This chapter studies the procedure adapted by Modenese Inquisitors in their trial proceedings against Jews, and the Jews' reactions to the expanding jurisdiction of this court. It begins with a comparison of the tribunal's treatment of Jews with that of other Inquisitorial courts in Italy in the early modern period, and then examines the judicial procedure to reveal what was distinctive about the Holy Office's prosecution of Jews in contrast to Christians. The Inquisition's policy of expurgation and removal of prohibited books in the possession of Jews, a particular course of action which brought the tribunal into direct contact with the Jewish community, is also analysed. Finally, the role of the Holy Office in Jewish life and the reaction of the Modenese Jewish community to their proceedings are discussed.

Although there was a uniform theoretical perspective on the part of the Congregation of the Holy Office towards the prosecution of Jews, tribunals in northern Italy were not able to exercise a standardized practical approach. Jews had varied juridical rights and living arrangements in each territory, established by secular governments, as well as being answerable to different judicial bodies. This affected the extent to which the Holy Office could impose its control. In Venice, where the Inquisition was established in 1548, Jews were already ghettosed and remained part of a tightly organized structure. The tribunal was prevented from prosecuting large numbers of Jews, since the Esecutori contro la Bestemmia and the Ufficiali al Cattaver monitored them closely. In Rome, the Papacy had exclusive legal authority over Jews, and the latter were subject to the Papal vicar, the Tribunale criminale del Governatore and the Senatore. In Livorno and Pisa, Jews were protected from Inquisitorial jurisdiction by tightly maintained regulations of the ruler – the Grand Duke of Tuscany – who prevented almost all professing Jews from being prosecuted by the Holy Office in the early modern period.

Nor was the composition of Holy Office tribunals the same in each state. Variations clearly reflected the type of jurisdiction exercised, its level

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Procedure and reaction
of encroachment on local judicial policy, and the manpower available to it to carry out the pursuit, investigation and punishment of offenders. The level of support of the secular arm affected the tribunal’s ability to prosecute Jews as well as other offenders at the local level. Another consequence of the variation between Inquisitorial tribunals was the differing intensities of trial procedure and punishment, from harsh policies of incarceration and intense interrogations to those proceedings which allowed Jews to remain at home and sometimes negotiate the outcome of their trials. There were also some cases where the Holy Office decided not to bother to arrest Jewish suspects after they had been denounced, preferring instead to drop investigations. Tribunals had only a restricted number of officials who could carry out investigations, as well as a limited amount of time. The prosecution of a Lutheran heretic whose alarming heresy had been confirmed by a string of witnesses would take priority over investigation into the suspicious actions of an errant Jew.

No professing Jew was burned at the stake in Italy as a result of early modern Inquisitorial prosecution. The influential sixteenth-century canonist Jacopo Simancas unequivocally insisted in his manual *Enchiridion* of 1573 that only a baptized Jew who returned to Judaic practices, or a Christian who embraced the Jewish faith, could be turned over to the secular arm as relapsed and unrepentant heretics, the two principal requisites that in Inquisitorial legal theory might lead to the stake. Other types of punishments of convicted Jews varied from state to state. In Aquileia and Concordia, according to Pier Cesare Ioly Zorattini, there are 2,000 extant trials between 1648 and 1748, and only one directly involved a Jewish banker, Mosè Belgrado, who was charged with apostasy in 1611. However, his case was transferred to the Holy Office in Bologna, after he moved to Cento, and in 1616 he was punished with a large fine. In Rome, although, as Marina Caffiero has shown, Jews were summoned before the Holy Office, the loss of *processi* makes it impossible to quantify the number of trials. Antje Bracker argues that the tribunal in Rome focused its efforts more upon the annual censoring of Hebrew books, the number and size of synagogues in the Papal States as well as the supervision of Jewish cemeteries. At the same time, she found evidence that the Holy Office heard the pleas of poor Jews who accused their richer counterparts of overcharging them on the rent of their ghetto apartments.

In Naples, nine Jews were tried by the Inquisition during the years 1627–29. In Bologna, immediately before the Jews’ expulsion in 1569, a small number of wealthy Jewish bankers were forced to appear before Papal Inquisitors dispatched on a special mission by the Pope himself, in an effort to ruin the Jews financially and confiscate all of their property held illegally before they left. Some of the more prominent Jews were assaulted, imprisoned and even tortured. The main organizer of this intense period of prosecution was a Jewish convert to
Christianity named Alessandro, and David Ruderman has made a salient attempt to identify him. In Ferrara, Jews were prosecuted by the Inquisitorial vicar before the establishment of a full Inquisition there in 1632. Documents kept in the archive of the Archbishop’s curia (since the city has no official Inquisitorial archive) suggest that the Inquisitorial vicar busied himself more with the commercial activities of the Jews – including rent owed to them by churchmen, and the Jews’ production of acquavita, gun powder, leather and tobacco before the establishment of the ghetto in 1624 – rather than breaches of ecclesiastical regulations mentioned in Antiqua. In Pesaro, Andrea del Col has confirmed the existence of several dozens of proceedings of practising Jews, less for breach of ecclesiastical regulations than for social and sexual interaction with Christians in the late sixteenth century, particularly between 1557 and 1581, conducted by the vicar general and the bishop rather than the Inquisitor himself.

In the Venetian Republic, the Inquisition proceeded against practising Jews on only twenty-five occasions during 186 years of activity (1548–1734). Most of these were conducted between 1579 and 1584, and were short investigations rather than full-dress trials. In the thirteen trial proceedings which were completed, two Jewish physicians (in the same processo) were banished for life for secretly practising circumcision on Christians, three Jews were fined, and nine suspects were released without punishment.

The offences purportedly committed by Venetian Jews include proselytizing Christians by circumcising them, having sexual intercourse with Christian women, attacking Christian porters, exorcising Christians, insulting Jews who converted to Christianity, insulting Christian preachers, publishing and holding prohibited books, committing sorcery, and blasphemying Christ and the Virgin. There were a few extraordinary cases which fell into the hands of the Holy Office simply because the delator had chosen to address his or her denunciation to that court and the tribunal decided to investigate the allegations, although these processi were often discontinued. These included Jews owning black slaves, an accusation that Jews had exhumed the corpse of a judaizing woman in order to send her body to Safed, and a proceeding against Jews for living outside the ghetto on the island of Murano. Whether they were passed on to other more appropriate judicial bodies is not always clear.

These twenty-five processi overall reveal a mild and lenient approach by the Inquisition towards Venetian Jews. The tribunal was hindered by legal constrictions imposed by the Serenissima, and lacked the kind of lay auxiliary force that Inquisitors had been able to muster in other Italian cities. No famigliari were posted around the city to keep a watch and report on interaction between Jews and Christians. The Inquisition’s willingness to ignore denunciations and drop investigations makes it impossible to accuse the tribunal of adopting a systematic programme of prosecution of Venetian Jews. At the same time, one cannot sense
any real fear of the Inquisition on the part of those few Jews who appeared before it. Rabbi Matthias Bassano, a Jew in Verona, even used the Inquisition to gain advantages for himself, denouncing fellow Jews to evade his own prosecution, accusing them of arranging the secret passage of Judaizers to Turkey.20

In the Modenese duchy, Jews involved in civil and criminal proceedings were subject to the Duke’s Giudici del Maleficio, the Giudici Ordinarii or the Tribunale dei Dodici Savi, and, prior to the elevation of the Holy Office in 1598, the episcopal court.21 Jews living in the duchy were not necessarily registered or concentrated in one particular town or city but spread throughout many places, nor were they always in constant contact with larger Jewish communities within the duchy or elsewhere, unless they needed assistance in a particular matter. Duke Cesare had tried to monitor the movements of Jews more closely after he arrived, as he had those of other citizens in the duchy. In 1598, he published an edict titled Grida contro li mendicanti, vagabondi, et simili, et altri, per causa di Sanità, one small clause in which was directed at the Jews of the duchy:

Jews are not allowed to lodge in their houses any foreign Jew without a licence of the Signori, unless they have previously reported him to the office, and furthermore in each case the head of the family must give notice of how many people there are in his household to the said office under the threat of the same punishment.22

Prior to ghettoization, Jews were not necessarily aware of the rulings of Inquisitorial edicts, and trial proceedings reveal this ignorance rather than an intention to offend. Yet, as has been noted, the number of processi against Jews in Modena far outnumber those of other states. The Inquisition’s power to prosecute and punish reflected its policy to severely restrict Jewish behaviour by disarming the Jewish threat to Christians and by keeping the two apart. Judaism was seen as a dangerous and inferior doctrine of devotional ceremonies, constituting an insult to Christianity, from which it needed to be isolated. The tribunal’s disciplining methods included repeated edicts demanding separation of the two communities, the expurgation and removal of prohibited books in the possession of Jews, and most importantly the meticulous prosecution of individual or groups of Jews.23

As the repetition of edicts and the trials themselves reveal, these policies were not particularly successful. Instead, the Inquisition had the effect of emphasizing the social, cultural and religious differences between Jews and Christians, enticing the latter even more to interact with the former through curiosity.24 The first Inquisitor General, the Dominican Giovanni da Montefalcone, in one of the earliest edicts issued by the Holy Office in Modena, on 30 July 1600, described the Inquisition’s purpose. Here he was already referring to those Jews who offended Christians in his jurisdiction:

for the extirpation of heresy and infidelity, and for the conversion or castigation
of heretics and other infidels, with every possible diligence fitting our office, we
desire to conserve the unity of the Holy Catholic faith in the said city and dioceses
with the aid of others to keep every Christian away from heretics and any other
infection.25

Clause eight of the edict went on to state:

8˚ If anyone knows of any Christian, whether born of Christian parents, or baptized
Jews, who have left the faith of Christ and returned to Judaism, or have lived
according to the custom of the Jews, believing that circumcision and their other
ceremonies and superstitions are good, or of any Jew who has induced or tried to
lead any Christian to Judaism and reclaim him from the Holy Christian faith, or has
dissuaded another Jew, or in some way discouraged and impeded another Jew, or
indeed another infidel (inspired by God to come to the Holy faith of Christ) from
receiving baptism after this Jew or infidel has declared by deeds, words or gestures
that he wants to be baptized and come towards the Christian faith, or of any Jew
who is keeping Talmudic, heretical or other prohibited works . . .26

All inhabitants of the duchy were expected to report such cases to the
Inquisition.

