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Zumárraga and the Mexican Inquisition 1536-1543

Richard Edward Greenleaf

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DATE

NAME AND ADDRESS

ZUMÁRRAGA AND THE MEXICAN INQUISITION

1536-1543

by

Richard Edward Greenleaf

A Dissertation

presented in partial fulfillment
of the Requirements for the Degree of
Doctor of Philosophy

The University of New Mexico

1957

SONORADA AND THE MEXICAN REVOLUTION

1936-1937

by

Richard Howard Greenleaf

A Dissertation

presented in partial fulfillment

of the requirements for the degree of

Doctor of Philosophy

The University of New Mexico

1937

This dissertation, directed and approved by the candidate's committee, has been accepted by the Graduate Committee of the University of New Mexico in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

E. Casteller
DEAN

may 28, 1957
DATE

Committee

Paul V. Scholer
CHAIRMAN

John E. Longhurst
Ignacio J. Jarama

This dissertation, directed and approved by the candidate's committee, has been accepted by the Graduate Committee of the University of New Mexico in partial fulfillment of the requirements for the degree of

DOCTOR OF PHILOSOPHY

[Signature]
NAME

May 28, 1957
DATE

Committee

George V. H. H. H.
CHAIRMAN

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DEDICATION

This dissertation is dedicated to my parents,
Frank Oliver Greenleaf and Grace Poindexter Greenleaf,
with love and appreciation.

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DEDICATION

This dissertation is dedicated to my parents,
Frank Oliver Greenleaf and Grace Louise Greenleaf,
with love and appreciation.

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ACKNOWLEDGEMENTS

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Miss Eleanor B. Adams, Research Associate in the Department of History at the University of New Mexico, gave me her kind encouragement and professional advice both in Mexico City and in Albuquerque during the research on this thesis. I am indebted to John E. Longhurst for his services to me as a member of my dissertation committee and his friendly assistance in all matters pertaining to my doctoral training. Appreciation to Miguel Jorrín for his careful editing of my Spanish is gratefully acknowledged.

My greatest debt is to the chairman of my doctoral committee, France V. Scholes, who has sharpened my perceptions and deepened my knowledge of Mexican history in countless ways. His scholarly attainments and his personal

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 Decano de los Investigadores."

PARTIAL LIST OF ABBREVIATIONS
AND SHORTENED TITLES

- AGM Archivo General de la Nación, Mexico City
- DII Colección de Documentos Inéditos Relativos al Descubrimiento, Conquista y Organización de las Antiguas Posesiones de América y Oceanía, 42 vols., Madrid, 1864-1895.
- Cuevas, Historia de la Iglesia: Mariano Cuevas, Historia de la Iglesia en México, 4 vols., México, 1921.
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- Medina, La Inquisición Primitiva: José Toribio Medina, La Primitiva Inquisición Americana, 2 vols., Santiago de Chile, 1914.

PARTIAL LIST OF BOOKS
AND SHORTER LITERATURE

- AGM Archivo General de la Nación, Mexico City.
- DII Colección de documentos inéditos del Virreinato de Nueva España, 1763-1808. Vol. 1. Mexico, 1909.
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INTRODUCTION

I. Statement of the Problem

The purpose of this dissertation is to investigate the inquisitorial activities of Don Fray Juan de Zumárraga, first Bishop and Archbishop of Mexico, 1528-1548. Zumárraga served as Apostolic Inquisitor in the Bishopric of Mexico from 1536 to 1543, when he was superseded in that office by the Visitor General, Licenciado Francisco Tello de Sandoval, largely because he had relaxed Don Carlos, the Cacique of Texcoco, to the secular arm for burning, an act regarded as rash by the authorities in Spain.

Throughout this essay an attempt is made to relate the Inquisition to the political and intellectual life of early sixteenth-century Mexico. Zumárraga is pictured as the defender of orthodoxy and the stabilizer of the spiritual conquest in Mexico. The relationship of the individual and of society collectively with the Holy Office of the Inquisition is stressed.

II. Methodology

With the exception of background materials, this study is based entirely upon primary sources, trial records

which for the most part have lain unstudied since the sixteenth century. Some ten months of day to day research in the Ramo de la Inquisición of the Archivo General de la Nación in Mexico City were consumed in ferreting out these materials. Subsidiary investigations in other sections of the AGM were made in order to place Inquisition materials in their proper perspective.

Secondary materials of two types were used. First, the Mexican Inquisition studies of Don José Toribio Medina and Don Joaquín García Icazbalceta were examined very carefully and their conclusions were checked with actual archival materials. To some extent this author has disagreed with the two Masters and has offered corrections and revisions. Other secondary materials dealing with archaeology, ethnology, Mexican history, and Christian and non-Christian theology were consulted.

Although some preconceived ideas are impossible to avoid, the author of this study has attempted to be scrupulously objective. He has not been polemical. For each interpretation offered there are documentary sources.

The initial chapters of the work that follows are introductory. Chapter I is a pioneer history of the episcopal Inquisition in Mexico from 1522 to 1571. Zumárraga's inquisitorial ministry is placed in its proper perspective. Inquisitorial procedures are examined. Medina and Icazbal-

which for the most part have not been included since the sixteenth century. Some ten months of day to day research in the name of the Institute of the Archivo General de la Nación in Mexico City were consumed in ferreting out these materials. Substantive investigations in other sections of the AGN were made in order to place Inquisition materials in their proper perspective.

