how much faith should be placed in witnesses."[105] Foucois et al. did so, and the result was a register of seventy folios listing witnesses offering objections (*exceptiones*) against former rebels or heretics making claims against the Crown.[106] *Accurate* evaluations of what was equitable mattered to the Crown. If God was going to accept Capetian reparations, those reparations needed to be just, but also protect royal rights. Judicious atonement mattered and was achieved by delegation to local experts and knowledge.

The same principle was invoked by papally delegated bishops offering a justification for local investigation into Philip of Bourges's sanctity: "Because his life and acts can be better known where he is known to have lived and where he carried out his episcopal office," investigation should happen there.[107] In important senses, all these "imperial" inquisitions depended for their credibility on their responsiveness to the particularities of local environments and social relations, even if they were also coercive.

Certifying and consuming public knowledge

Investigations by ecclesiastical or secular powers aimed to appropriate and certify that public knowledge which they deemed useful. Values about due process partly determined the shape of their procedural rationality. But if usefulness was orientated to the interests of such powers, it also had to be affirmed and certified in ways that their publics could assent to. Sensitivity to local customs and knowledge was already consonant with this. Again, this cut across the investigations analyzed here. The rationality of these inquisitions was not something determined unilaterally but with a view to securing the consent of the publics who ultimately produced the inquisitorial knowledge and often ultimately consumed it. Inquisitions needed to be legible backwards as well as forwards.

The importance of public certification is most evident in canonization and heretical inquisition because certification was what successful cases produced. Foucois-Clement talked about petitioners' desire for Philip of Bourges to be certified (*certificari*) as a saint.[108] As stressed, popular participation and affirmation of sainthood in this due process secured its legitimacy from the outset. Increasingly, notarized witnessed statements also played a role.[109] The legates investigating Philip mandated all archpriests across Bourges "to cite all those whom the venerable men the Dean and Chapter of Bourges believe to be helpful for the said business."[110] In remitting their results back to the curia, the legatine inquisitors stressed that "when we came to inquire there ran to us men and women from villages, streets and fields, acclaiming him as a saint and worthy as such to be glorified that an infinite number of miracles could be obtained."[111] One hundred and sixty-six witnesses deposed to Philip of Bourges's character attesting forty-three miracles, overwhelming the inquiry, as noted above.[112]

The process of central curial validation of sainthood made the cycle of knowledge production very clear. Testimonies were transcribed, reports drafted and submitted to the curia, re-analysed there, and—if successful—recognition of sainthood was transmitted as reliable fact in sermons and even as the basis for further stories, re-entering the public realm as hagiography.[113] Inquisitors played real roles in sifting

[104] Delisle, RHGF, 620–21, chaps. 6, 9, 16, respectively.

[105] *Digest* 22.5.3. See Dejoux, *Enquêtes*, 85. Foucois discussed *Digest* 22.5.12 in *consilia* q. 15 on whether two witnesses are sufficient to condemn someone of good standing (Bivolarov, *Inquisitoren-Handbücher*, 252).

[106] BNF MS lat 11013. For further discussion, see Dejoux, *Enquêtes*, 77–78, 313–14, "Main tendue," and whom I thank for advice.

[107] "Olim propter transitum," edited in Paciocco, "Processi," 170.

[108] "Olim nonnuli episcopi," edited in Paciocco, "Processi," 168. On certification, see also Eudes of Chateauroux's consistorial sermon on Hedwig, edited in Charonsonnet, "Université," 837.

[109] Paciocco, "Processi," 104.

[110] "Litteras felicis recordationis," edited in Paciocco, "Processi," 169.

[111] "Olim proper transitum" (22/8/1266), edited in Paciocco, "Processi," 171.

[112] *Recollectio*, edited in Paciocco, "Processi," 154; for the miracles, see BNF MS latin 5373A fols. 4r–50v; for comparative tables, see Vauchez, *Sainteté*, 585–87.