On 21 June 1603, three years later, the Modenese tribunal published a
second edict that targeted Christians’ relations with Jews, called Contra gli abusi
del conversare de Christiani con Hebrei.27 This edict, which was directed at both
Jews and Christians in equal measure, reiterated canon law prohibitions, such as
the ban on Christians attending Jewish weddings, festive meals, circumcisions,
religious sermons and ceremonies. Jews were also forbidden to receive Christian
religious objects in pawn. Other prohibitions repeated from the Antiqua bull
indicate the Holy Office’s frustration that its policies of prosecuting Jews had
been ineffective in keeping Jews and Christians apart. An added incentive for
Christians to report these offences to the Holy Office was that any Christian
who denounced a Jew would receive a quarter of the fine imposed.28 After listing
the prohibitions of contact, the edict stated that offending Jews would incur:

upon themselves the same pecuniary or corporal punishment which is ordered
on the Christian transgressors,29

bringing the status of the Jewish offender closer to that of a Christian offender
and making him or her equally liable to punishment. The edict was to be posted
in both local churches and synagogues throughout Modena.

When the Inquisitor General Michelangelo Lerri published his own manual
in 1608, he did not explicitly mention Jews as one of the five types of people tried
by the tribunal (heretics, sorcerers, witches, blasphemers, and opponents of the
Inquisition).30 It was only in a later section, entitled, De gli hebrei, e altri Infedeli,
that Lerri reiterated the offences listed in the Antiqua bull to remind prosecutors
of the precise jurisdiction that Inquisitors held over professing Jews.31

As Table 1 shows, the Inquisition generally confined itself to offences listed
Employing Christian servants 52
Blasphemy\(^b\) 22
Dissuading others from being baptized 18
Possessing prohibited books 17
Fraternizing/dining with Christians 14
Desecrating Christian images 12
Proselytizing 12
Obstructing work of the Holy Office 10
Employing Christian wetnurses 5
Building a new synagogue without licences 4
Sexual relations with Christians\(^c\) 4
Employing Christian gravediggers 4
Abuse of Christian sacrament 3
Threatening neophytes 3
Disturbing Christian ceremonies or services 2
\textit{Maleficio} 2
Astrology\(^d\) 1
Divination 1

\textbf{TOTAL} 186

Notes: a. On occasions, the type of offence changes from the offence testified by the delator to that discovered by the Inquisitor. If there was a change in offence, I have used the offence listed in the sentencing and not the delation. b. On the Inquisition’s terminology of blasphemy and heretical blasphemy and its application to Jewish offences, see Chapter 3. c. The offence of sexual intercourse with a Christian had originally been discussed in the 1267 bull \textit{Turbato corde}, reissued twice by later pontiffs in the course of the thirteenth century. See Grayzel, \textit{The Church and the Jews}, Vol. 2, p. 15. Marquardus de Susannis wrote of sexual contact between a Christian and Jew endangering ‘the entirety of Christian society, not only the individual offender’. See Stow, \textit{Catholic Thought}, pp. 105–6. d. See ASM0F1P 17 f.8, for the 1601 trial against Allegra, wife of Abraam de Vita charged with indulging in astrology and palm reading. She was sentenced to pay 12 scudi.

in the \textit{Antiqua} bull or in previous canon law rulings. Although \textit{Antiqua} did not mention Jews obstructing the work of the Holy Office, such an offence was listed in general edicts that had been addressed to Jews living in the duchy.\(^{32}\) Regarding the building of synagogues without licences, not specifically mentioned in \textit{Antiqua}, the Papal bull \textit{Cum nimis absurdum} of 1555 had prohibited Jews from building additional synagogues, and it is not surprising that the Inquisition would have assumed jurisdiction regarding this offence.\(^{33}\) The prohibition against the Jews’ use of Christian gravediggers who helped the Jews bury their dead
during the plague, referred indirectly to clause six of *Antiqua*, which ordered that Christians were forbidden to go ‘to the rites, ceremonies, superstitions, or unholy services of the Jews.’ Although it was eager to monitor Jewish actions closely, and sometimes did so forcefully, the Inquisition observed legal limits in the courtroom, a point research on the Holy Office has affirmed time and again.

**The trials**

Although proceedings conducted against Jews and Christians were similar, close study of the Inquisitorial *processi* reveals in detail the procedural adjustments made by the Holy Office in its treatment of Jews. These *processi* were recorded by the same Modenese notaries who recorded the *processi* of Christians: the clerics Tomasso Panini da Florano, Domenico de Cesena, Vincenzo de Recanato, Stephano de Friganzio, Marco de Verona, Nicholai de Finali and Virgino de Modena. During interrogations, the notaries probably took down the trial proceedings in shorthand, writing them up in full later, recording testimonies, including dates and often times of day of the interrogations, and a list of who was present at each. Jewish suspects were always clearly identified as such (*ebrei* or *ebrea*) on the cover of the Inquisitorial dossier and baptized Jews were listed as *neophyti*, which suggests that conversion was not considered a sufficient social equalizer and did not wipe out all memory of their Jewish past. The notary reproduced the precise words of delators, suspects and witnesses, even with their varied dialects, as well as the exclamations of fear, frustration and pain during torture. Although the Inquisitor probably questioned the witness or suspect in Italian, until around 1660 the questions in trial dossiers were always recorded in Latin whereas the replies were in Italian. Delators, suspects and witnesses were ordered to write their names (or make the sign of a cross if they were illiterate) at the end of the notary’s record of their interrogation, to confirm their statement. Most literate Jews interrogated by the Holy Office signed their names in Italian; some of them occasionally signed in Hebrew, and if illiterate just made a scribble or a small circle.

The interrogations were conducted either by the Inquisitor General, or if he was unavailable by an Inquisitorial vicar, who often substituted for the Inquisitor in performing judicial functions such as ordering detentions, interrogating suspects and taking evidence from witnesses. These men were trained in theology or canon law or both, and were also guided by procedural manuals, in particular the 1608 manual of Michelangelo Lerri, *Breve informazione del modo di trattare le cause del S. Officio*, and later the popular, widely used and regularly updated 1621 *Sacro Arsenale, o vero prattica dell’Officio della Santa Inquisizione* of the Genoese Inquisitor Eliseo Masini. Inquisitors were also directed by punctil-
ious instruction from the Congregation of the Holy Office in Rome (which met up to three times a week) as how to proceed in exceptional cases. Testimonies were sometimes interrupted by the judge’s enquiries and sometimes they flowed freely after routine introductory questions.

Inquisitorial trial proceedings can be divided into two parts. The first was a preliminary investigation, which commenced usually with a denunciation by a delator, followed by the interrogation of any witnesses named by the delator. These witnesses were the most important people in the proceedings at this stage because their testimony might or might not give the Inquisitor sufficient evidence to continue the investigation. The second part of the trial, the full processo, involved the interrogation, and sometimes the imprisonment, sentencing or absolution of the suspect.

The preliminary investigation

Proceedings against Christians and Jews usually began with a denunciation made by an Inquisitorial officer, a neophyte, a neighbouring Jew or more probably a Christian delator who, as the notary reported, often appeared ‘spontaneously’ wanting to ‘unburden his/her conscience’. Although this might have sounded voluntary, such action was in fact obligatory, enforced as we have seen above by confessors or parish priests, who refrained from absolving the sins of their congregants unless they delated the sins of others (as well as their own) before the Holy Office. Prosperi argues that the mechanism of linking absolution for ordinary sins to informant testimony generated hundreds of denunciations technically classified as sponte comparantes missi a confessione, the majority of which clustered in Advent and Lent as people prepared to receive communion at Christmas or Easter. He notes that in Modena, Venice and Pisa ‘spontaneous confessions’ gave rise to most of the work of the tribunal. The increase in the number of spontaneous appearances was effective, leading to a rise in prosecutions.

Delation was used less frequently by Christians as a means to exercise power over Jews whom they knew personally, despite the fact that there was sufficient opportunity to do so. Modena was a crowded city, with different social classes living in very close proximity, often next door, and neighbours were able to spy on each other. The threat of delation was certainly made often, but in reality it rarely reached Inquisitorial ears. It was not the Christians who had both business and social dealings with the Jews who denounced them, but those who had less intimate and regular contact with them. On two occasions, Jews, like Christians, volunteered to appear before the Holy Office to save themselves from Inquisitorial prosecution. In 1607 Abraham Sacerdote appeared before the...
court to testify that someone had affixed an image of Christ’s crucifixion on
the door of his shop. 43 It was the most sensible move in this situation, since if
he had removed it himself he would have been charged with contempt of holy
images. As a result of his testimony, an Inquisitorial vicar was sent to remove the
image and Abraham was not charged. In 1636, Matthias Donato came before
the Inquisition to confess his activities – or, as he noted, to unburden his own
conscience (per scaricare la mia consienza) – which included hiring Christians
servants and playing backgammon with Christian friends.44 This astute move
won the sympathy of the Inquisitor, Giacomo Tinti di Lodi, who not only praised
Donato for his action but ordered that instead of a punishment the Jew was to be
given a penance (‘in penitentia’) of abstaining from attending synagogue prayers
for a period of two months!45

The key purpose of an Inquisitorial trial was to obtain proof of an offence,
either through confession by the suspect, or by finding two respectable eyewit-
tesses. Delators were not accusers in the real sense of the word, nor did they
have to prove their delation against the accused, but they were expected to
provide a genuine denunciation with exact times and places where they had
witnessed the offence and the names of two witnesses, which in processi against
Jews were usually Christians but occasionally Jews, to establish the authenticity
of the delation.46 The motive behind the delation was invariably sought. The
Inquisitor asked whether delators had quarrelled with the people they were
denouncing, or bore them ill will. At the same time, the Inquisitor guaranteed
the protection of the delator. An Inquisitorial edict of 1601 ordered parish
priests to tell their congregants:

Be assured that delators and witnesses will be protected by strict secrecy, nor will
their names be revealed. Tell them that they are not obliged to prove the crime
that they denounce. . . . it is enough to report the pure truth.47

Occasionally delators might be called to confirm their statement and invited
to add anything that had come to mind since it was first made. The delation
document was then discussed at the next meeting of the tribunal, and a decision
made whether to pursue the case. No transcripts of the deliberations or decisions
of these sessions survive. But many of the denunciations of Jews were not
followed up, either because they lacked names of witnesses or other evidence,
or because the Inquisitors decided that the delations were simply malicious.
When investigations were dropped, proceedings were terminated at this point.

The next stage was the interrogation of the witnesses named by the
delator. In most trials of Jews, Christian witnesses were summoned and inter-
rogated before Jewish ones. Even though the testimony of a Jewish witness was
accepted, the Holy Office, not surprisingly, preferred to rely on Christians.48 The
Christian witnesses were expected to establish their Christian character and
reputation, as they did in trials of Christian suspects. At the outset, they were asked how regularly they attended mass, and when they had last confessed and taken communion. If the Inquisitor was satisfied with the witness’s answers, the interrogation began.