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Although some preliminary ideas are indispensable to avoid the danger of the study being attempted to be purely objective, it has not been polemical. For each interpretation offered there are documentary sources. The initial chapters of the work that follows are introductory. Chapter I is a general history of the Inquisition in Mexico from 1527 to 1571. Chapter II is a general history of the Inquisition in Mexico from 1571 to 1597. Chapter III is a general history of the Inquisition in Mexico from 1597 to 1600. Chapter IV is a general history of the Inquisition in Mexico from 1600 to 1609. Chapter V is a general history of the Inquisition in Mexico from 1609 to 1618. Chapter VI is a general history of the Inquisition in Mexico from 1618 to 1627. Chapter VII is a general history of the Inquisition in Mexico from 1627 to 1636. Chapter VIII is a general history of the Inquisition in Mexico from 1636 to 1645. Chapter IX is a general history of the Inquisition in Mexico from 1645 to 1654. Chapter X is a general history of the Inquisition in Mexico from 1654 to 1663. Chapter XI is a general history of the Inquisition in Mexico from 1663 to 1672. Chapter XII is a general history of the Inquisition in Mexico from 1672 to 1681. Chapter XIII is a general history of the Inquisition in Mexico from 1681 to 1690. Chapter XIV is a general history of the Inquisition in Mexico from 1690 to 1699. Chapter XV is a general history of the Inquisition in Mexico from 1699 to 1708. Chapter XVI is a general history of the Inquisition in Mexico from 1708 to 1717. Chapter XVII is a general history of the Inquisition in Mexico from 1717 to 1726. Chapter XVIII is a general history of the Inquisition in Mexico from 1726 to 1735. Chapter XIX is a general history of the Inquisition in Mexico from 1735 to 1744. Chapter XX is a general history of the Inquisition in Mexico from 1744 to 1753. Chapter XXI is a general history of the Inquisition in Mexico from 1753 to 1762. Chapter XXII is a general history of the Inquisition in Mexico from 1762 to 1771. Chapter XXIII is a general history of the Inquisition in Mexico from 1771 to 1780. Chapter XXIV is a general history of the Inquisition in Mexico from 1780 to 1789. Chapter XXV is a general history of the Inquisition in Mexico from 1789 to 1798. Chapter XXVI is a general history of the Inquisition in Mexico from 1798 to 1807. Chapter XXVII is a general history of the Inquisition in Mexico from 1807 to 1816. Chapter XXVIII is a general history of the Inquisition in Mexico from 1816 to 1825. Chapter XXIX is a general history of the Inquisition in Mexico from 1825 to 1834. Chapter XXX is a general history of the Inquisition in Mexico from 1834 to 1843. Chapter XXXI is a general history of the Inquisition in Mexico from 1843 to 1852. Chapter XXXII is a general history of the Inquisition in Mexico from 1852 to 1861. Chapter XXXIII is a general history of the Inquisition in Mexico from 1861 to 1870. Chapter XXXIV is a general history of the Inquisition in Mexico from 1870 to 1879. Chapter XXXV is a general history of the Inquisition in Mexico from 1879 to 1888. Chapter XXXVI is a general history of the Inquisition in Mexico from 1888 to 1897. Chapter XXXVII is a general history of the Inquisition in Mexico from 1897 to 1906. Chapter XXXVIII is a general history of the Inquisition in Mexico from 1906 to 1915. Chapter XXXIX is a general history of the Inquisition in Mexico from 1915 to 1924. Chapter XL is a general history of the Inquisition in Mexico from 1924 to 1933. Chapter XLI is a general history of the Inquisition in Mexico from 1933 to 1942. Chapter XLII is a general history of the Inquisition in Mexico from 1942 to 1951. Chapter XLIII is a general history of the Inquisition in Mexico from 1951 to 1960. Chapter XLIV is a general history of the Inquisition in Mexico from 1960 to 1969. Chapter XLV is a general history of the Inquisition in Mexico from 1969 to 1978. Chapter XLVI is a general history of the Inquisition in Mexico from 1978 to 1987. Chapter XLVII is a general history of the Inquisition in Mexico from 1987 to 1996. Chapter XLVIII is a general history of the Inquisition in Mexico from 1996 to 2005. Chapter XLIX is a general history of the Inquisition in Mexico from 2005 to 2014. Chapter L is a general history of the Inquisition in Mexico from 2014 to 2023.

ceta are cited with frequency, but within the interpretations arrived at by the author's own researches.

Chapter II investigates Renaissance utopianism in conquest Mexico and the intellectual fiber of Zumárraga the Inquisitor. Chapters III and IV deal with the Indians and the Inquisition and exemplify the conflict between the tenets of humanism and established orthodoxy. Chapter V is a treatment of Zumárraga's dealings with the Lutherans and other heretics, while Chapter VI narrates his campaign against the Jews.

The Holy Office's preoccupation with blasphemy and the morality of the colonists is analyzed in Chapter VII. Sorcery and superstition are the concern of Chapter VIII. The concluding chapter investigates Zumárraga's special jurisdictions as Inquisitor. Conclusions on Zumárraga and the Mexican Inquisition and a bibliography follow Chapter IX.

The dictates of the Hispanic American Historical Review have been followed in matters of style and form.

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CHAPTER I

THE FUNCTIONING OF THE HOLY OFFICE OF THE INQUISITION IN MEXICO FROM 1522 TO 1571

I. The European Background

The purpose of the Inquisition was to preserve the supremacy of the Roman Catholic Faith and dogma against individuals who held heretical views or were guilty of actions showing lack of respect for religious principles. The term Inquisition usually implied a special ecclesiastical institution which combated and disciplined those who sought to undermine the Faith.¹

Although the practice of punishing heretics had existed from antiquity, the Inquisition as an institution was founded in the third decade of the thirteenth century. Prior to that time the bishops had jurisdiction over faith and morals in their dioceses, and civil authorities also tried cases of heresy and immorality.

The thirteenth century brought to a culmination

¹ Joseph Blotzer, "The Inquisition," The Catholic Encyclopedia (New York, 1910), VIII, 26.

CHAPTER I

THE EVOLUTION OF THE AMERICAN
INDUSTRY IN THE LAST FIFTY YEARS

I. The American Industry

The purpose of this chapter is to preserve the
memory of the American industry and to show the
influence of the American industry on the world.
The first industry in the world was the
textile industry. It was the first industry
to be organized on a large scale. It was the
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It was the first industry to be organized on a large scale.

Although the industry of the American
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world, it was the first industry in the
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to be organized on a large scale. It was the
first industry in the world to be organized on a large scale.

Joseph B. Moore, "The American Industry"
Evolutionary (New York, 1910), p. 11.

the wide revival of the ancient Manichean doctrine that had begun to menace the Christian monolithic structure. To meet this challenge Pope Gregory IX founded a monastic Inquisition in 1231. The Pope utilized many of the imperial decrees of Emperor Frederick II in establishing his institution, and he appointed friars from the Dominican and Franciscan Orders as the first inquisitors.²

Although Inquisitions were established in Spain in the thirteenth and fourteenth centuries, the institution had little significance there in medieval times. The Spanish Inquisition really began with the reign of the Catholic Kings. Indeed, it might properly be regarded as the final stage of the Christian reconquest, for as the military reconquest came to an end in the last half of the fifteenth century, it became evident that a political and spiritual reconquest was needed if there were to be a homogeneous Spain. With the marriage of Isabella of Castilla to Ferdinand of Aragon (1474) the drive was on for a unity of policy, the suppression of an unruly nobility, and a religious orthodoxy which the Catholic Kings felt was basic

² The definitive study on the medieval Inquisition is Henry C. Lea, The Inquisition of the Middle Ages (3 vols., London, 1909). Also of merit is E. Vacandard, The Inquisition. A Critical and Historical Study of the Coercive Power of the Church (New York, 1926).

the wide revival of the movement, however, began to
had begun to take place in the early part of the century.
to meet this challenge, the movement had to be re-
inspiration in fact. The movement had to be re-
directed of its original purpose, and it was the
motion, and as a result, the movement was re-
directed from its original purpose.

in the first part of the century, the movement
had little to do with the original purpose.
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for a strong national state.³ The Spanish Inquisition was founded to cope with two elements of the population, the Marranos, or converted Jews, and the Moriscos, or converted Moors. Both of these groups committed heresy when they reverted to their old religious rites. The Spanish Inquisition also labored to expell those Jews and Moors who had refused to embrace the Roman Catholic faith.

On November 1, 1478, Pope Sixtus IV empowered Isabella to establish a national Inquisition in Spain,⁴ and on September 17, 1480, Dominican inquisitors began the work of extirpating heresy. The Spanish Inquisition was a national institution as opposed to a papal or episcopal one because in Spain and the New World there was a considerable measure of civil control of inquisitorial activities. State supervision of the Church was founded upon the Real Patronato Español in which particular patronage over certain areas of Church operations was granted by the papacy because of Spain's reconquest enterprises and the founding of new clerical establishments in the areas re-

³ The most scholarly work on the Spanish Inquisition is Henry C. Lea, A History of the Inquisition of Spain (4 vols., New York, 1908), hereinafter cited as Lea, The Spanish Inquisition. A shorter survey is A. S. Turberville, The Spanish Inquisition (New York, 1932).

⁴ Blotzer, op. cit., 36.

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is Henry G. Loe, A History of the Inquisition of Spain
(4 vols., New York, 1908), hereinafter cited as Loe. The
Spanish Inquisition, a shorter survey by A. E. Fisher,
Villie, The Spanish Inquisition (New York, 1903).