[113] See e.g., Eudes of Chateauroux's account of receiving Philip of Bourges' testimonies and the order to make his "diligentem relationem" of them for consideration by the curia, "Dominus noster divina," edited in Paciocco, "Processi," 172.

and re-framing public knowledge. Their account (*relatio*) was rubricated for expert, closed consistorial debate.[114] This could include not only the review of particular physical witnesses there but also of objects. Hedwig's "examiners" sent a nun's veil and circlet miraculously retrieved unburnt from the oven at Trebnitz nunnery "in testimony of the truth of this miracle and [her] sanctity."[115] Through this critical, curial process of inspection and review, public knowledge (*fama*) was sublimated through private curial analysis into actual knowledge (*scientia*).[116] Rather than "bureaucratic knowledge," this is the bureaucratic-juridical treatment of public knowledge to render it reliable.[117]

Heretical inquisitors effected the same alchemy, but its finer gradations produced a wider range of labels. Foucois felt the responsibilities of inquisitorial certification and labelling keenly:

> Though a *believer* [*credens*] may be adjudged a heretic, do not be quick—I beg you—to punish someone as a *believer* and, consequently, as a heretic [i.e. do not axiomatically conflate someone's support for a heretic with support for heresy].[118]

Getting the grades right mattered and various forms of certification followed, including literal labelling with distinctive crosses.[119]

Validating the quality of public knowledge about heretics was a public safety issue.[120] But it also pertained to sainthood. Certification circumvented error. Gregory IX talked about the double obligation driving his investigation into Elizabeth of Hungary's alleged sanctity in 1235:

> striving to confront, indeed to relieve error, so that if either indeed the matter [i.e. her sanctity] did not stand up to its interpretation, then the pious simplicity of the church militant should not be deceived, or if indeed the renown of truth shone out with judgement and force, then praise due to the church triumphant should not be neglected, nor the act of thanks to the creator.[121]

Papal concern with accuracy in validating saints was especially marked under Foucois-Clement.[122] Discussing Hedwig, he insisted on the need to proceed cautiously since: "the church herself is quite often deceived; lest any fraud occurs or any error creeps in, it is best here not to proceed with precipitous haste but with decent and restrained gravity."[123] His predecessor indeed ordered a second investigation into Hedwig.[124] Eudes of Chateauroux stressed the procedure's importance during Hedwig's investigation:

> lest falsity and fiction be taken for truth, and so that which lay hidden should come into the public because of the multiform utility [*multiplices utilitates*] which may then benefit the faithful, the Roman Church, having been assured [*certificata*] through a legitimate inquisition regarding the holy life and working of miracles of a given saint, will include them in the catalogue of saints, that is, declare and publish that they are saints, so that without any scruple of doubt men may venerate them and praise God in them.[125]

This last subtlety makes clear the difference that procedure and certification made socially while claiming not to effect anything at all. Canonization did not "make" Hedwig a saint. It recognized that she was a saint. As Foucois-Clement said, "we decree that she be recorded in the catalogue of saints, or rather more truly we announce that she is already so written down."[126] Yet, whatever their disavowals, canonization inquisitions,

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[114] E.g., as described for Philip of Bourges in "Dominus noster divina," edited in Paciocco, "Processi," 172.
[115] Braunfels, *Hedwigs-Codex*, 2:150.
[116] This was stressed in Eudes of Chateauroux's sermon following Richard of Chichester's canonization (22 January 1262), by which time Foucois was a cardinal: Jones, *Saint Richard*, 71–79.
[117] Daston, "History of Science," 146 discusses "bureaucratic knowledge" in relation to the history of knowledge.
[118] Bivolarov, *Inquisitoren-Handbücher*, 238; Arnold and Biller, *Heresy and Inquisition*, 231–32.
[119] See Raymond of Peñafort's tarif of punishments, including cross-wearing at the 1242 council of Tarragona, in Arnold and Biller, *Heresy and Inquisition*, 226–29.
[120] For heresy, see e.g., Humbert of Romans, *De modo prompte cudendi sermones* (§2.62), trans. Arnold and Biller, *Heresy and Inquisition*, 134–35. Elliott, *Proving Woman*, 133, 142–43, stresses the respective effects on heretical and canonization inquisitions' duration.
[121] Huyskens, "Processus et ordo," 142.
[122] Paciocco, *Canonizzazioni*, 160–61.
[123] Braunfels, *Hedwigs-Codex*, 2:174.
[124] Ibid., 151.
[125] Edited in Charonsonnet, "Université," 837 ("In hoc verbo").
[126] Braunfels, *Hedwigs-Codex*, 2:175.

like heresy inquisitions, did something by saying something when they acknowledged someone as saint or heretic.[127] To make that acknowledgment knowledgeable, though, they needed to secure and assert it publicly. Inquisitorial certification was contingent on its public affirmation, which was precisely what Foucois-Clement's bull did. It made worlds.