The Inquisition was zealous in finding two necessary witnesses who could confirm allegations against suspects and enable them to be tried. However, there was no guideline as to how many witnesses could be heard, and the number varied. The Christian witnesses were asked whether they knew the suspect, and if so for how long, and whether they were aware of anything that the suspect had done against the Christian faith. Alternatively, they might be asked simply whether they knew any Jews in their neighbourhood whose behaviour was suspect. At this stage in the trials, the Inquisitor was also able to gather additional information of inappropriate contact between Jews and Christians by the very testimony reported by the witness. This often led to new investigations.

In these interrogations, the Inquisitor was careful to establish whether the witnesses had any first-hand evidence, or were just repeating neighbourhood gossip or what the delator had said to them. If ample evidence was found to warrant a full-scale processo and two witnesses had confirmed the offence reported by the delator, the Inquisition would arrest and imprison the suspect. In some instances one witness’s testimony or even the denunciation was sufficient, if it was combined with strong evidence against the suspect. Unlike Christian trial proceedings, where local parish priests were sometimes summoned to describe the suspects’ religious behaviour, Inquisitors did not summon local rabbis or fellow religionists of the Jewish suspect to act as character witnesses. A Jew’s reputation, social kudos or standing in the Jewish community was not considered relevant.

The full processo

Often on the same day as the delation, the suspect was arrested by the barigello, a local guard of the Inquisition, or a constable of the Duke. Unlike the procedures of the Spanish and Sicilian Inquisitions where the suspect’s property was seized at this point, this did not happen at any stage of the proceedings by the tribunal. When brought to San Domenico, Jews and Christians were sometimes imprisoned during their trials. In the 186 processi in our period, only seventy-one (38%) of the trial proceedings incarcerated the Jewish suspect or suspects involved. This number includes a few female suspects who were also incarcerated during their trials. If space in the prison was unavailable or the health of the suspect frail, they might be released on bail, so long as a fellow religionist was prepared to stand surety that they would not leave the city, and would appear
for all future interrogations. Requests that they be allowed home on the grounds of ill health made by family members or doctors, or pressing business concerns were usually treated positively by the Inquisitor. The situation was the same for Christian suspects.

It is likely that Jewish suspects had to pay their own expenses during their stay in the Inquisitorial prison if they could afford it. Suspects were probably able to bring their own bedding, sheets and clothes to prison. Prisoners were able to bathe, but the presence of a pharmacist, doctor and barber, to offer their services to prisoners, is only listed in Inquisitorial records from the middle of the seventeenth century.

The suspect was brought before the Inquisitor or his vicar for initial questioning in the interrogation room. The Jew was told to swear on the Hebrew Bible or the Psalms of David to tell the truth, while Christian suspects obviously took oaths on the New Testament. Interrogations began either with an intimidating warning speech, in which the Inquisitor would make no specific reference to the type of offence, or instead with intensive questioning. The Inquisitor asked whether the suspect knew why he or she had been detained in prison, and hoped that they would confess. If this did not work, suspects were asked if they knew anyone who was guilty of offending Catholicism and finally if they themselves had committed an offence. Most Jewish and Christian suspects pleaded ignorance of their offences and maintained this stance for most of their trial.

According to standard Inquisitorial practice, the names of the delator and witnesses were not revealed. In processi of both Jews and Christians, witnesses were sometimes given false names to ensure complete anonymity, since Inquisitors were well aware that what was said in court was often repeated in the city at large. The suspect often shared a cell with other prisoners and, because of their comings and goings, managed to pass on and obtain information from beyond the prison walls.

Because suspects rarely admitted to the substance of the denunciation made against them, the Inquisitor worked patiently, in trials of both Jews and Christians, conducting short and sporadic interrogations that continued over several sessions, separated by days, weeks or even months. According to Inquisitorial law, each suspect had to face at least three such interrogations. The questions put by the Inquisitor would focus increasingly on the offence of which the suspect had been accused. The Inquisitor wanted to understand what exactly the suspects had done, what they had intended or believed, with the ultimate aim of obtaining full confession. Unlike Christians, Jews were rarely expected to explain the motive behind their offences.

Every new interrogation of suspects began with the Inquisitor or vicar asking them whether they were ready to tell the truth, in the hope that several days in prison might have persuaded them to confess. The Inquisitors would
encourage the suspect by promising that greater lenience and mercy would be shown to those who confessed (and in the case of the Christian suspect, penitence for their errors) and that much time and suffering would be avoided if a full and ready confession was made. If the suspects remained recalcitrant, extracts from witness testimonies describing the alleged offence were read in an effort to convince the suspects that the Inquisition had strong evidence against them.58

During the course of the processo, further witnesses might be examined. In the trials of Jews who were accused of offences committed in their homes, other members of their families were brought in for interrogation. However, for crimes such as profane swearing, when the Jews were accused of cursing in the public street, their wives and other members of their families were not interrogated. As in trials of Christians, the scene of the offence determined the type of witnesses called.

On occasions, when the suspects had not confessed, the Inquisitor would have to admit that he was unable to gather further evidence, and had no option but to close the case. At this point, both Jews and Christians were offered the chance to hire legal counsel, meaning professional lawyers trained in canon law, who would defend them before the Inquisitorial consultori – the permanent advisory committee of the Inquisition. The consultori were a group of twelve men, which in Modena included the Inquisitor General himself, the vicar of the Holy Office, the provost of the Cathedral, the prior of San Domenico, theologians drawn from the Franciscan Observant, theologians of the Cathedral and lay doctors of canon law.59

Most Jewish suspects placed themselves without defence at the mercy of the Inquisitorial court for sentencing. The Jew usually argued that he trusted the benevolence and fairness of the Inquisitorial court, and felt that legal counsel was unnecessary.60 Jews clearly did not encourage one another to accept legal counsel or thought that defence was a good option.

If, however, they did choose legal counsel, a lawyer of canon law entitled to plead in ecclesiastical courts was given a copy of interrogations held by the Inquisitor with the names of the delator and witnesses deleted, and handed it to the defence advocate.61 The defence advocate then prepared the defence document, using legal and theological arguments that might sway the tribunal, manipulating the rules for the Jew’s advantage. Points were argued one by one and the advocate included references to Inquisitorial guides and manuals in an attempt to lessen the gravity of the supposed crime and the severity of the sentence. Besides producing a defence document, an additional method adopted by the legal counsel was to call the friends or business associates (but not relatives) of the suspect who were willing to testify before the Holy Office to their good character.62 The Inquisitorial consultori then had to decide if the defence had provided sufficient information to refute all the charges. If this was
the case, the suspect was freed without punishment.

In the event that the defendant refused legal counsel and placed himself or herself in the hands of the Holy Office, the tribunal could elect to use torture as a last resort against Jews, as they would in the same circumstances against Christians, to obtain the confession that was so important. The threat of torture (rigore) during interrogation would be made several times beforehand, since it was hoped that the threat or indeed the sight of the torture chamber might be sufficient to induce the suspect to confess. Edward Peters contends that from the second half of the thirteenth century to the end of the eighteenth, torture was used in both criminal and ecclesiastical courts in most of the states of Europe, as a method to obtain a confession if the person under investigation was contradicting himself or herself and making inconsistent statements, or if a case was partially but not fully proved. (Full proof required two impeccable witnesses who had no obvious grudges against the prisoner or a confession of the suspect, which in Roman canon law was the desired outcome of trial proceedings.) The suspect who confessed under torture, however, had to repeat his or her confession in the interrogation room, without torture, within the first twenty-four hours. The paradox remained, as Gretchen Starr-Le Beau has pointed out, that torture which provided the testimony Inquisitors were looking for, was at the same time doubted because it had been obtained under duress.

Torture was applied only to able-bodied Jewish and Christian suspects and people believed to have a chance of withstanding the physical hardship. Modenese figures show that 305 Christians (18% of Christian defendants) were tortured by the Inquisition between 1598 and 1638, as were sixteen Jews (13% of Jewish defendants) but no Jewish women. What motivated the court to resort to torture is not always obvious; some of the more serious Jewish offenders were not tortured, while others charged with relatively less serious offences were. From 1591, torture was only used if it had been authorized by the Congregation of the Holy Office in Rome, and its usage depended not on the seriousness of the offence but on the nature of the evidence, whether or not the case could be proved without it. What is clear though is that a large proportion of torture sessions were carried out by Inquisitor General Calbetti during his term of office, an indication that either the Cardinal Secretary serving at this time authorized it more often, or Calbetti himself tried to endorse it as often as he could. Being personally responsible for the establishment of the new building and its torture facilities might well have inspired Calbetti to request the use of these resources as often as possible. Calbetti tortured ninety-three Christian suspects during their trials, 27% of those investigated during his term of office, and six Jews, 18% of those investigated.

There is no suggestion that Jews were subjected to harsher tortures than Christians by the Inquisition, as has been shown to be the case in criminal courts.
in Germany. Jews were subject to the same tortures as Christians, and for the same periods. The two main types of torture equipment were the strappado (or corda as it was also called) and the wooden rack kept in San Domenico and used on both Jews and Christians. The strappado was the most common form of torture administered in both ecclesiastical and secular courts; the suspect’s hands were bound behind his or her back and he or she was lifted by a rope tied to the wrists, which was then attached to a beam on the ceiling. The suspect was left to hang for a while and then let down, then raised again, suffering wrenching and occasionally dislocation of the shoulders. The ordeal generally lasted no longer than half an hour, which involved being raised twice. Occasionally Jews, like Christians, were tortured on a wooden rack. The suspect was bound to the rack by cords, which were then tightened. The usual period for the rack was about ten minutes. In both these tortures it was the rule to strip the victims first. Although Christopher Black argues that doctors were supposed to be present during torture to ensure that it was not excessive, their presence is not recorded in the torture sessions of Jewish suspects. None of the Jews tortured in the trials confessed to their crimes; indeed, it is doubtful whether torture ever induced victims to change their testimony.

According to Inquisitorial law, once a suspect had withstood torture and still refused to confess, he or she had to be released without punishment unless new incriminating evidence was subsequently discovered. The suspects were said to have purged the indicia or charges against them.

Once the interrogations were complete, and if the suspect was not tortured, the group of consultori would meet to decide the verdict. The trial transcripts do not include a summary of the discussions held at these meetings, but only the final opinion (voto) of each of the delegates there. The consultori would also confer with the Congregation of the Holy Office in Rome by sending it a copy of the trial proceedings. The cardinals would then decide on how the trial should be concluded.