⁴ History of the Inquisition, pp. 115, 58.

conquered.⁵

The central official of the Spanish Inquisition was a Grand Inquisitor, later Inquisitor General, who was nominated by the Crown and confirmed by the Pope. He created provincial tribunals as he saw fit, named inquisitors, and recruited the staffs of the lesser courts.⁶ A special Castilian state council, the Consejo de la Suprema y General Inquisición, was created to assist the Inquisitor General in all matters of faith. There were ordinarily five councilors appointed by the Inquisitor General with royal approval. This supreme tribunal "could also freely appoint, transfer, remove from office, visit, and inspect or call to account all inquisitors and officials of the lower courts."⁷

All Spaniards and resident foreigners who were baptized Catholics were subject to the jurisdiction of the Inquisitor General and the Suprema or their delegated lower tribunals. In theory this jurisdiction included the king himself. The primary objective was unity of religion.

⁵ For a brief but excellent treatment of the Spanish Patronage, see J. Lloyd Mecham, Church and State in Latin America (Chapel Hill, 1934), 4-12. For the Real Patronato de las Indias, see Ibid., 12-44.

⁶ See Lea, The Spanish Inquisition, I, 145-223, for the structure and the functioning of the Spanish Holy Office.

⁷ Blotzer, op. cit., 37.

continued.

The central official of the Spanish Institution was a Grand Auditor, later designated General, who was nominated by the Crown and confirmed by the Pope. He created provincial tribunals as he saw fit, named judges, and presided over the trials of the lesser courts. Special Castilian state courts, the Corregidores de España, were created to assist the Institution General in all matters of law. There were originally five corregidores appointed by the Institution General with royal approval. This number was later increased to eight, and later to ten, to account for the increase in the number of the lower courts.

All Spaniards and resident foreigners who were baptized Catholics were subject to the jurisdiction of the Institution General and the laws or their delegated lower tribunals. In theory this jurisdiction included the king himself. The primary objective was unity of religion.

For a brief but excellent treatment of the Spanish Patronage, see J. Lloyd Morgan, Spain and State in Latin America (Cambridge, 1934), 4-15. For the Real Patronato see Spain, 13-14.

See also, The Spanish Institution, 1, 145-155, for the structure and the functioning of the Spanish Holy Office.

1. History, pp. 211, 212.

The Suprema became the principal means of dealing with all deviations from orthodoxy: heresy, blasphemy, bigamy, immorality, and eventually the censorship of all printed matter.

The Suprema with its centralized power enforced orthodoxy by rigorously disciplining individuals who by act or statement showed disrespect for the Church, its dogma, or its rites and ceremonies. Finally, it was the duty of the Suprema to keep all suspect persons out of the colonies by a minute examination of the backgrounds of all emigrants. A similar limpieza de sangre was required by the Suprema of all candidates for a major appointment by the Crown.

When the military reconquest was terminated by the fall of Granada in 1492, the Holy Office of the Inquisition in Spain was a stable and functioning entity ready to complete the spiritual reconquest. The demand for enforced orthodoxy led very soon to the expulsion of the Jews and Moors.⁸

⁸ The orthodox Jews were expelled in 1492. When Granada capitulated in 1492 many Moors were converted to Catholicism to escape the secular disabilities that were destined to be placed upon the infidel. The Moriscos continued to live peacefully in Granada as pseudo-Christians until the Holy Office moved against them in the early seventeenth century. On the expulsion and sufferings of the Jews, see Lea, The Spanish Inquisition, I, 81-143, and Nicolás López Martínez, Los Judaizantes Castellanos y la Inquisición en tiempo de Isabel la Católica (Burgos, 1954). Lea's The Moriscos of Spain: Their Conversion and Expulsion (London, 1901) is the definitive study of the Moriscos.

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The expulsion of the Jews and the trials of the Judaizantes⁹ were the high points of the fifteenth-century Spanish Inquisition.

The sixteenth century produced a fanaticism in religious affairs. Orthodoxy was gravely imperiled and drastic measures were used in Spain as elsewhere to eradicate the new doctrines of the Reformation. Heresy in itself was not the major problem; rather it was the suppression of heretics who were leading others into error. The line between heresy and treason became very vague, and since heretics robbed the community of its faith, sacraments and spiritual life, it was deemed just to execute them as traitors and fomentors of social revolution.

Although there were few Lutherans in the Iberian peninsula, it was Luther who was regarded by the Inquisition as the great enemy of Spanish society. Many liberal and reform-minded Catholics were branded as Lutherans, and the Spanish mystics and Erasmists, who were on the fringes of orthodoxy, were suppressed.

Furthermore, the Spanish Church of the sixteenth century undertook to supervise very closely all phases of individual Catholic life, especially morals, because it was felt that minor deviations from orthodox moral conduct

⁹ The term applied to Jewish pseudo-converts to Catholicism who were discovered practicing and teaching the old religion.

created a climate in which major heresy might thrive.

It was this background to which the Mexican Inquisition owed its origin.

II. The First Decade of the Mexican Inquisition: 1522-1532

Spain's claim to territorial dominium in the New World was based upon the bull Inter caetera issued by Pope Alexander VI on May 4, 1493.¹⁰ The bull in effect divided the Americas between Spain and Portugal but had as its primary aim the propagation of the Faith in the newly discovered lands. By their acceptance of the papal decree the Catholic Kings assumed the arduous role of missionary to the Indian and defender of orthodoxy in the vast new realms. The empire clergy were charged to take special care in causes of faith as well as to set a good example for Indians and Christians alike, and should they find heretics, to prosecute them.

We have no available data on the first three decades of the Inquisition in the Indies, but contemporary records lead one to believe that until 1519 inquisitorial acti-

¹⁰ Francisco J. Hernández, Colección de Bulas, Breves, y Otros Documentos Relativos a la Iglesia de América y Filipinas (2 vols., Brussels, 1879), I, 12-14.

created a climate in which native rights were
It was this factor which led to the Mexican
action and the origin.

II. The Impact of the Mexican Revolution
1910-1913

Spain's claim to territorial dominion in the New
World was based upon the discovery claimed by Pope
Alexander VI on May 4, 1493. The bull in effect divided
the Americas between Spain and Portugal but left the
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covered lands. At their acceptance of the papal decision
the Catholic Kings assumed the primary role of missionary
to the Indian and defender of Christianity in the west and
realm. The empire clergy were charged to take special
care in cases of faith as well as to set a good example
for Indians and Christians alike, and should they find neces-
sary, to preserve them.

We have no available data on the first three decades
of the revolution in the Indies, but contemporary records
lead one to believe that until 1910 industrial activity

10 Francisco J. Navarro, El ascenso de la clase media, Mexico,
y otros documentos relativos a la historia de Mexico.
El ascenso de la clase media, Mexico, 1910, I, 12-13.

vities had little or no significance.¹¹ There was no organized Inquisition because there were no judges to exercise inquisitorial powers as ecclesiastical judges ordinary, and as Medina has pointed out, there is a confusion as to the chronology on the installation of the first bishops.¹²

Since the episcopal Inquisition had ceased to exist in sixteenth-century Spain, and no Tribunal of the Holy Office had been set up in the New World, it was deemed necessary again to make use of bishops in coping with heresy in the Indies. On July 22, 1517, Cardinal Ximénez de Cisneros, Inquisitor General of Spain, expressly delegated inquisitorial powers to all bishops of the Indies to deal with European Catholics guilty of misconduct, especially converted Jews and Moors.¹³ Two years later, on January 7, 1519, the incumbent Inquisitor General, Alonso Manrique, delegated direct authority to the Bishop of Puerto Rico, Alonso Manso, and to the Vice-Provincial of the Dominican Order in the Indies, Fray

¹¹ José T. Medina, La Primitiva Inquisición Americana 1493-1569 (2 vols., Santiago de Chile, 1914), I, 83-87. Hereinafter cited as Medina, Inquisición Primitiva.