Public certification also figured literally in reparative *enquêtes*, although here the issue was less about public safety than the prince's soul's safety. Sibille of Alès's renunciation of her claims against Louis IX (above) was notarized and publicly acknowledged, like many others. This one happened "in the upper street in Alès in the house of Guillaume de Pontiliis" and was executed by "me Ugono Torna, public notary of Alès," and "to have greater firmness perpetually and to ensure fidelity in every which way, I have strengthened this charter of the said lady with the defence of my sign, and attached my seal."[128] Such certifications did not simply seal, they also spoke. They aimed to make their own processes legible back to communities. Public explanations before, through, and after these investigations were central to their due process.

Not everything occurred openly though. Gregory IX's *Ille humani generis* ordered public preaching as the point of departure for heretical inquisitions.[129] Likewise, the *Ordo processus Narbonensis* made clear the public opening and closing of inquisitorial processes.[130] In between was a different secret matter however—alleged heretics were not told the names of those testifying against them. Afterwards, the *Ordo processus Narbonensis* stipulated that the populace generally were to identify whether penitent heretics were acting as their penitential letter directed.[131] The beginning and aftermath of the inquisition were made legible; its secret ruminations were not.

Canonizations followed a similar model. The diocese-wide public calls for witnesses to Philip of Bourges's sanctity have already been quoted. The sealed documentation they produced was discussed at successive curial meetings, moving from private to public (in favorable cases).[132] Successful canonizations ended, then, with the closing of that feedback loop. Foucois-Clement's canonization bull for Hedwig compressed and organized the local knowledge gained from the inquisition (already synthesized by papal agents), setting out Hedwig's imitable life and demonstrable miracles. It certified its knowledgeable quality (what the whole process was orientated towards doing). And it ordered this processed knowledge to be re-transmitted out again, itself acting as a compressed means for so doing.[133] As usual, the bull closed by telling its recipients that "you should strive to celebrate [her feast] with careful devotion and ensure that it is celebrated through your cities and dioceses solemnly by Christ's faithful."[134]

Romano-canonical inquisitions did not have a monopoly on such communications. Preaching was also undertaken during Alphonsine reparative inquiries.[135] The 1253 memoranda of Foucois' Agenais investigations likewise made clear the connection between publicity, investigation, and effective response.[136] So, too, did Louis' 1247 instructions (both above).[137] The medium of inquisition was partly the message of the exercise. Alphonse and Louis needed to make their voluntary reparations legible and acceptable to the communities witnessing them. Public legitimacy was a function of the methods used, and its legibility to relevant communities a predicate of other purposes. If inquisitorial "world-making" was to work as collective story-telling, its processes needed to be socially acceptable. As the editors of this issue suggest, human organization, the material world, and knowledge were mutually constitutive.

Procedural and institutional credibility depended on it. Eudes of Chateauroux, preaching about Hedwig before Foucois-Clement, argued that "[saints] are not canonized for those in the [heavenly] fatherland since they have no need of the high priest's [pope's] approval. They themselves see who are saints, they see each other mutually." By contrast, the living, still on their earthly pilgrimage with the church militant, *did* have need of that approval and those saints. Eudes quoted 3 Kings 10:7 in support: "I did not believe those telling me until I came myself and saw it with my own eyes and showed that half of the matter had not

[127] Illocutionary acts as in Austin, *How to Do Things*, 91, 99, 106, 114–15, 127.
[128] AN J 473 no. 15.
[129] Edited in Dossat, *Crises*, 327–29 at 329: the inquisitors "should preach accessibly [*generalem predicationem faciant*] where it seems best to [*commodius*]."
[130] Tardif, "Document," 671 (preaching and public citation), 677 (sentences to be given before people and clergy assembled together).
[131] Tardif, "Document," 675–76.
[132] Vanchez, *Saintété*, 64–66.
[133] Braunfels, *Hedwigs-Codex*, 2:181; comment, Paciocco, *Canonizzazioni*, 114n40.
[134] Braunfels, *Hedwigs-Codex*, 2:175; cf. Paciocco, "Processi," 108.
[135] Dejoux, *Enquêtes*, 133.
[136] See pp. 6–7 above; also Gui's comments in Bivolarov, *Inquisitoren-Handbücher*, 253–54 (q. 15).
[137] See pp. 7–8 above. See Dejoux, "Une main," 89.