During this period, if the Holy Office was waiting for instruction from Rome, Christian suspects were usually detained in prison, whereas Jews were either also detained or sent home pending punishment. When instruction arrived from Rome, trial sentences against Christians were usually recited on the cathedral steps, or inside the church during services before a full congregation and in the presence of the bishop, unless they were sentenced to abjure lightly, in which case this occurred in a private ceremony. Ann Jacobson Schutte contends that in Venice the Christian defendant’s movements, as he or she went from the prison to the courtroom to hear the verdict, ‘resembled processions, during which the suspect was observed and commented on.’ By contrast, trial sentences against Jews seem to have been read privately, without any audience outside, by the Inquisitor in the presence of his vicar in the interrogation room.
indicates that the tribunal preferred to maintain a level of privacy regarding the Jews it prosecuted, and keep details from other secular authorities. Sentencing was not for public ears. The notary always reports that the Inquisitor read the sentence in a clear voice, emphasizing that it was an important moment not only for the Jew who nervously awaited punishment, but also for the message contained in the text of the verdict.

Christians were usually given spiritual penalties, known as ‘salutary penances’, a detailed regimen of penance (confession), fasts, prayers, public shaming and attendance at religious services. More serious offenses resulted in galley service, prison sentences, banishments and capital punishment, although the use of such measures in Italy was rare. Christopher Black reports a single case of capital punishment in Modena, that of Marco Magnavacca in 1568, who had committed anti-clericalism and anti-trinitarianism, and was strangled in his prison cell at night to avoid undue attention. The intention of these relatively mild punishments was to forgive the sinners and re-educate them morally and religiously so that they might be re-integrated into society and bring salvation to their souls, and not financial ruin to their families.

Jews found guilty by the Holy Office were generally given fines if they could pay or otherwise public shaminings, light prison sentences, whipping in the piazza or banishment from the city. Public shaminings meant being paraded in a public place with a notice for all to see. Jews and Christians were ordered to stand on a Sunday morning in front of the Inquisitorial building at San Domenico, or in a public piazza, or local church (or synagogue for Jews) if they were from outside the city capital. There was a larger audience on Sundays, and the convicted offenders were expected to stand for a set period of time usually with a large placard around their neck denoting the offence and sometimes holding a candle. It is unlikely that Jews were expected to wear a penitential tunic (abitello) as Christians were.

Public shaminings often exposed the offender to mockery or stoning. When Angelo da Rubiera was sentenced to public shaming on 19 October 1602, the Congregation in Rome ordered that he:

be made to stand at the columns before the Church of San Domenico with his hands tied behind his back, for the time you judge suitable, forbidding the crowd to insult or to hurt him while he is bound, as often happens.

In December 1605 Cardinal Pompeo Arigoni (1605–12) ordered a change in the place where Jews were to be shamed in Modena. Instead of the Church and Inquisitorial building, Jews were to stand outside their synagogue or in a public piazza because:

the penance of standing before the door of a church shall be imposed only upon Christians and not upon Jews.
Was Arigoni’s change of policy an allusion to his concerns for the safety of Jewish offenders? In 1610, Inquisitor Lerri had to postpone the public shaming of Ezechiele Finzi, concerned that such a spectacle placed the Jew in mortal danger, not so much from children throwing stones, but from angry Christian congregants. Lerri’s fear was shortlived. In 1635, the Jew Eligio de Modena was made to stand not just for an hour but for a whole day outside the church doors with a placard around his neck.

The fine of the Jew became almost a standardized penalty, a punishment for bad behaviour and a form of retribution that meant financial benefit for the Holy Office, which used these fines to help construct and then maintain the Inquisitorial headquarters and prison in the city. The Jewish offender was hence transformed into a debtor without any costly sanctions needing to be applied, or the involvement of the secular arm in the Jew’s punishment. It seems probable that wealthy offenders or culprits of high social standing requested that their punishments be commuted into fines, instead of physical and shaming hardships, even though there is no recording of such requests in the processi themselves. Jews who had little money or were of low social status usually faced physical punishments, but even they could be given an extended period to borrow or collect funds, and commute their punishment to a fine. The punishment of the Jew Mosè Tedeschi for dissuading another from being baptized was amended from a five-year galley service to a large fine, when it was discovered that he could afford to pay. In 1621, Abraam Pasiglio, a Jew of Modena, was condemned by the Inquisition to pay a 100–scudi fine but was only able to pay 25 of it, and his request to be given a year to pay the rest was granted.

What should be recognized is that punishments meted out to Jews by the Modenese Inquisition were discretionary and not consistent. Inquisitors reduced or increased penalties according to the circumstances of the crime and the quality or financial position of the Jews involved. In 1608, at the conclusion of his Inquisitorial manual, Michelangelo Lerri advised that individual Inquisitors should no longer be allowed to apply fines without first notifying the Congregation of the Holy Office in Rome. From that time, the Congregation tried to regulate the Holy Office’s arbitrary pecuniary verdicts, but did not always succeed.

On many occasions the guilt of the offender could not be proved and the Inquisition discontinued trials or absolved both Jewish and Christian suspects. Table 2 gives a breakdown of the various outcomes of the trials. Of the 186 processi, eighty-three (45%) were discontinued and thirty-five (19%) ended with the acquittal of Jews or the Jewish suspects being publicly absolved without punishment. These statistics are taken from the sentences noted at the end of the dossiers, but it is not always possible to be certain that they were not changed as a result of petitions or practical realities mitigating the punishment.
According to the dossiers, the types of punishments meted out to the Jews show that of the 325 Jews prosecuted, 138 Jews (42%) were punished by the Inquisition at the end of their trials, ninety-three (29%) being given pecuniary punishments and seventeen (5%) public shamin-ings. Jewish women were sometimes given house arrest as a punishment for hiring Christian servants, which corresponded to the periods of imprisonment meted out to their husbands. This was probably due to the lack of space in the Inquisitorial prisons and the Inquisitors’ preference, for moral reasons and the protection of feminine honour, to keep women out of prisons.

A study of trial procedure of Jews in the light of what occurred in trials of Christians confirms the genuine attempt of the Holy Office to establish a Jew’s guilt, but also uncovers its restraint in its authority over Jews — a combination of its own legalism and its position vis à vis the secular power which prevented it from assuming full jurisdiction over the community. Whereas for Christians Inquisitorial procedure seemed more didactic, with the intention of providing the Christian with tools to re-enter Christian society at large, for Jews the process remained a disciplining one to ensure that they would be wary of breaking social and religious barriers between the two communities in the future. Moreover, the flexibility of its discretionary punishments enabled the Jews, more than the Christians perhaps, to influence the outcome of their trials.

Table 2 Lists of outcomes for processi of Jews in 1598–1638

<table>
<thead>
<tr>
<th>Outcomes</th>
<th>Number of processi</th>
<th>Number of defendants</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trials discontinued</td>
<td>83</td>
<td>114</td>
</tr>
<tr>
<td>Finesa</td>
<td>40</td>
<td>93</td>
</tr>
<tr>
<td>Acquittals</td>
<td>35</td>
<td>73</td>
</tr>
<tr>
<td>Public shamin-gs</td>
<td>11</td>
<td>17</td>
</tr>
<tr>
<td>6–month imprisonment</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>4–month imprisonment</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>1–month imprisonment</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>House arrest</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Whipping</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3–month imprisonment</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>1–year imprisonment</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Exile</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>
| **TOTAL**                 | **186**            | **325**              

Note: a. I have not specified the exact fines because these varied. As Elizabeth Horodowich has pointed out in ‘Civic Identity and the Control of Blasphemy in Sixteenth-Century Venice’, Past and Present 181 (2003), 3–33, 6 there were huge currency debasements at this time, and more than one kind of currency.
The Inquisition was concerned not only with conducting inquiries and trials, but also with supervising the censorship of books, including any books in the possession of Jews which were believed to insult Christianity. A short study of this activity is necessary in order to provide a complete picture of the Inquisition’s interaction with the Jewish community and the role of neophytes who were enlisted as helpers by the Inquisition in this endeavour.

The holding of prohibited books

A study of Inquisitorial policy regarding the expurgation and removal of prohibited books in the possession of Jews provides a deeper insight into its control over the Modenese Jewish community. The creation of a Congregation of the Index in 1572 had increased the work of the Holy Office tribunals in Northern Italy. The papacy in the second half of the sixteenth century issued edicts restricting the production, distribution and reading of books such as works by heretics on religion, lascivious and obscene topics, astrology, divination and occult arts. Jews in Modena faced prosecution almost as much as their Christian counterparts, some of whom in the first half of the previous century had, through the local Accademia, circulated Lutheran works in the city. By the end of the sixteenth century, the Congregation of the Index in Rome expected the Papal Inquisition, with the help of the episcopal court, to take care of the expurgation and removal of prohibited Hebrew literature in the Modenese duchy.

Pope Julius III (1550–55) had in 1553 declared the Talmud and all Hebrew books prohibited, and copies of the Talmud had been burned in Rome as well as in other states in northern Italy. In the following year, the same Pope, with his bull Cum sicut nuper of 1554, changed his position slightly, and no longer confiscated books randomly, but permitted non-blasphemous Hebrew books to be circulated, and ordered that Jews were not to be molested without reason. When Cardinal Carafa came to the Papal throne as Paul IV he returned to the stringent Papal policy of 1553 and prohibited all Hebrew books except the Hebrew Bible. This policy was again upturned by Pope Pius IV (1559–65), who in 1564 permitted the Talmud with all its commentaries as long as it was free of Christian blasphemies and appeared without a title. In 1581, Gregory XIII ordered again the confiscation of all Hebrew books but his policies were overturned by his successor Sixtus V (1585–90), whose own policy towards the Jews was one of significant moderation, readmitting them into the Papal States and allowing them to keep books once they had been expurgated. Clement VIII, in a letter to the Inquisition of 1592 and with the bull Cum hebraeorum malitia of 1593, again enforced the ban on all Hebrew books except the bible. In an edict entitled De correctione librorum he ordered bishops and Inquisitors to choose scholarly men...
to expurgate the books listed in the Index. The papacy had finally consolidated its censorial rules regarding prohibited books. At the same time, copies of the Talmud could still be found in parts of Italy, particularly small towns which remained beyond the reach of centralized Holy Office tribunals.

Although it has been argued that, because Christians were reading Jewish literature, censorship was necessary for Jewish works, Nicolau Eymeric had stated much earlier in his manual that Jews should not read their own blasphemous books, such as the Talmud, which Christianity rejected, for two reasons. First, reading such books, he argued, prevented Jews from converting to Christianity and, second, these dangerous works – which included blasphemies against God, Jesus and Mary – encouraged Christians to become Jews and therefore heretics.