¹² Ibid., I, 73 et passim.; Clarence Haring, The Spanish Empire in America (New York, 1947), 182-185, gives a brief history of the first bishoprics based upon recent research.

¹³ This document is printed in Medina, op. cit., II, 69-70.

Pedro de Córdoba, to establish inquisitions.¹⁴

Both Manso and Pedro de Córdoba had been in the Indies for perhaps a decade prior to receiving the delegation of inquisitorial powers from Spain. If they exercised such powers previously, we have no records to indicate that such was the case.¹⁵ Icazbalceta indicates that Pedro de Córdoba held the office of Commissary of the Holy Office until his death in 1525,¹⁶ a statement which is substantiated by Medina who places the date of Córdoba's death as June 30, 1525, but who admits that the date is

¹⁴ Medina, Inquisición Primitiva, I, 76: "... Don Alonso Manrique, Cardenal de Tortosa, inquisidor general, en 7 de enero de 1519, designó a Manso, conjuntamente simul et in solidum con Fray Pedro de Córdoba, vice-provincial de la Orden de Santo Domingo de las Indias, por inquisidores apostólicos en todas las ciudades, villas y lugares de ellas é islas del Mar Oceano, dándoles, á la vez, facultad para nombrar notario, alguacil, fiscal, y los otros oficiales que fuesen necesarios." The entire text is printed in Ibid., II, 5-6. Charles V confirmed this delegation on May 20, 1519.

¹⁵ Pedro de Córdoba arrived in Santo Domingo in September of 1510 to found the Dominican Order in America. Conway indicates that due to his fervent preaching on behalf of the natives, the conquistadores grew angry with him, and he returned to Spain to lay the matter before his provincial. G. R. G. Conway, "Hernando Alonso, a Jewish Conquistador with Cortes in Mexico," Publications of the American Jewish Historical Society, XXI (1928), 16. There is some question as to when he began to use his power because we do not know full details on his travels to Spain or when he returned to Santo Domingo. Medina, op. cit., I, 95-97. Manso had similar altercations with the Spaniards over encomiendas and personal tithes. He returned to Spain, later to return to Puerto Rico as inquisitor. Ibid., 73.

¹⁶ Joaquín García Icazbalceta, Bibliografía Mexicana del Siglo XVI (México, 1954), 451.

open to disagreement.¹⁷

There is no doubt that the first clergy who came to Mexico with Cortés carried with them inquisitorial

The first trial of the Mexican Inquisition dates from 1522, a trial of an Indian, Marcos of Acolhuacán, for the crime of concubinage.¹⁸ Additional evidence that a general Inquisition operated in Mexico is to be found in the edicts issued in 1523. The first of these was directed against heretics and Jews, but the second was so comprehensive that it was aimed at every person who in word or deed did things that seemed sinful.¹⁹

The first friar with specific inquisitorial powers in Mexico was the Franciscan, Martín de Valencia.²⁰ How he assumed the office of Commissary of the Holy Office is not clear. With the death of the Dominican prelate in Santo Domingo in September of 1525, the history of inquisi-

¹⁷ Medina, op. cit., I, 97.

¹⁸ The proceso has disappeared from the Archivo General de la Nación, Ramo de Inquisición, Tomo I, expediente 1. It is listed in the Catálogo de Inquisición, Tomo I, página 1.

¹⁹ Unfortunately these two edicts have disappeared from the AGN but the Catálogo de Inquisición, Tomo I, página 1, yields the following data: "1523: Primer Edicto contra herejes y judíos - Falta en el Tomo con huellas de haber sido cortado - México, No. 2; 1523: Segundo Edicto publicado en México contra toda persona que de obra o palabra hiciere cosas que parezcan pecado - Falta en el Tomo con huellas de haber sido cortado - México, No. 3."

²⁰ Medina, op. cit., I, 104 ff.

torial authority became very obscure.

After the magnitude of the mainland conquest became evident to the conquerors themselves and to the Crown, a necessity arose for a vast army of clergy to carry on the spiritual conquest. Cortés felt that this undertaking should be given to the regular clergy. He asked the King in his carta de relación of October 15, 1524, not to send bishops to New Spain because of their tendency to pomp, formalism and materialism. Rather, he asked that large numbers of friars be sent with extraordinary powers.²¹

The Franciscan Order had anticipated this request of the Conqueror by several years. There was a shortage of secular clergy, making it necessary for the monastic orders to bear the burden of conquest enterprises all over the world. In view of the fact that regular clergy normally did not enjoy full privileges in administering the sacramental rites of the Church, the Franciscans appealed to the Pope for extraordinary powers. Pope Leo X on April 10, 1521, issued a bull in which he granted to the Order the right to perform as secular clergy in areas where there were no priests or bishops.²² His successor, Adrian VI,

²¹ Cited by Medina, op. cit., I, 129-130.

²² The bull is reproduced by Medina, op. cit., II, 74-79.

by the bull known as Omnimoda of May 9, 1522, extended these privileges to all of the Orders. This bull authorized prelates of the Orders in areas where there was no resident bishop or where he was two days distant to exercise almost all episcopal powers except ordination.²³

Friar Martín de Valencia and his twelve Franciscans arrived in Mexico May 15, 1524,²⁴ and he exercised the office of Commissary of the Holy Office of the Inquisition. The origin and termination of Valencia's authority has caused some controversy among Mexican historians of the conquest period. Both Icazbalceta and Medina, using Remesal²⁵ as their source, contend that while he still lived Pedro de Córdoba delegated his power as Commissary to Martín de Valencia when the latter passed through Santo Domingo on his way to Mexico, but that the Córdoba delegation stipulated that Valencia should hold the office only until there should be a Dominican prelate in Mexico.²⁶ The Remesal thesis

²³ Medina, op. cit., Document XXI, part 6, 83-92; Hernández, op. cit., I, 382 ff. Spanish canon lawyers of the 1560's upheld the interpretation that the bull Omnimoda gave Order prelates the right to establish Inquisitions. See France V. Scholes and Ralph L. Roys, "Fray Diego de Landa and the Problem of Idolatry in Yucatan," Cooperation in Research (Washington, 1938), 585-620.

²⁴ Medina, op. cit., I, 104.

²⁵ Antonio de Remesal, Historia de la Provincia de San Vicente de Chyapa (Guatemala, 1932), Lib. II, Cap. II.