been told."[138] What Eudes stressed was not any inquisitiorial "objectivity," but the knowable reliability its application produced and the useful credibility produced through that procedure's public legibility.[139]

Investigative purposes and how far conducting and communicating them publicly secured those objectives also determined how far these rule-based, expertise-led, knowledge-hungry procedures produced bureaucracy's (supposedly) quintessential trace element: the archive.[140]

The results are interestingly variable. The expected model is perhaps provided by the heretical inquisitorial archives that were retained, with past depositions sometimes catching out suspects in later interrogations.[141] Appreciation of this was reflected in heretics' destruction of inquisitorial archives, as with the infamous 1242 murder of inquisitors at Avignonet.[142] The keeping of records was addressed early in the *Ordo processus Narbonensis*. Deponents' testimonies:

> are to be written down, in the presence of one or both of us [i.e. the inquisitors], with at least two other persons qualified for careful discharge of this task associated with us, [then the witness] verifies everything which he caused to be recorded. In this way we authenticate the records of the inquisition as to confessions and depositions, whether they are prepared by the notary or by another scribe.[143]

The story is different with canonizations. Twenty-five percent of inquisitions between 1185 and 1417 (eighteen of seventy-two) leave deposition sets.[144] Extant records may include unsuccessful cases (such as Philip of Bourges's) while successful ones may leave no depositions (such as Hedwig of Silesia's). Success, failure, and extant documentation may be linked. Hedwig's depositions flowed into her *Vita*. Their retention may have seemed unnecessary once a decision was made. Philip of Bourges's survived as a function of his case's refusal to die and were retained.[145] Testimonial material was less useful once sainthood was pronounced and its life digested by its hagiographical *Nachleben*, which is to say its social life. Eudes of Chateauroux said of Hedwig's canonization that it embodied the act of "putting the candle on the candlestick" as an ongoing light for others (Luke 11:33).[146] Public consumption of an inquisition's conclusion in other forms and fora reduced the need for archiving as a matter of course.

For "central" royal and "provincial" comital administration, inquisitorial archiving practices were somewhere in between the two. Dejoux has demonstrated that, with respect to royal reparative enquiries, there was no especial desire for the data produced to be retained centrally or consulted and that the records came into the Crown's hands relatively late.[147] Their keeper deemed many of these records "useless" in 1370.[148] Chenard argues that Alphonse of Poitiers's archival strategy was pyramidal, generally retaining–it seems–only the highest level reports and summaries.[149] Thus, the Venaissin *terrier* was an intermediary input to a higher-level summary register.[150]

How this pyramidal gravitational pull worked when God was the ultimate audience is illustrated perfectly by Alphonse's register *Salus anime*, "Soul's salvation."[151] It is the ocular proof for divine consumption summarizing the reparative actions (and payments) that Alphonse had actually carried out following his *enquêtes*.[152] *Salus anime* is as much a religious or even ritual record as an administrative one. Datable to ca. 1265, it should be seen as preparative for Alphonse's projected second crusade just as much as other

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[138] Edited in Charonsonnet, "Université," 839–40.

[139] See Vauchez, *Sainteté*, 51 for passing comment on "objectivity" in canonization inquiries. For an important wider discussion on this subject, see Daston and Galison, *Objectivity*.

[140] For Scott in early modern archives, see Head, "Knowing Like a State."

[141] Biller et al., *Inquisitors and Heretics*, 458–62 (Jordan of Saissac).

[142] Biget, "Inquisition médiévale," 498; Bruschi, "*Magna diligentia*," 108–10. On archive destruction, see Arnold and Biller, *Heresy and Inquisition*, 463–66 (Carcassonne, 1284); Biller et al., *Inquisitors and Heretics*, 9–10.

[143] Tardif, "Document," 672–73; Wakefield, *Heresy*, 253.

[144] Using Vauchez's tables, *Sainteté*, 295–300, 585. The two tables do not quite match since IX excludes Galgano and XXXIII excludes Sebald of Nuremberg. From 1232, inquisitorial results were only to be sent to the papacy if requested (79–80).