As opposed to the situation in Venice, where as Grendler has shown that an efficient enforcement of the Index of Prohibited Books existed between 1550 and 1571, thanks to the support of the Venetian Patriarchate, the Modenese Inquisition seems to have suffered from the contradictory directives by competing jurisdictions regarding the censorship of Jewish books. Modena, unlike Venice, never became a centre for Hebrew publishing. It seems that even if the Inquisitors had advocated continuous and repetitive expurgation of Jewish books, they would not have had sufficient funds to carry this out. Nor as we know did they have the continuous support of the bishop, who often took independent action in this matter himself. The Inquisition made efforts at intervals to regulate the expurgation and removal of prohibited books as was normal practice in various states in northern Italy. Trial proceedings of individual or groups of Jews for holding prohibited books, usually denounced by neophytes, were carried out intermittently during the first thirty years of the seventeenth century. Between 1598 and 1638, there were forty-three processi against Christians for holding prohibited books and seventeen against Jews. Mauro Perani has argued that official expurgations of Jewish works occurred in 1599, 1621 and 1637, but it is unclear how effective any of these were. After much indecision on the part of the Inquisition as to how to deal with the expurgation of prohibited books in the possession of Jews, in 1636 Jews were ordered to bring books that had appeared on previous indexes or already undergone expurgation and leave them in the building of the Holy Office. This process had not occurred before. At the same time, no book burnings were ordered by Rome and none were carried out at the whim of an Inquisitor.

The seventeen processi against the Jews reveal the activities of educated but not particularly competent neophytes, not just as official censors of Hebrew books, employed by the Holy Office and paid by the Jewish community, but also as ardent delators of their former co-religionists. Their linguistic competence in Hebrew and impressive familiarity with Jewish writings helped them remember
details of these people’s collections. Robert Bonfil’s study of the list of books confiscated by the Inquisition in Mantua in 1595 and 1605 shows that 98% of the books held by Jews at this time, in their libraries at home and synagogue, were Hebrew copies of sacred texts. It was these books that concerned the Holy Office.

Inquisitors kept an updated list of neophytes who had proved willing to help the tribunal in expurgating forbidden Hebrew books. Delations of Jews were submitted by neophytes such as Francesco de Tesu in 1622 and Francesco Maria Giacinti, who on 28 November 1636 appeared spontaneously before Inquisitor Tinti and admitted that, when he had been a Jew and attended the Sanguinetti synagogue in Modena, he had seen prohibited books belonging to the massari of the Jewish community – Michele Modena, Salomone Usiglio and Pellegrino Sanguinetti – as well as its most prestigious rabbis, Rabbi Aaron de Modena, his brother Rabbi Salomon de Modena, and Leone Poggetti. Giacinti, under the protection of and with the assistance of the Inquisitorial vicar, enthusiastically rushed to the synagogue on the same day to search the premises. Over fifty books were seized. The delegation then moved first to the house of Aaron de Modena and then to that of Salomon de Modena, from which they removed more books, and finally to the house of Rabbi Natanael Trabotti, who had been paid by the Inquisition on occasions to carry out the expurgation of books. Here they found numerous books ‘placed in a case and nailed down and sealed in three places with three seals each.’ When on 9 December the delegation was ordered to visit the house of Leone Poggetti, thirty more suspect books were found.

Another well-known neophyte who served the Inquisition as censor was Ciro Jaghel de Correggio, son of Camillo (censor, physician and also a neophyte, who maintained a close relationship with the Jewish community and was prosecuted for holding prohibited books in 1614 and 1620). Ciro was described as a ‘young man of much learning, doctor in medicine and philosophy, who possesses a perfect understanding of the Hebrew language, Chaldean, Syriac, and Latin and moderate one of Greek and is thought to have an outstanding and all-embracing intellect.’ His reputation as a scholar (he had earned a degree in medicine and philosophy from the University of Ferrara in 1618) and as a successful Inquisitorial expurgator did not save him from the judicial clutches of the Inquisition, who realized that rather than submitting forbidden books to them he was storing them in his home. In 1621, he, like his father, was denounced for possessing prohibited books, including works of astrology, law, chiromancy and geometry. He argued in his own defence that as an official corrector of books he had to keep prohibited books in order to know what was prohibited. The Inquisitor General at the time, Giovanni Vincenzo Reghezza, clearly swayed in favour of the dynamic young man, decided to offer him clemency, since he
had impressed him with his spiritual yearnings to become a Capuchin after the death of his Jewish father (he actually became a Jesuit towards the end of his life). Rome was not so forgiving. Cardinal Millino, in a letter of 2 April 1621, ordered Jaghel to be exiled. Ten years later, however, Jaghel was again serving the Inquisitor of Modena, Giacomo Tinti, as an expurgator, in collaboration with Rabbi Natanael Trabotti, the Jewish corrector, which suggests that the Inquisitor had not heeded Millino’s instructions or Jaghel had served his time in exile and done something to redeem himself.

That neophyte expurgators and Jewish correctors did not always do their job as ordered is clear. Brother Luigi, employed by the Inquisition to expurgate books in the 1600s, tried to resign his position after the untimely death of the Inquisitor General Giovanni de Montefalcone in October 1599 and left the city. Rabbi Natanael Trabotti of Ascoli, who had moved to Modena in 1593, following the expulsion of Jews from his native city, was ordered by Luigi to remove offending sections of expurgated books by obliterating them with ink. Trabotti, however, soon got himself into trouble with the Inquisition, not for following Luigi’s instructions, but rather for leaving Modena at a time when he was needed to correct books. When accused by the Holy Office of leaving the city without a licence and therefore impeding the work of the tribunal, he argued that he had left the city when Inquisitor Brissio had been dismissed in May 1600, on the assumption that he was no longer needed. He was given a punishment of one year’s imprisonment.

Even though instruction from Rome was consistent on expurgation, trials remained sporadic. It was easier to react to new denunciations of Jews reading forbidden literature than to initiate fully planned expurgations, which were costly and clearly not very effective. The Inquisition felt threatened by Jewish literature only when it seemed to carry a potentially dangerous message to Christians. This happened in 1605, when three Jews – Bonaiuto, Raffaele da Lazzaro (or Lazzarino) of Ancona, and Lelio, son of Emanuele Ravà, living in Carpi – were accused of holding a well-known Hebrew book called the L’Abensira or more precisely L’Alfabeto di Ben Sira, a narrative work of satirical characters probably written in the Orient during the Gaonic period (seventh to eleventh century). This book had, according to the delator, Giovanni of Carpi, a Capuchin, caused an uproar in Finale, upsetting not only Jews but also Christians, due to its outrageous theories that Jeremiah had caused the pregnancy of his daughter by bathing in the same pool of water. After some investigation it became clear that even though this work had supposedly been expurgated by Brother Luigi, it was still being read in its original form. Inquisitor Calbetti, highly irritated that Jewish literature had caused such scandal, refused to listen to the Jews’ arguments and decided to punish them by publicly shaming them. All three were ordered to spend an hour of the morning standing at the main
door of the church of San Domenico, with the Abensirà ‘attached to your neck with the intention that your error be manifested’.

Two of the processi against Jews for holding prohibited books ended with public shaming, three with fines. Of the other twelve, one trial was transferred to a different city, seven ended with the acquittal of the Jew, and four were left incomplete. Those Jews given fines included Abramo Rubieri in January 1600, who was found guilty of making copies of a book of diabolical spells and fined 25 scudi for the offence. Isaaco Sanguinetti, a 34-year-old member of the large Sanguinetti banking family, was charged with possessing prohibited Hebrew books and received the same punishment, although he was imprisoned for a few months during his trial from 3 December 1599 to 18 August 1600. In 1631, Isaaco Vita, a Jew of Finale, was denounced by his nephew Simone Vita for hiring Christian wetnurses, although it soon became clear that Isaaco was holding prohibited books in his home in Sermide, in the province of Mantua. Isaaco was imprisoned but on 24 February was released after paying a fine of 30 denari of silver.

The most important official expurgations occurred in 1621 and 1637. In 1621 the Jews were told to oversee their own expurgation. It seems that the Inquisition wanted the Jews to finance the proceedings as well as ensure that it was done to an acceptable standard. The Jews of Modena turned to the Duke, requesting his aid in this matter since they were fearful that they would not be able to meet the standard demanded by Giovanni Vincenzo Reghezza, the Inquisitor General. At the same time Pellegrino Sanguinetti contacted Tranquillo Corcos of the Jewish community in Rome, to ask how the expurgations were carried out there. Corcos confirmed that the Jews had always used a neophyte expurgator. Sanguinetti then turned to the Inquisitor, with the Duke’s backing, to ask that a Christian or neophyte expurgator aid them in their task so as to avoid any mistakes. Reghezza turned directly to Rome, on 18 December presenting the petition of the Jews and at the same time criticizing them harshly for seeking ducal support behind the Inquisitor’s back. Cardinal Millino replied with a letter of 18 January, and expressed himself equally annoyed, in the name of the Congregation of the Holy Office, that the Jews had involved the Duke in a purely Inquisitorial matter.

The third expurgation, under Inquisitor Tinti, was the most serious, since the attack was directed against the entire Jewish community. Tinti published a drastic edict on 6 June 1637 in which he ordered that within eight days Modenese Jews had to deliver to the Holy Office all books included in an enclosed list. This consisted of 69 titles of impious Hebrew books ‘containing errors, heresy, malediction, and impiety against the Holy Christian faith.’ The decrees were sent to the two public synagogues of Modena, where they were to be read from the pulpit to all the Jews present.
The Holy Office collected hundreds of volumes, many of which had been corrected twice already by other censors. But despite Tinti’s determination to house all the Jews’ books in San Domenico, the plan remained unrealistic. Two days later, on 8 June, Tinti was forced to annul the decree and ordered instead that only books that had been on the Roman Indexes at any time were to be brought to the Holy Office. The response of the *massari* was resilient and relentless. Michele Modena, Salomone Usiglio and Pellegrino Sanguinetti agreed to submit their books to a new correction as long as they were returned to them afterwards. The Inquisition agreed to these terms.

After the expurgation in 1637, the offence rarely surfaced in the Inquisitorial courtroom for the next thirty years. Yet these events confirmed a new Inquisitorial awareness of the Jews and their culture. Nor did it stop Jewish intellectual development and writing, which was actually intensified with a consciousness and exposure to the Christian world and its ideas. The trafficking of Hebrew books continued in and out of Modena, across the Italian peninsula, by way of France, the Low Countries, Germany and Holland, places which remained beyond the reach of the Catholic Index.