²⁶ Joaquín García Icazbalceta, Obras (10 vols., México, 1896-1899), I, 272; also Bibliografía, 452; Medina, op. cit., I, 104-107.

by the bull which was killed by the Indians
these were the first of the kind seen in the country
because of the fact that the Indians had no other
means of transport but the bull which was killed
all the other animals were killed by the Indians
The first of the kind seen in the country
arrived in Mexico in 1519, and the first of the kind
of domesticated animals seen in the country
origin and the first of the kind seen in the country
some countries of the world have seen the first of the kind
period. The first of the kind seen in the country
their action, and the first of the kind seen in the country
Columbus discovered the first of the kind seen in the country
lands and the first of the kind seen in the country
way to the first of the kind seen in the country
that the first of the kind seen in the country
be a first of the kind seen in the country
The first of the kind seen in the country
Hernandez, the first of the kind seen in the country
1500's and the first of the kind seen in the country
have been the first of the kind seen in the country
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in the first of the kind seen in the country
The first of the kind seen in the country
The first of the kind seen in the country
Vicente de la Cruz, the first of the kind seen in the country
The first of the kind seen in the country
1500-1500, the first of the kind seen in the country
I, the first of the kind seen in the country

that the commission was given only to the Dominican prelates to wage inquisitorial activities, and that only because a Dominican prelate was lacking did the Franciscan Valencia receive this power was challenged by another Dominican chronicler of the sixteenth century, Augustín Dávila Padilla,²⁷ whose writings antedate Remesal and use simple resort to Omnimoda to establish Valencia's authority which he later transmitted to the Dominican prelates.²⁸

The crux of the controversy is who assumed Pedro de Córdoba's power in Santo Domingo after his death. Dávila Padilla and Henry C. Lea²⁹ contend that the Audiencia of Santo Domingo actually assumed the office of Commissary until there should be another delegation from Spain. Lea insists that the Audiencia either confirmed or reappointed Valencia

²⁷ Augustín Dávila Padilla, Historia de la Fundación y Discurso de la Provincia de Santiago de México, de la Orden de Predicadores, Por las Vidas de Sus Varones Insignes y Casos Notables de Nueva España (Madrid, 1596), Lib. I, Cap. 12.

²⁸ "... que Fr. Martín de Valencia resolvió transmitir al dominico Fr. Domingo de Betanzos, como lo verificó, 'el oficio que administraba de comisario de la Inquisición, por autoridad apostólica' porque no había entonces obispo en esta tierra, y por una bula de Adriano VI tenía los casos episcopales y comisión apostólica para los del Santo Oficio de la Inquisición el prelado de San Francisco, con declaración del mismo Pontífice, que la pudiese dejar al prelado de la orden de Predicadores que en esta tierra asistiese." Loc. cit.

²⁹ Henry C. Lea, The Inquisition in the Spanish Dependencies (New York, 1908), 196.

as Commissary,³⁰ while Ibáñez contends that the power lapsed completely and could not be exercised by anyone until the Crown and Inquisitor General made another delegation.³¹

Whatever the truth about the delegation of authority in Santo Domingo may be,³² it is obvious that the bull Omnimoda bestowed inquisitorial powers on Martín de Valencia--whether he or his colleagues in the New World were cognizant of it or not.³³

It is most probable that both Orders were meant to have jurisdiction in Inquisition matters, concluded Icazbalceta, because Sebastian Ramírez de Fuenleal, Bishop of

³⁰ Henry C. Lea, The Inquisition in the Spanish Dependencies, 196.

³¹ Yolanda Mariel de Ibáñez, La Inquisición en México durante el Siglo XVI (México, 1956), 65-66, using Remesal comes to this conclusion. "En 1526 llegó Fr. Tomás Ortiz con los primeros dominicanos y quedó como inquisidor, pues informa Remesal que al llegar a la Isla Española, la Audiencia le dió nuevos despachos del Comisario de la Inquisición así para quien lo sucediese como prelado de Santo Domingo. . ." Medina, op. cit., I, 114, and II, 31-32, disagrees with this interpretation, leaning toward the idea that Córdoba delegated the authority to Valencia while he still lived.

³² Subsequent investigations in archival materials are apt to clear up this point.

³³ García Icazbalceta, Bibliografía, 452, erred when he made the following statement: "La verdad es que si Fr. Martín de Valencia tenía ese oficio por autoridad Apóstolica, no le venía de la famosa Bula llamada Omnimoda, sino de algún otro documento que no conozco, porque en esa Bula no consta tal comisión." An acquaintance with the Yucatecan idolatry trials of Diego de Landa would have led Icazbalceta to the correct conclusion.

Santo Domingo and President of the Audiencia of Mexico, said the following in a letter to Charles V dated April 30, 1532:

Los religiosos de estas órdenes de Santo Domingo y San Francisco tienen un Breve de Adriano por el cual los frailes de ambas órdenes han pretendido ser obispos y aun tener veces de Pontífices. . . y por virtud de él han procedido en casos de herejía, y han proveído de alguacil con vara y título de alguacil de la Inquisición, y han tenido notarios, y han sentenciado a quemar y reconciliar y penitenciar algunos.³⁴

We know very little about the inquisitorial activities of Fray Martín de Valencia, the first Franciscan prelate in Mexico. According to Icazbalceta, Valencia did mete out capital punishment, a statement based upon an ancient Tlaxcalan manuscript which he does not cite:

Por oscuridad y falta de puntuación en el manuscrito, se duda si los reos ejecutados por medio de la horca fueron tres ó solo uno. Ateniéndonos a lo mas favorable, contaremos uno. Hemos de suponer que Fray Martín no daría la sentencia, ni menos la ejecutaría; haría la relajación como comisario del Santo Oficio, y lo demás, sentencia y ejecución, correría por cuenta del brazo seglar, según costumbre.³⁵

Valencia had very obscure but interesting instructions which brought him into conflict with the civil au-

³⁴ Cited by Icazbalceta, Bibliografía, 452. This letter should have led him to the conclusion that the bull Omnimoda gave an implied grant of inquisitorial power.

³⁵ Icazbalceta, loc. cit.; Obras, I, 271 ff.; see also Mariano Cuevas, Historia de la Iglesia en México (5 vols., México, 1921), I, 222-223.

Sancho Domingo and President of the Republic of Mexico,
said the following in a letter to Charles V dated April 30,
1532:

Los religiosos de estas órdenes de Sancho Domingo
y San Francisco tienen en breve de salir por el
ocho los linajes de estas órdenes que pretenden
ser oñidos y con tener vicio de los linajes...
y por virtud de él han pretendido en casas de here-
ticia y han provisto de algunas con vicio y delito
de algunas de la Inquisición, y han tenido no-
vicio, y han pretendido a guerra y reconciliar
y reconciliar a los linajes.

As now very little about the Inquisition still-
vices of King Carlos de Valenciano, the first Franciscan
prelate in Mexico. According to Las Casas, Valenciano did
write our capital punishment, a statement based upon an an-
cient Mexican manuscript which we does not cite:

For execution y falta de justicia en el man-
dado, se vino al por tres ejemplares por medio
de la nobleza y nobleza de la nobleza...
a la nobleza y nobleza y nobleza y nobleza de an-
terior y nobleza y nobleza y nobleza y nobleza y nobleza
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Valenciano had very obscure but interesting inscrip-
tions which brought him into conflict with the civil au-

34 Cited by Las Casas, *Epistolario*, #52. This
letter should have led him to the conclusion that the bull
Quinola gave no implied grant of administrative power.

35 *Epistolario*, loc. cit. *Epistolario*, #51 ff.; see also
Mariano Cuevas, *Epistolario de la Inquisición en México* (2 vols.,
México, 1921), I, 122-123.

thorities. His credentials apparently endowed him with civil and criminal jurisdiction as well as ecclesiastical. From March through July of 1525 he clashed with Cortés' deputy, Gonzalo de Salazar, and the Ayuntamiento de México over the question of civil and criminal jurisdiction. On March 9, 1525, he had presented his bulls and credentials to the cabildo and demanded obedience to his instructions.³⁶ That he claimed civil and criminal jurisdiction and even delegated it, appears in Icazbalceta's rendering of an acuerdo of the Ayuntamiento dated July 28, 1525:

A su noticia es venido que Fr. Martín de Valencia, fraile del monasterio de Sr. S. Francisco, é Fr. Toribio (de Motolinía), guardián del dicho monasterio, en su nombre, diciéndose vice-episcopo en esta Nueva España, no solamente entiende en las cosas tocantes á los descargos de consciencia, mas entremétese en usar de jurisdicción civil é criminal, é inhiben por la corona de las justicias, que son cosas tocantes a la preeminencia episcopal, no lo pudiendo hacer, sin tener provision de S. M. para ello.³⁷

The cabildo ordered Motolinía to appear with the bulls and in the meantime to abstain from using criminal and civil jurisdiction. He complied immediately, arguing that they had already been presented March 9, 1525, and repeating Valencia's command that they be obeyed.³⁸ The

³⁶ Medina, op. cit., I, 108.