[145] Paciocco, "Processi" for Philip. Generally, only the papal side of documentation tended to be kept (Paciocco, *Canonizzazioni*, 105).

[146] Edited in Charonsonnet, "Université," 839.

[147] Dejoux, *Enquêtes*, 34, 36, 62–64. Distinguishing between the political utility of the practice of *enquêtes* and their documentary products is key to her analysis.

[148] Potin, "Archiver l'enquête," 248–49. I thank Marie Dejoux for discussion on this subject.

[149] Chenard, *Administration*, 528–31.

[150] AN JJ 11 at fols. 158–210v.

[151] AN J 190 no. 61, a 76 folio register of 22cm × 31cm.

[152] Fournier and Guébin, *Enquêtes*, xlvi–xlviii (no. 17); partly edited in Teulet et al., LTC 4:286–92 (no. 5421). See Chenard's comments, *Administration*, 515–16, 523.

"more" logistical activities.[153] As Chenard says, its summary focus "fits perfectly with a bookkeeping attitude to salvation according to which the count must give an account for his acts before God. It is not the investigations which can absolve him but rather the decision to rectify the faults committed."[154]

In this context, it is interesting to note the justification for registering the sentences given by Foucois' group during his second reparative tourn (1258–1262). Here, the impulse to order and retain apparently came not from the center but the officer on the ground—Guillaume de Cohardon, the seneschal for the inspected areas of Beaucaire and Carcassonne:

> it seemed expedient to the noble lord G. de Cohardon that all these things concerning the seneschalcy of Carcassonne and Béziers should be gathered together into a register … so that it is known what restitutions were made and by whom and concerning what things, and that what was rejected may be proven. For this should be eternally remembered, lest those who were satisfied or justly rejected should be again admitted as petitioners because of forgetfulness.[155]

This may intersect with Chenard's suggestion that Alphonse's administration did not provide quittances to officers when accounting, partly because this entailed a much more laborious level of control, partly because its primary interest was in evaluating the prospective value of domanial land, not in verifying it, and partly since this left a useful "sword of Damocles" hanging over seneschals' heads.[156] One might go further and suggest (using deliberately anachronistic terms) that so far as the prince was concerned, the "knowledge database" for all this information could be cheaply and effectively externalized within what people on the ground knew and could testify to when asked if need be.[157] Social knowledge partly acted as a Capetian "cloud."

Whether the knowledge produced by inquisitions was to be consumed by God, later inquisitors, or the public significantly altered archiving strategies—without implying anything for the seriousness of the preceding procedure or the quality of the knowledge produced. Indeed, the procedure's partial but necessary public unfolding was a crucial way in which inquisitorial knowledge was generated and consumed, not only by the state or the church, but also by publics whose assent, or complicity, the authorities needed. Inquisitorial legibility, even if one saw through its glass darkly, was not a one-way mirror.

Conclusion: dynamics and differences in inquisitorial knowing

Making what the public knew "knowledgeable" and then re-transmitting this as reliable knowledge was a continuous core concern of Gui Foucois' inquiries, however various their ultimate objectives and notwithstanding the due processes of their respective fields.

These different goals do help us to tell medieval investigations apart, but they also altered the way they variously gathered, publicized, and retained the knowledge they generated in important and demonstrable ways. Prelates and princes wanted to see through inquisitions, but they also wanted their publics to see that they saw—and to assent that what rulers had concluded was what the public had seen. If inquisitions always entailed attempts at control, their dynamics were multiple, even inside "ecclesiastical" or "state" contexts. Scott's "legibility" helps to make this plurality clearer—but it was not a one-sided affair. Territorial inquisitions were concerned to make land and liabilities legible to the prince; heretical inquisitions with making heretics legible to the church and communities; reparative inquisitions with making the prince legible to his people and God; canonizations with certifying saints reliably to believers. An emphasis on publicity played out in different ways as a function of those goals.

Two of the most far-reaching recent accounts of Capetian government both stress that the intended effect of reparative inquisitorial activities was to reconcile the population to government and its justice.[158] Reparative *enquêtes* secured victims' jurisdictional subjecthood at the same time as they conceded royal culpability. Notarized or attested documentation was the residue. If Capetian princes did not require quittances of their own officials at audit, they did require quittances of their own subjects when making reparation for the wrongs their government had done to them. This was the state investigating the state in order to know what it itself had done and needed to make amends for: an interesting variant on "domination" models.