The Jews’ response

Finally we turn to the role of the Modenese Inquisition in Jewish life and show how its increasingly wide jurisdiction affected Jews in the early modern period. It is impossible, by looking only at the trials, to understand how Modenese Jewry perceived or reacted to the Holy Office. Jewish suspects and witnesses throughout hide any animosity they may have felt towards the Inquisition or their own emotions concerning an offence. The suspects’ concern was to behave in a way that might bring an end to their prosecution with limited damage as soon as possible.

At the same time, the trials indicate a certain confidence among the Jews, an ability to learn quickly how to defend themselves, a refusal to be subjected to and burdened by the tedious and expensive licences that the Inquisition demanded, and a belief that their legal rights would be observed. When the Solieran banker Davide Diena stood before Inquisitor Reghezza in 1625, he openly declared his dismay that Inquisitorial restrictions were detrimental not only to his Christian servants, but also to his own requirements:

I appealed at the time, when the injunction was made to your Reverence, since I was distressed that I, as a public figure in Soliera, and a banker had to prevent or stop any Christian who was seeking my services, let alone offering to perform services for me. I appealed to your Reverence to change the injunction so that I could obey the rulings of the Holy Office and also satisfy my needs.
Three Jews – Isaaco Sacerdote, Giuseppe Melli and Abraamo de Collaris – refused to appear in the Inquisitorial court on a Saturday, even though the Holy Office ordered them to do so against the canons. Others refused to sign their names during their interrogations carried out on the Sabbath. In the trial of Simone Sanguinetti of Spilamberto in 1635, the Jew failed to bring his son Alessandro for interrogation, arguing that he had already suffered sufficient incarceration in the ducal prisons and was no longer in the vicinity.

One may surmise that the Jewish community carefully monitored those Jews who were summoned before the Holy Office and on what charges. Certain wealthy Jews on occasion provided the necessary funds to pay fines imposed on individual Jews, and the establishment of the official position of massaro (lay leader) of the community in 1618 created a ruling oligarchy that demonstrated pioneering levels of leadership and responsibility over the larger community.

In 1624, when a group of middle-class Jewish women – Angela Carmini, Anna Livieni, Pellegrina Camerin, Marianna Modena and Smeralda Pontassi – as well as Salomone Bondi were tried for hiring Christian servants in breach of ecclesiastical regulations, the massari Pellegrino Sanguinetti and Elia Melachim Modena negotiated a compromise punishment of 15 scudi per family. They pleaded before Inquisitor Tinti:

The Jewish nation of Modena serves His Reverence with much humility. But it has been brought to our attention, that some of our nation have been indicted by your Reverence for employing Christian women in their homes, carrying out services that are not permitted … On behalf of those indicted, in the name of our Jewish nation, we beseech that you stop this investigation, in order that these Jews do not incur any damages for this error.

When Rabbi Isaaco Sacerdote was prosecuted in 1631 for using the herem (excommunication) in his synagogue in Finale, he argued with the support of the massari in Modena that the ban had the authority of the Duke but did not need the authority of the Inquisition. The charges against him were dropped.

How much the actions of these massari were influenced by the work of the Matthir Asurim (Liberi i prigionieri), a confraternity based in Rome which supported prisoners and paid their bail or fines to obtain their freedom, can only be suggested. In Modena, it seems that prominent Jews worked behind the scenes to raise money without establishing an official confraternity for such a task, perhaps to hide their anonymity from the Inquisitorial authority. This kind of assistance was in stark contrast to the kind of justice that the Holy Office was seeking to promote.

The Dukes and his counsellors were also known to have intervened on behalf of Jews during their trials. The Duke’s secretary, Giovan Battista Laderchi (d’Imola), was often accused of showing favouritism towards Jews. In 1617, Davide Diena, Samuel Sanguinetti, Moisè de Modena and Giuseppe Fiorentino
appealed to the Duke to assist them in a *processo* against Simone Sanguinetti, who was wrongfully accused by co-religionists of desecrating Christian images. Doctor Camillo Jahl da Correggio, a neophyte and corrector of Hebrew books, willingly agreed to act as the spokesperson for these lay leaders of the *Università* and appeared before the Inquisition after gaining the support of Laderchi. The Inquisition rapidly dropped the case. In 1620, Isaaco Sacerdote (the future rabbi of Finale), Giuseppe Melli and Abramo Collorni were accused of showing contempt of holy images being sold by a local vendor in a Finale piazza, in particular a drawing that depicted Jesus being crowned with a crown of thorns. The three Jews were quickly imprisoned and interrogated in Modena, but their sentence of a year’s imprisonment seems to have been commuted to a fine, due to the aid of ducal officials who accepted the plea of Isaaco’s father, Salomone.

Certain Jews may also have provided information and assistance to erect a barrier to repel the pressures, both psychological and physical, to which the Jews were exposed in an interrogation. After a few years there was a fair number of Jews who had experienced Inquisitorial trial procedure. Many were arrested and imprisoned more than once by the Inquisition. A level of understanding of the workings of the Holy Office was possible, and the trials suggest that the Jews were increasingly prepared for the kind of interrogations they faced. The community might certainly have got hold of an Inquisitorial manual, which demonstrated how the Inquisition interrogated suspects and directed their questions according to a specific pattern. Thirty years after his ordeal in 1598, Rabbi Yishmael Hanina wrote down his experiences of his torture by the Holy Office in Bologna. Although his ability to manipulate the Inquisitor is probably exaggerated, his knowledge of Inquisitorial procedure and the torture process is real:

> When the Inquisitor interrogated me about this, he brought me to a place where royal prisoners suffer rope torture. They bound my hands with cords and began to draw me with the rope. Then I said, ‘Let me down’, and the face of the Inquisitor grew bright, as he thought that I too wanted to confess. Once cut down, however, I refused to confess and stated that repeated torture would yield the same result. Should I break down and confess under torture, *I would at the first opportunity declare my confession invalid, because it had been gained under duress* [italics added]. The Inquisitor on hearing this, steamed with rage and anger burned within him. He reviled and cursed me bitterly and ordered his servants to cast me into a prison more evil and vile than the first, a cramped place with no room for one who is standing to stretch himself to his full height or for one who is sitting to stand. There I remained for three weeks, but he did not continue to interrogate me anymore.

Unfortunately, besides the writings of Rabbi Yishmael Hanina and the descriptions of the Inquisition’s prison in Rome by Benjamin Ben Elhanan of Civitanova – which provide us with a rich commentary on life in an Inquisitorial
prison, the number of rooms, the courtyards, the number of prisoners and the interaction between them, and the behaviour of the guards – no Jewish record of an Inquisitorial trial has as yet been discovered.\textsuperscript{155}

As noted above, the proceedings were not always veiled in secrecy.\textsuperscript{156} That a denunciation had been made to the Holy Office, or was about to be, was very often common knowledge within the Jewish community. Often Christians had threatened that they were denouncing Jewish enemies to the Inquisition, so the Jew would have a sense that he or she would be summoned and would be able to prepare for interrogations. By the time Cesare de Norsa was summoned to the Inquisition in April 1617 on an accusation that he had tried to dissuade his sister Laura from being baptized, it had already been two months since the trial had been opened, and many Christian witnesses had already been interrogated. Cesare had sufficient time to prepare himself and provided proof that he had removed his sister from his house not because he wanted to prevent her baptism, but because her assistance was needed by a sick cousin in Carpi.\textsuperscript{157} In general, we must treat with caution any assumption that the Holy Office seriously affected Jewish life. When Isaaco Sanguinetti was summoned before the Inquisitor in 1600 on a charge of possessing prohibited books, he testified: ‘we Jews are filled with fear when we hear the name of the Holy Office’,\textsuperscript{158} which probably reflects more his need to gratify the Holy Office than actual fact.

In the early seventeenth century, the ecclesiastical trial dossier of a Jew no longer attempted by the prosecutor to prove the Jew’s diabolical or stereotypical behaviour, as the Podestà Giovanni de Salis of Brescia had done in the Trent blood libel of 1475.\textsuperscript{159} Instead, the dossiers uncover a realism in the Inquisitor’s attitude towards the Jew and his offence, a tendency to discipline the Jew according to legal principles based on proof rather than religious discrimination. Perhaps at the same time, the tribunal’s regulation of Jewish life created a paradox. Anxious that Jews should remain separate from Christians and neophytes, it inadvertently helped to protect Jewish culture by urging them to dissociate themselves from Christian society and move away from an acculturation, knowledge and acceptance of Christianity.

Notes
1 As Bonfil has demonstrated, some Jews were able to arbitrate their own legal claims in certain states and not in others. See Robert Bonfil, \textit{Rabbis and Jewish Communities in Renaissance Italy} (London: Littman Library of Jewish Civilization, 1993), pp. 208–30.
PROCEDURE AND REACTION

Jewish History 7/2 (1993), 9–26, uncovered the only homicide trial of a Jew during the years 1619–39 in the records of this archive.

4 Del Col, L’Inquisizione, pp. 462 and 525.

5 See in particular the trials against Jews in Venice recorded in Ioly Zorattini’s Processi.


7 Jacobus Simancas, Enchiridion iudicum violatae religionis, ad extirpandas haereses, theoricen et praxim summa breuitate complectens, etc (Antwerp, 1573).


15 Unfortunately, since part of the archive is missing, there are some years for which trial proceedings have been lost. See Tedeschi, ‘The Dispersed Archives’, pp. 13–32. Ioly Zorattini’s Processi contain 114 trials. Of these, only 25 were of practising Jews who lived in the ghetto.


19 Pullan, Jews of Europe, p. 100.

20 Ibid., p. 86. The trial dossier was passed to the court of the lay governors of Verona who exiled two of the Jews and demanded monetary payments from another four Jewish offenders.