³⁷ García Icazbalceta, Bibliografía, 451. ~~op. cit.~~, 452.

³⁸ Ibid., 452.

thorities. The obediently answered him with
civil and criminal jurisdiction as well as ecclesiastical.
From March through July of 1835 he shared with Cortés,
deputy, Antonio de Beltrán, and the Ayuntamiento de México
over the question of civil and criminal jurisdiction. On
March 3, 1835, he had presented his bill and ordinance
to the Cortés and demanded obedience to his instructions.
That he desired civil and criminal jurisdiction and even
delegated it, appears in his account a rendering of an
account of the Ayuntamiento dated July 28, 1835:

A su honra es verdo que el Ayuntamiento de Valencia,
trabaja del honorario de Sr. Cortés, 6 fr.
Tributo (de honorario), guardando del dicho honor-
ario, en su nombre, el dicho vice-presidente en las
nueve horas, no solamente en las
ocasion de las causas de honorario, sino
en todas las causas de honorario civil y criminal,
y en todas las causas de honorario, que
son causas de honorario a la corporacion municipal, no
en todas las causas, sin tener en cuenta de
poco ella.

The article ordered Cortés to appear with the
bill in the meantime to receive from being criminal
and civil jurisdiction. He complied immediately, saying
that they had already been presented March 3, 1835, and
requesting Valencia's command that they be obeyed. The

36 Ibid., pp. 212, 213.

37 Cortés, *Memorias*, 451.

38 Ibid., 452.

Ayuntamiento finally accredited Valencia's bulls on the conversion of the Indians but continued to restrain him from the exercise of civil and criminal jurisdiction.³⁹

The Franciscan prelate's term as Commissary of the Holy Office came to an end in 1526 when the Dominican Tomás Ortiz arrived to assume the office. Either the Audiencia of Santo Domingo was exercising the deceased Córdoba's powers when it invested Ortiz as Commissary or, as Ibáñez asserted, the King and Inquisitor General had sent a new delegation of authority. At any rate the Audiencia decided that Valencia's commission should terminate with the arrival of the Dominican prelate.⁴⁰ Almost immediately after his arrival in Mexico in 1526, Tomás Ortiz returned to Spain leaving as prelate of the Order and therefore Commissary of the Holy Office, Fray Domingo de Betanzos.⁴¹ Until the middle of the next decade the Dominicans controlled the Inquisition in Mexico.

Betanzos at the close of 1527 tried nineteen blasphemy cases, mostly of flagrant offenders,⁴² some of whom

³⁹ García Icazbalceta, Bibliografía, 452; Medina, op. cit., I, 108.

⁴⁰ Medina, op. cit., I, 115; Conway, op. cit., 17.

⁴¹ Medina, op. cit., I, 117; Ibáñez, op. cit., 66; Cuevas, op. cit., I, 223.

⁴² These procesos are found in AGN, Ramo de Inquisición, Tomo I and Tomo Ia.

were conquistadores. Betanzos established an episcopal Tribunal of the Holy Office in Mexico. He was assisted by Sebastián Arriaga as fiscal, Rodrigo de Torres as calificador, and the friars Fuensalida and Toribio de Motolinía. The outstanding case of the Betanzos era was that of Rodrigo Rengel, an old conquistador of eighty years of age who was convicted of being a horrifying blasphemer.⁴³ The Rengel proceso was signed by Motolinía, who apparently was Betanzos' delegate in the latter's absence.

The procesos indicate that Betanzos continued to prosecute causes of Faith until July 20, 1528, when he journeyed to Rome to secure the establishment of a separate bishopric in Mexico, independent of Santo Domingo.⁴⁴ His successor was Friar Vicente de Santa María who had come to Mexico with Ortiz in June of 1526 but who had returned to Spain with his superior in 1526 for a brief visit. Prior to Betanzos' departure, Santa María had returned to Mexico with the title of Vicar General of the Order, and after the incumbent prelate left, he was elected superior of the convent and therefore Commissary of the Holy Office of the

⁴³ AGN, Inquisición, Tomo I, exp. 10. For details see Chapter VII of this dissertation and Medina, op. cit., I, 120, especially note 27.

⁴⁴ Medina, op. cit., I, 118-119; Cuevas, op. cit., I, 224, and Ibáñez, op. cit., 67, say that Betanzos went directly to Guatemala.

Inquisition.⁴⁵

The Santa María period of the Mexican Inquisition was short but very industrious. We know of at least nine cases that came before the Commissary, two of which ended in burnings at the stake. He tried two blasphemers, one Greek heretic, one sex pervert, one scribe who had encouraged the Indians to practice idolatry, and three Judaizantes. One denuncia for sorcery never reached the trial stage. Of the Jews, Hernando Alonso, a blacksmith from the Condado de Niebla in Spain, and Gonzalo de Morales, a trader from Sevilla, were burned. The third Jew, Diego de Ocaña, a scribe, was reconciled.⁴⁶

All of these cases came before Santa María in 1528, and after that date he ceased to function.⁴⁷ Medina and Conway suggest that Santa María does not appear to have exercised any authority after 1528 because he was removed from Mexico due to his rash conduct in the burnings of 1528.⁴⁸ Perhaps the most valid explanation why the Friar-Inquisitor ceased to operate is found in the fact that the Bishopric

⁴⁵ Medina, op. cit., I, 120.

⁴⁶ Details on these Jewish cases are found in Chapter VI of this study.

⁴⁷ Medina, op. cit., I, 126. Medina makes an obscure reference to a Oaxaca burning during this era but he does not cite his source; Ibid., I, 127.

⁴⁸ Ibid., 127-128; Conway, op. cit., 17.

Explanations.

The first part of the report is devoted to a description of the work done during the year. It is divided into three main sections: the first dealing with the work done in the field, the second with the work done in the laboratory, and the third with the work done in the office. The first section describes the work done in the field, and the second section describes the work done in the laboratory. The third section describes the work done in the office.

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- 45. Results of the work done in the field.
 - 46. Results of the work done in the laboratory.
 - 47. Results of the work done in the office.
 - 48. Results of the work done in the office.
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 - 100. Results of the work done in the office.

of Mexico was erected in 1528, and the first Bishop, Fray Juan de Zumárraga, as ecclesiastical judge ordinary assumed the function of inquisitor.⁴⁹ At any rate there are no procesos for the interval of 1529 to 1533, and when two trials were carried on in 1534 they were signed by Zumárraga as ordinary.⁵⁰

III. Juan de Zumárraga as Apostolic Inquisitor: 1536-1543

Juan de Zumárraga assumed extraordinary inquisitorial functions on June 27, 1535, when Don Alonso Manrique, the Inquisitor General in Sevilla, appointed him Apostolic In-

⁴⁹ The first mainland bishopric was founded in 1519 as Santa María de los Remedios de Yucatán, whose church was erected in 1526 by the Dominican prelate Julián Garcés at Tlaxcala but whose headquarters were later moved to Puebla de los Angeles. With the expansion of the conquest and the influx of colonists, a new diocese was created in 1527. The Franciscan Juan de Zumárraga was named as bishop, leaving Spain in August of 1528 and arriving in Mexico in early December of that year. Since Zumárraga left Spain without the bulls of consecration and did not receive them until his return to Spain for an audience before the Council of the Indies, some credence may be given to the idea that Santa María may have continued to hold inquisitorial powers until the early 1530's.