[153] Dossat, "Alfonse de Poitiers," 121–32.
[154] Chenard, *Administration*, 515–16, also 523.
[155] Delisle, RHGF, 619.
[156] Chenard, *Administration*, 428–30.
[157] Cf. e.g., a 1245 Fanjeaux claim to remember a heretical guest from ca.1175: Arnold and Biller, *Heresy and Inquisition*, 421.
[158] Dejoux, *Enquêtes*, 377–79; Chenard, *Administration*, 523–24.

The particularities of what specific inquisitorial forms were trying to produce (heretics, saints, satisfaction, rights) determined who they had to get this information to, and so altered how its records were retained and used. In the case of canonization inquisitions, the records were poured into other forms of communicating the decision publicly and might then not be retained. Sermons and *vitae* carried their DNA forwards. Where they might be needed for future reference (e.g., heretical inquisitions), they were kept, but while the opening and closing judgments of the inquisition were carefully public, its hearings were carefully closed. Where an *inquisitio*'s effects were principally secured through the public process itself (reparative *enquêtes*), publicity was needed, but the state was less interested in the records produced.

Inquisitorial goals made precise differences to the mechanics of how knowledge was secured, even while concerns with public knowledge, due process, proof, testimony, and written records cut generally across them.[159] That experienced jurists or administrators like Foucois could flit perfectly happily between different inquisitorial modes did not mean that the particularities of these modes did not matter. Shared concerns about due process criss-crossing different inquisitions shows the flexible modular kit experts and rulers could draw from (Foucois's and Louis IX's *consilia*).[160] So, too, ideas from one legalism (e.g., Roman) resurfacing in another (civil reparative *enquêtes*). This does not show they did so randomly. In relation to the editors' suggestion of "bureaucracy as knowledge," Foucois' legal-bureaucratic activities can be understood through the formal treatments that (literally) "processed" information, stories, belief, memory into "knowledge."

Plainly, "seeing like a state" is not a single historical optic. It may—evidently—not be the state that is seeing at all. Marx asserted that the "bureaucratic spirit is through and through a Jesuitical, theological spirit" and religion certainly matters here.[161] Medieval Christianity's pastoral concern with regularizing conduct developed spectacles of broader use in helping other powers to see. Christianity's concern with collective salvation and its conviction of a total moral economy made it important for popes and princes to secure popular recognition and assent to forms of behavior to be elevated, avoided, or excused. This was regularized by jurists such as Foucois who were heavily influenced by properly "imperializing" romano-canonical law and highly influential on the state's mimesis of ecclesiastical techniques. Perhaps the relevant word here though is not "thinking" but *knowing*. Thinking about how the church *knew* showed the state how it might know too. Borrowing experts helped, and they reciprocated in turn. This entailed neither indifference to local practice and expertise, nor monolithic inquisitorial dynamics within inquisitorial styles. Foucois embodies this fluidity of know-how across fields and its generation inside them. He was often concerned with what has been called "redemptive governance" and influenced its techniques himself.[162] His career embodies the transferable knowing of the later medieval jurist-cum-administrator-cum-ecclesiastic to the highest degree. If there were a patron saint of medieval inquisition in all its forms and flexibility, it would be Gui Foucois.[163]

Competing Interests

The author has no competing interests to declare.

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[159] In Weberian terms, *Wertrationalitäten* inflected *Zweckrationalitäten* even while the latter were more generally shared.
[160] Cf. Chenard, *Administration*, 494–95, 524; Pécout, "Visite."
[161] Marx, "Critique," 37.
[162] Jordan, *Men at the Center*.
[163] Peter of Verona (d. 1252) was adopted as patron saint by the sixteenth century Spanish Inquisition.

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How to cite this article: Sabapathy, John. "Making Public Knowledge—Making Knowledge Public: The Territorial, Reparative, Heretical, and Canonization Inquiries of Gui Foucois (ca. 1200–1268)." *Journal for the History of Knowledge* 1, no. 1 (2020): 10, pp. 1–21. DOI: https://doi.org/10.5334/jhk.23

Submitted: 20 April 2020 **Accepted:** 28 July 2020 **Published:** 17 December 2020

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