21 ASMoAME 14a. In the ducal edict of 1620, Grisa sopra gli ebrei, it was stated that that any offenders were answerable to the Giudici court (che gli inditi e prove siano arbitrarse de Giudici si nel procedure, e dar fine come nel condemnare).
THE INQUISITION AND DISCIPLINING JEWS

23 For a discussion of the general Inquisitorial edicts published by the Roman Inquisition, see del Col, *L’Inquisizione*, p. 765.
24 See the chronicle of Tommasino di Bianchi, known also as Lancelloti, *Cronaca Modenese*, 12 vols, *Monumenta di storia patria delle province modenese: Serie delle cronache* (Parma: Pietro Fiaccadori, 1862–84). Although particularly critical of the Jews’ presence in Modena, Lancellotti is able to provide ample information regarding the wealthy Jewish families, in particular their family events, such as births and deaths, which suggests sufficient contact between the two.
25 The edict was transcribed in the chronicle of Giovann Battista Spaccini, see Spaccini, *Cronaca*, pp. 382–7, 382–4.
26 Ibid.
29 Ibid.
30 Ibid., p. 9.
31 Ibid., pp. 14–15. He noted at the beginning ‘Even though Jews, idolators, the Mohammedans, are not subject ordinarily to the justice of the Holy Inquisition, in what are many cases nevertheless, expressed in the bulls of the Holy Popes, can be punished by the Holy Office.’
32 See Spaccini, *Cronaca*, pp. 382–7, p. 386. Here reprinted is the Modenese Inquisition’s edict of 1600 which was addressed to the faithful, heretics and infidels.
33 For a transcription and translation of *Cum nimis absurdum*, see Stow, *Catholic Thought*, pp. 291–8. De Susannis had also confirmed that because the Jews and their rites were tolerated, the Jews were allowed to maintain their old synagogues but were not allowed to erect new ones. This had been recorded in canon law. See Stow, *Catholic Thought*, 82 and P. Krueger and Th. Mommsen (eds), *Corpus Iuris Civilis*, 3 vols (Berolini: Apud Weidmannos, 1954), Book 1, Title 1.
34 See ASMofICH 245 f.54 and f.65.
35 See del Col, ‘I documenti’.
36 Occasionally a notary might chose to add the physical description of a suspect. See for example ASMofFIP 225 f.5 and f.6.
37 Trenti, *I Processi*, p. 22 n.47.
38 ASMofFIP 20, f.14 (9r–v). Leone Thodesci, a Jewish witness in this trial against Abraham de Sacerdote, signed his name in Hebrew.
39 Inquisitorial vicars were nominated by the Inquisitor, but the Congregation of the Holy Office had to confirm their appointment. See Tedeschi, * Prosecution of Heresy*, p. 130. See also Bethencourt, *L’Inquisizione*, pp. 69 and 146.
41 See Prosperi, ‘L’inquisitore come confessore’, p. 204. See also Romeo, *L’Inquisizione*, pp. 45–6. These delators had to be free of any pending judicial proceedings themselves.
43 ASMofFIP 29 f.19.
44 ASMofFIP 103 f.8.
45 Ibid.
46 See ASMofICH 247 (unnumbered) ‘Contra Rulizza, hebrea’, 1640. Here one sees the Christian delator Christoforo double-checking that his companion Signor Ippolito Magnari, whom he was to name as a witness, had observed exactly what he had seen. He reported in his denunciation, ‘I noticed that Signor Ippolito observed and saw the same as me’.
47 Spaccini, Cronaca, p. 385.
48 See in particular ASMoFICH 245 f.44, 1628. In this long *processo*, Leone Uslilio was accused of having sexual relations with a Christian prostitute, but no Jewish witness was called, on the assumption that the Jews would not be able to give trustworthy evidence. See also Stow, *Catholic Thought*, 109. See also Guido Kisch, 'The Jewry-Law of the Medieval German Law-Books. Part II: The Legal Status of the Jews', *Proceedings of the American Academy for Jewish Research*, 10 (1940), 99–184, 130. Kisch argues that it is unclear whether, in medieval times, Jews were excluded from being witnesses in trials against Christians. It only seems clear then that Jews were accepted as recognized witnesses in trials against Jews.
49 See ASMoFI Miscellanea 1620–40, busta 295. Here in two small manuals on the activity of the Inquisition, produced by local Inquiritors in the eighteenth century, it is noted in *Modo et Grid che osservare il R. padre Inquisitore nell’esercitare il suo Officio nella città di Modona*, that when the Father Inquisitor needs to call on the service of the *sbirri* he does not need a special licence from the Duke. The Inquisitor may choose another officer and need not tell the Duke, because in activities which demand the use and service of officers, the Inquisitor has already been authorized by the Duke, since when he first took up office the Inquisitor had presented himself to him and sought aid, favour and force to enable him to do his duty, in a proper manner.
50 The Papal bull *Liset ab initio* is transcribed by Canosa in *Storia*, vol. I, pp. 151–3. At the end of clause three, it states that confiscation of the property of Christian heretics did not occur until the suspect was found guilty. At that point the Inquisition can ‘seize the possessions of those condemned by justice to the ultimate punishment’. On confiscations in Sicily, see Zehles, *Former Jews*, pp. 162 and 193. The seizure of property occurred at the same time as the arrest of a suspect by the Spanish Inquisition.
51 See ASMoFICH 245 f.44. In this *processo* against Leone Uslilio and Paris Bellintano in 1628, a doctor was summoned by the Inquisition on 9 August 1628 and testified that Bellintano was too sick to be kept in prison.
52 The Inquisition’s *Libri di Spesa* in ASMoFI buste 282 and 283 do not clearly specify this, nor does ASMoFI Miscellanea 1620–40, busta 295, *Inventari*, sec. XVII.
54 In most of the trials, Jewish suspects were ordered to take an oath on the Hebrew Bible. Occasionally they were made to swear upon the Psalms of David. See ASMoFIP 62 f.10, and ASMoFICH 245 f.52.
55 See the trial of Moise de Modena in 1625. The Christian delator and his witnesses were given false names. ASMoFIP 77 f.4.
56 See Isaiah Sonne, *From Paul IV to Pius V*, pp. 71–6. Benjamin Ben Elnatan was falsely accused in 1558 of trying to convert a Franciscan friar, and kept in the Roman Inquisitorial prison for a period of thirty days. Elnatan gives a full report and indicates that prisoners had ample opportunities to discuss their cases. See also ASMoFICH 245 f.44, 1628. Here Paris Bellintano di Carpi admitted that, when in gaol, he had the opportunity to hear of other prisoners whom he knew. For an indication of what sort of conditions existed in Venetian Inquisitorial prisons see Pullan, *Jews of Europe*, pp. 135–8. For Rome, see Piero Barrera (ed.), *Una Fuga dalle Prigioni del Sant’Uffizio* 1693 (Verona: Mondadori, 1934).
57 See ASMoFI Miscellanea 1620–40, busta 295. See the eighteenth-century manual ‘*Modo et ordine che osservia il R. Padri Inquisitori nell’esercitare il suo Officio nella città di Modena’.*
58 See ASMoFICH 245 f.44.
59 In the early seventeenth century these men included Don Angelo Maria Rubini, provost of the Cathedral; Brother Serafino da Cagli, prior of San Domenico; Brother Raffaele, theologian of the Observant Minorites; Brother Pompilio da Bologna, lecturer of the Eremites; Don Fabrizio Manzoli, theologian of the Cathedral; and two laymen, doctors of law (*eccellenti dottori*), Ludovico Cattaneo and Annibale Spaccini (not the author of the *Cronaca*).
60 ASMoFIP 25 f.6 (58r–v).
61 ASMoFIP 77 f.14, 24 March 1625, ‘*Contra Moysen de Mut. Heb.*’ (5–7r–v). Also see Grayzel, *The Church and the Jews*, vol. II, doc. 75. In the bull *Exhibita pro parte* of 1299, Pope Boniface
VIII wrote that, in Inquisitorial trials, Jews were to know their accusers, since Jews were not considered ‘powerful persons’. Hence, it is interesting that this rule was ignored.


64 Peters, *Torture*.


66 See Canosa, *Storia*, vol. I. The definition of able-bodied should be disputed, since Canosa points out that in the trial of Pellegrino Formiggine, in 1717, the Jew’s arm was so infirm that the corda could not be used and some form of fire torture was used instead.

67 This is according to the inventory of offenders in Trenti, *I Processi*.

68 Tellingly, in the proceedings of Leone Usilio, accused of having sexual relations with a Jewish prostitute, which one would assume would be considered one of the most serious offences, he was not tried or tortured by the Inquisition. See ASMoFICH 245 f.44, 1628. Ezechiele Finzi, who was accused of the less serious offence of blasphemy, was tortured during his trial. See ASMoFIP 38 f.16.


70 See Peters, *Torture*, pp. 70–1. Edwards argues that in general during this period the application of torture depended on the character of the judge and to what extent he advocated torture as a worthwhile and beneficial procedure.


74 See the rope torture of Ezechiele Finzi, an eighteen-year-old, in ASMoFIP 36 f.2. On torture see Black, *Italian Inquisition*, p. 83.

75 ASMoFIP 20 f.14.


77 John Tedeschi does make some suggestions as to why this was the case. See ‘The Organization and Procedures’, p. 195.

78 See ASMoFi 251 *Modena Lettere della Sacra Congregazione di Roma*.


83 Grendler, *Roman Inquisition*, p. 56, also confirms that the most frequent punishments meted out by the Inquisition were public humiliation and salutary penances.

84 Christopher Black notes that the execution rate of offenders in Italy was between 1.6% and 2.4%. See Black, *Italian Inquisition*, p. 136. The punishment of galley service was a compromise which relieved the Inquisition in Italy of imposing sentences of death and mutilation on both Christians and, very occasionally, Jews. The punishment was authorized by the Congregation in Rome for sexual union between Christians and Jews in 1567, and ten years’ galley service became the standard punishment for Jews who slept with Christian prostitutes. See Nicholas Davidson, ‘The Inquisition and the Italian Jews’, in Stephen Haliczer (ed.), *Inquisition and..."

81 Black, Italian Inquisition, p. 91.

82 On the imprisonment of Jews, and the use of the prison as a form of punishment, see Stow, ‘Castigo’, p. 179. Stow confirms that in Rome poor Jews who could not pay debts were also imprisoned.

83 See ASMoFIP 19 f.14. Processo against Giulia Dotti, Salvatore Formiggini, Jacobo Calabri, Angelo Stramazor and Emanuele Maroni. As punishment for blasphemy, Jacobo Calabri was ordered to stand outside San Domenico on the next Sunday, during the time that mass was being said, with his hands tied behind his back, and ‘…con una candela accesa in mani e con una scrittura al petto, che dica il tuo errore’.

84 Del Col, L’Inquisizione, p. 767.

85 Black, Italian Inquisition, p. 91.

86 On the imprisonment of Jews, and the use of the prison as a form of punishment, see Stow, ‘Castigo’, p. 179. Stow confirms that in Rome poor Jews who could not pay debts were also imprisoned.