⁵⁰ The major case was that of Antonio Anguiano, resident of Mexico, for bigamy and/or concubinage, prosecuted by Rafael de Cervantes as Fiscal, signed by Zumárraga, with Martín de Campos as secretary. AGN, Inquisición, Tomo 36, exp. 1. The other case was tried in Oaxaca, Proceso contra Ruy Díaz, Tomo 14, exp. 1. Díaz was a blasphemer. The judge was Juan de Valdivioso.

quisitor.⁵¹ Bishop Zumárraga was empowered to establish an Inquisition tribunal, to appoint the necessary officials, to fix salaries, and to remove subordinates at his discretion.⁵²

Pursuant to his instructions Zumárraga organized his tribunal and began to function June 5, 1536. On June 6 a solemn procession with music began at the Hospital of

⁵¹ The commission is reproduced in Joaquín García Icazbalceta, Don Fray Juan de Zumárraga, Primer Obispo y Arzobispo de México (4 vols., México, 1947), III, 71-73; and in Medina, op. cit., II, 35-37.

⁵² Icazbalceta perpetrated the error that Zumárraga never used his office as inquisitor: "El Sr. Zumárraga nunca usó el título de inquisidor ni organizó el tribunal y ningún indicio había yo encontrado de que hiciera uso de aquel poder, hasta que en las Noticias históricas de la Nueva España de Juan Suárez de Peralta, escritas en 1589, pero publicadas hace poco, leí la especie de que prendió, procesó y relajó al brazo seglar a un señor de Texcoco, acusado de haber hecho sacrificios humanos, y que el reo fue quemado en virtud de aquella sentencia. Añade el historiador que cuando eso se supo en España no pareció bien, por ser recién convertidos los indios y se mandó que no procediese contra ellos el Santo Oficio, sino que los castigase el ordinario. El testimonio es singular y de un autor que incurre en notorias equivocaciones al tratar de sucesos anteriores a su tiempo, por lo cual me resistía darle crédito..." Icazbalceta, Zumárraga, I, 202-204. Icazbalceta footnotes the fact that "había sin embargo cárcel de la Inquisición [Ibid., III, 211, y alguacil [Ibid., III, 219]." Suárez de Peralta's Noticias históricas de la Nueva España was published in Madrid, 1878. Icazbalceta refers to page 279. See Cuevas, op. cit., I, 369, note 4, on Zumárraga's statement.

There are 152 procesos and 30 denuncias, informaciones, cartas, etc. in the Archivo General de la Nación in Mexico City for 1536-1543, most of them signed by Zumárraga. It is difficult to see how Icazbalceta missed this group of documents when he knew so much about the Mexican Inquisition of the decade of the 1520's.

Jesus⁵³ and made its way to the administrative offices of the bishopric. Two musicians who refused to play for the opening of the Holy Office were tried and fined six pounds of white wax to be delivered to the Cathedral.⁵⁴ An Inquisition jail was established and Zumárraga's staff was ready to proceed. Miguel López de Legazpi served as secretary⁵⁵ and Dr. Rafael de Cervanes as Fiscal.⁵⁶ The treasurer, Augustín Guerrero, the nuncio, Cristóbal de Canego,⁵⁷ the receptor, Martín de Zavala, and the alguacil, Alonso de Vargas, rounded out the administrative staff.⁵⁸ Zumárraga's delegate, or provisor, Juan Rebollo, exercised the office of Commissary of the Holy Office when the Inquisitor had to absent himself from Mexico City. Hence

⁵³ At this time the Hospital of Our Lady.

⁵⁴ Proceso contra Gregorio Gallego and Martín de Aranda. AGM, Inquisición, Tomo 40, exp. 6. See also: Medina, op. cit., I, 132; Cuevas, op. cit., I, 368; Ibáñez, op. cit., 70. For details of this case see Chapter IX, infra.

⁵⁵ Later conqueror of the Philippines. See Conway, op. cit., 18; Medina, op. cit., I, 133-134.

⁵⁶ These officials are a composite list gathered from the procesos of the era 1536-1544. Medina, op. cit., I, 133, erred when he called the Fiscal Cervantes.

⁵⁷ Canego served in three capacities according to the case, often as alguacil, but often as Fiscal and nuncio.

⁵⁸ Medina, loc. cit., concluded that with the exception of López de Legazpi and Zumárraga's provisor, Juan Rebollo, the staff was composed of people of little importance. An examination of the documents of the entire period shows Dr. Cervanes to be a man of great learning and capabilities.

Collo's signature appears on a number of the procesos. Among the interpreters used in the Indian cases before Zumárraga appear the names of some of the most famous friars in Mexico of the first half of the sixteenth century, such men as Bernadino de Sahagún, Alonso de Molina, Toribio de Motolinía, Francisco Maldonado, and others.

The Zumárraga period (1536-1543) was the high point of the episcopal Inquisition. Original research and tabulations by the author revealed no less than 152 procesos, ten declaraciones, thirteen informaciones, seven denuncias, one averiguación, and assorted cartas, memorias, and instrucciones.⁵⁹ Of these cases fifty-six were trials of blasphemers, by far the most prevalent crime; five for Lutheran heresies; nineteen Judaizantes, including twelve investigations; fourteen for idolatry and sacrifice; twenty-three for sorcery and superstition; eight for heretical propositions; twenty for bigamy; five trials of clergy, and nineteen cases involving Indians. The remainder were for

⁵⁹ My figures are at variance with Father Cuevas, op. cit., I, 369, who indicates that there were no less than 131 procesos, 118 against Spaniards and thirteen against Indians. The Ibáñez count totals 148 procesos dealing with some twenty-three Indians and the remainder with Europeans; op. cit., 10.

My calculations are based upon the Catálogo de Inquisición compared with the actual documents. It should be noted that although a fairly thorough list is contained in this index, it is not entirely accurate because procesos are lacking which are listed, and there are other procesos contained in the various tomos that are not listed in the index. Neither are the unbound materials covered by the index.

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miscellaneous crimes against orthodoxy.

Zumárraga's downfall as Apostolic Inquisitor came about because of his Indian policy. Not only were there divided opinions on the nature of the Indian in the 1530's, but there were also those who held that the Indians as recent converts should not be subject to the jurisdiction of the Holy Office. Zumárraga did not hold this view. He attacked idolatry and sacrifice wherever he found it, and when such practices were judged to endanger the entire Christianization process, he relaxed to the secular arm for burning, Don Carlos, the Cacique of Texcoco in 1539. Many authorities contended that there was not sufficient evidence against Carlos to merit such a harsh sentence.⁶⁰ Zumárraga was censured from Spain for having prescribed the relaxation, and he was eventually removed as Apostolic Inquisitor.

The Visitor General Licenciado Francisco Tello de Sandoval arrived in Veracruz on February 12, 1544, and was received in Mexico City by Viceroy Mendoza, the Audiencia, Bishop Zumárraga, the two cabildos, and six hundred gentlemen of the colony on May 8, 1544.⁶¹ He was instructed to

⁶⁰ For a detailed investigation of the Don Carlos case, see Chapter IV of this dissertation.