87 See ASMOfI 251 Modena: Lettere della Sacra Congregazione di Roma.

88 Ibid.


90 ASMoFICH 245 f.50.

91 See del Col, L’Inquisizione, p. 467 and Vincenzo Lavenia, ‘Gli ebrei e il fisco dell’Inquisizione. Tributi, espropri e multe tra ‘500 e ‘600’, in Galasso, Inquisizioni cristiane, pp. 323–56. See also ASMoFI 283. This document, entitled Condenanze e commutazioni pecuniarie fatte nel S. Office di Modena dall’anno 1600, decreto sino al l’anno 1604, maggio, lists the date, offence and the fine the Jews faced, and gives some indication of the sum the Inquisition collected from the Jews. According to Biondi, ‘Gli Ebrei e l’Inquisizione’, 278, the Jews contributed 4,408 lire out of the 9,200 needed for the building.

92 ASMoFIP 21 f.8.


94 I argue this despite the fact that John Tedeschi has consistently argued that punishments of offences committed by Christians issued by the Inquisition were not discretionary. See, for example, his Prosecution of Heresy, p. 153. Christopher Black, in his recent work on the Inquisition, confirms the theory that there was no unanimity on punishment. See his Italian Inquisition, p. 95.

95 Lerri, Breve informatione, p. 56: ‘that the Inquisitors, or vicars in the future, are not able to apply [that is to assign] pecuniary punishments in the Holy Office, or in other places, without first notifying the Sacred Congregation.’

96 See Mazur, ‘Negotiating with the Inquisition’, pp. 41–56, where he reiterates the fact that the Inquisition had an interest in keeping prisoners according to the standards of Catholic morality, and that separation of women and men was a priority.


98 On the confiscation of Jewish books, see Perani, ‘Confisca e Censura’. On the confiscation of heretical books see Grendler, Roman Inquisition, and Tedeschi, Prosecution of Heresy, Chapters 8–11.


101 Eymeric, Directorium Inquisitorum II. Pars Directorii, 187. The three areas attacked in Jewish
books were slander against Christianity, desire for destruction of the Christian world, and denial of the humanity of the nations of the world. Any term or passage that might be understood as harmful to Christianity had to be eliminated.

106 Grendler, Roman Inquisition, pp. 57–9, 64 and 142. Inquisitors in Venice visited bookshops and storerooms, seizing and then burning books and fining publishers and book-sellers. See also Kenneth R. Stow The Burning of the Talmud in 1553, in The Light of Sixteenth Century Catholic Attitudes Toward the Talmud, Bibliothèque d’humanisme et renaissance 34 (1972), 435–59.

107 See Kalak, Storia della chiesa, p. 34. See also Perani, ‘Confisca e Censura’, p. 298 and ASMoAME ‘Libri ebraici da espurgare’, busta 15, f.5. In 1624, when Inquisitors asked a fellow Inquisitor in Mantua about the success of their previous expurgations, they explained that despite the ruling that the Jews were to expurgate their books themselves, it was the local bishop who since 1595 had forced the Jews to bring all their books to the Inquisition to be checked from time to time. The bishop himself had set up a commission of reviewers, composed of three learned neophytes who oversaw the expurgation.


110 On the 1599 expurgation, see Perani ‘Confisca e Censura’, p. 291. On the 1621 expurgation, see ASMoAME ‘Libri ebraici da espurgare’, busta 15, f.4 and f.13.

111 Bonfil, Jewish Life, pp. 147–8.


113 ASMoFIP 69 f.8, 14 November 1622, Contra Hebreos Mut. for prohibited books. Tesu denounced books possessed by Leone Poggetti, rabbi of Modena and Aron Sacerdote. See also Francesconi, ‘Dangerous Readings’.

114 The list is found in ASMoFICH 247 f.25. Also Perani, ‘Confisca e Censura’, p. 307.

115 ASMoFIP 56 f.1 and f.2, Cause contro diversi, 15 May 1620 (These proceedings finished only at the end of the following year.) For other data on Camillo and Ciro da Correggio see William Popper, The Censorship of Hebrew Books (New York, 1899 [repr. New York: 1969]), index and Francesconi, Jewish Families, pp. 107–17. See also Francesconi, ‘Dangerous Readings’.


117 Ibid.


119 See ASMoFI Modena: Lettere della Sacra Congregazione di Roma 1609–21, busta 252, f.6, 1618–21 and ASMoFIP 56 f.2.

120 ASMoFICH 245 f.55.

121 The Index in Rome did not cease to demand that Jews expurgate their own prohibited works. See ASMoFI Modena: Lettere della Sacra Congregazione di Roma 1609–21, busta 252, letter from Cardinal Millino in Rome, 12 June 1610. In 1624, the Inquisitor General Reghezza issued an edict that again instructed the Jews to expurgate their own prohibited books. See ASMoFI busta 270, Editti e decreti dal 1550 to 1729, published in Canosa, Storia, vol. 1, p. 164.

122 ASMoFICH 244 f.6, Here, in a statement of Rabbi Natanael on 1 December 1600, he informed the Inquisition how he had corrected books by covering the blasphemous sections with black ink. Such Jewish correctors, although chosen by the Jewish community itself, were a result of the explicit orders of the Inquisition to appoint rabbis who could carry out expurgations. See Raz-Krakotzkin, The Censor, p. 90.

123 ASMoFICH 244 f.4.

124 Ibid.

125 Perani, ‘Confisca e Censura’, p. 293. In a letter of 19 January 1603, Inquisitor Calbetti asked the policy of the Holy Office at Rome. A letter of reply on 7 March noted ‘that he did not wish to be brought into correction and advised the Jews to keep the corrected and expurgated books and that investigations should proceed against those who disobeyed’. See also ASMoAME busta 15, f.17.
See ASMoFIP 26, f.6, 1605 and Perani, ‘Confisca e Censura’, pp. 294–5. See also ASMoFICH 244 f.6, trial in 1605 of Isaaco de Norsa, who was punished for holding prohibited books and ordered to stand holding the L’Abensira for an hour under the main entrance of the San Domenico church.

Ibid.

ASMoFICH 244 f.1.

Ibid.

ASMoFICH 245 f.55.


ASMoAME busta 15, f.4.

Ibid., f.13.

Perani, ‘Confisca e Censura’, p. 310 (contengano errori, herezie, maledicenza et empietà contro la Sacra Cristiana Fede).

ASMoFI Miscellanea 1620–40, busta 295, 6 and 12 December 1636; 28 January and 4 February 1637.

ASMoFICH 247 f.25. ‘Since most of the said books are not found in the list of those prohibited, although some need rigorous correction, the Inquisitor is advised that he should not worry the Jews too much about presentation and consignment of all the aforesaid books. For these and other reasons he has decided to annul, and has in fact annulled, the abovementioned edict, by removing every obligation to consign all the books and each and every penalty in the said edict against transgressions of it as if it had not been published at all. He intends to issue another edict requiring the surrender of those of the said books which have been expressly prohibited, as will be stated in the forthcoming edict.’

See Francesconi, ‘Dangerous Readings’.

See Chapter 3, page 90ff.

ASMoFIP 75 f.2 (20v).

See ASMoFICH 245, f.38. These three Jews argued that they were not willing to appear, and the Inquisitor made them promise under surety that they would appear the next day and not flee the city. The canons were clear about this: Jews were not to be summoned on the Sabbath. See Stow, Catholic Thought, 82.

See ASMoFICH 245 f.38, in particular the interrogations of Prospero Rava and Salvatore Modena.

See ASMoFICH 256 f.17.


Ibid., p. 121, and ASMoFIP 69 f.12.

Ibid., 17r–25v. See also Francesconi, Jewish Families, pp. 121–2.

See ASMoFIP 92 f.10.

In CAHJP, A.S.E. archivi per materie, Ebrei B4, Processi I–LXXXIII, 1600–1629, dated 21 March 1602, a letter addressed to the Ducale Camerale, which shows that the Jews Leone Fiorentini and his son Abramo paid 50 ducats to have Angelo Thodeschi released from the civil gaol. See also a document of the Ducale Camerale of 1622, where David de Modena, a banker of Nonantola, agrees to pay the fine of the Jew Camilla Bruna and her daughter Livia imposed by the duca tribunal. On the subject of Matthir Asurim see Attilio Milano, Storia degli ebrei in Italia (Turin: Einaudi, 1992), p. 504. See also the work of Francesconi, in Francesconi and Levi D’Ancona, Vita e Società ebraica, p. 14 for the description of Jewish confraternities established in Modena at this time.

See CAHJP, A.S.E. archivi per materie, Ebrei B4, Processi I–LXXXIII, 1600–1629, dated 21 March 1602, a letter addressed to the Ducale Camerale, which shows that the Jews Leone Fiorentini and his son Abramo paid 50 ducats to have Angelo Thodeschi released from the civil gaol. See also a document of the Ducale Camerale of 1622, where David de Modena, a banker of Nonantola, agrees to pay the fine of the Jew Camilla Bruna and her daughter Livia imposed by the duca tribunal. On the subject of Matthir Asurim see Attilio Milano, Storia degli ebrei in Italia (Turin: Einaudi, 1992), p. 504. See also the work of Francesconi, in Francesconi and Levi D’Ancona, Vita e Società ebraica, p. 14 for the description of Jewish confraternities established in Modena at this time.

See Francesconi, Jewish Families, pp. 118–21.

Ibid., p. 117.

ASMoFICH 244 f.18.

ASMoFICH 244 f.29. See also Balboni, Gli Ebrei, pp. 55–6.

Jews who appeared more than once before the Inquisition include: Josef Arezzio in 1622 and 1623; Caliman Cantarini in 1744 and 1745; Davide Diema in 1622 and 1623; Pellegrino
Donati in 1705 and 1733; Isaaco Finzi in 1720 and 1747; Pelligrino Formiggini in 1639 and 1641; Elia Levi in 1638 and 1639; Abramo Maciucchu in 1662 and 1663; Isaaco Modena in 1750 and 1756; Girolamo Moretti in 1678 and 1680; Abramo Sacerdote in 1600 and 1602; Giacobbe Sanguinetti twice in 1746; Isaaco Sanguinetti in 1608 and twice in 1625; Lazzaro Sanguinetti in 1641 and again in 1696; Salomone Sanguinetti in 1701, 1702 and 1705; Samuele Sanguinetti in 1615 and 1623; Simone Sanguinetti in 1624, 1627 and 1629; Viviano Sanguinetti in 1600, 1602 and 1637; Leone Tesi twice in 1744; Israele Tigli twice in 1748.


See Ibid., p. 73. Benjamin Ben Elnatan describes how prisoners were allowed to talk to each other, sharing their concerns and fears every evening in the prison of the Roman Inquisition.

ASMoFICH 244 f.1.

ASMoFICH 244 f.1, ‘Processo ad Isaaco Sanguinetti ed altri, costituto del 21 Aprile 1600’. Generally in Italy complaints that the Inquisition was feared were as common as charges that it was ineffective. See Prosperi, Tribunali, p. 90.