⁶¹ Medina, op. cit., I, 202-203; Cuevas, op. cit., I, 381.

make a thorough visitation of the entire Viceroyalty of New Spain and to introduce the New Laws of 1542. As an added task he had instructions to assume the powers of Apostolic Inquisitor over the entire Viceroyalty,⁶² and the officialdom of Mexico was charged to render him all assistance.⁶³ He was further specifically instructed to investigate the case of the Cacique Carlos and to determine what had been done with his estate and his children.

Tello de Sandoval remained in Mexico for only three years (1544-1547), and the burden of his investigatory activities resulted in his neglecting the Inquisition. There were at least thirteen cases before the Holy Office during the Tello period, but in only one instance did Tello intervene personally.⁶⁴ When he left Mexico, inquisitorial powers reverted to the bishops or to the prelates of the various Orders who, under Omnimoda, acted as ordinaries.

⁶² Vasco de Puga, Provisiones, Cédulas, Instrucciones de Su Magestad, Ordenanzas de Difuntos y Audiencia para la Buena Expedición de las Negocios y Administración de Justicia y Gobernación de esta Nueva España, y para el Buen Tratamiento y Conservación de los Indios desde el Año de 1525 hasta este Presente de 1563 (2 vols., México, 1878), I, 452-453; Medina, op. cit., II, 33.

⁶³ Puga, op. cit., I, 454.

⁶⁴ Tello's Inquisition had a staff of only one person, the notary Luis Guerrero, who served without salary. Cuevas, op. cit., I, 381. Guerrero actually tried cases as Tello's delegate.

Prior to his departure from Mexico he urged the Crown to establish a Tribunal of the Holy Office there:

Por otros mías he avisado a Vuestra Alteza la necesidad que hay en esta tierra del Santo Oficio de la Inquisición y así ha parecido por experiencia.⁶⁵

IV. The Montúfar Period of the Episcopal Inquisition

Alonso de Montúfar, the second Archbishop of Mexico, arrived at his post in 1554 and began his inquisitorial activities in 1556. He carried no direct commission as Apostolic Inquisitor but assumed the jurisdiction as ecclesiastical judge ordinary.⁶⁶

Montúfar was schooled in the legal tradition and he always insisted upon a number of qualified consultants in the operations of his Inquisition.⁶⁷ The major emphasis of his activities was anti-Lutheran, and his campaign was not only waged in Mexico, but also in Guatemala, Nicaragua,

⁶⁵ Cuevas (op. cit., I, 381) cites this letter from AGI 58-5-8.

⁶⁶ The Montúfar period is obscure. There are masses of documents indicating great activity. The increased number of cases dealing with foreigners indicates considerable immigration. Montúfar had been a calificador of the Inquisition in Granada, and his major interest had been combating Reformation apostasies. See Medina, op. cit., I, 263-295, for case listings of the period, but bear in mind that Medina's account is rife with error.

⁶⁷ Montúfar always consulted with the oidores and the Fiscal of the Audiencia along with other lawyers, jurists and theologians.

and Yucatan as well. The primary figure in the Lutheran prosecutions was Dr. Luis de Anguís, Montúfar's vicar, and a secret spy of Philip II.⁶⁸

Montúfar's first case was against a Genoese, Agustín Boacio, accused of Lutheran ideas on confession and purgatory. He was tried in Mexico City after being processed in Veracruz by Anguís. He participated in the same auto as Robert Thompson. Thompson held certain Lutheran ideas on images which the Mexican Inquisition was determined to suppress, and he was jailed for seven months while the trial was in progress. Thompson abjured his sins, wore the sanbenito, and suffered banishment to Spain where he married and procured a license to return to Mexico to make his fortune.⁶⁹

Activities against French and English corsairs characterized the decade of the 1560's,⁷⁰ but there was an increasing number of trials for heretical propositions not

⁶⁸ Cuevas, op. cit., II, 262; Ibáñez, op. cit., 93.

⁶⁹ G. R. G. Conway, An Englishman and the Mexican Inquisition (México, 1927). Appendix I contains a Spanish transcript of this trial. Appendix III contains a list of original documents relating to Englishmen and others associated with them who were condemned by the Mexican Inquisition from 1559 to 1575.

⁷⁰ See Julio Jiménez Rueda, Corsarios Franceses y Ingleses en la Inquisición de la Nueva España (México, 1945), for an incomplete list of these cases.

connected with the pirates. Lutherans and French Calvinists provided the most interesting cases. Naturally as the population increased owing to the influx of colonists, blasphemy and bigamy cases increased. Indians continued to be tried.

Montúfar took it upon himself to deal with certain phases of unorthodoxy among the Mexican clergy of the mid-sixteenth century, especially those who were dealing with the native populations. Close scrutiny was given to all works translated into the Indian tongues for purposes of instruction. Don Vasco de Quiroga, the first Bishop of Michoacán, assisted the Montúfar tribunal in this work. As a result of the investigations the writings of two of the most famous clergymen of Mexico became suspect and in two cases condemned, the Doctrina en Romance of Juan de Zumárraga, now deceased, and the Tarascan writings of Father Maturino Gilberti.⁷¹

The most celebrated trial of a Mexican cleric by Montúfar was that of Dr. Alonso Chico de Molina, the Archdeacon of the Cathedral of Mexico.⁷² It was alleged that

⁷¹ See Francisco Fernández del Castillo, Libros y Libreros en el Siglo XVI (México, 1914), 4-36, for the Gilberti investigation. See Chapter II of this study for a fuller description of the Zumárraga writings. See also Medina, op. cit., I, 266.

⁷² Ibáñez, op. cit., 99.

conducted a large number of experiments, and the results of these experiments have been published in a series of papers in the *Philosophical Magazine*. In these papers, the author has shown that the velocity of light is not affected by the motion of the source or the observer, and that the laws of physics are the same in all frames of reference. This is the principle of relativity, which is the basis of the theory of relativity.

The theory of relativity is a generalization of the special theory of relativity, which was first proposed by Albert Einstein in 1905. The special theory of relativity deals with the motion of objects at constant velocities, while the general theory of relativity deals with the motion of objects in a gravitational field. The general theory of relativity is a more complete theory of gravity, and it has been shown that it is in better agreement with experimental observations than the Newtonian theory of gravity. The theory of relativity has many important consequences, including the prediction of the existence of black holes and the bending of light by gravity. It is one of the most important theories in modern physics.

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Molina had preached a sermon in which there were no less than six propositions deemed heretical, offensive and scandalous. Molina was intransigent in asserting his orthodoxy. Montúfar commissioned six Dominicans, one Franciscan, two theologians and two Augustinians to investigate the Molina affair and when they were unable to reach a decision, the entire case was referred to the Suprema in Spain which ruled pro-Molina, but whose sentence was lost at sea, causing a seemingly interminable delay in the exoneration of the Archdeacon.

Near the end of the Montúfar period two famous conquistadores had altercations with the Inquisition. The first was Diego Díaz del Castillo, corregidor of Toloapan Yxtalapa in Guatemala and son of Bernal Díaz, for "decir a los indios que no reedificasen las iglesias caídas, por menospreciar al Papa y a los obispos y por tratar mal a los clérigos."⁷³ Unfortunately we do not know the sentence because the conclusion of the proceso has disappeared. The second was the centenarian conquistador from Oaxaca, Rodrigo de Segura of Castilla, who had asserted the following: "Jesucristo no había sabido la hora de su muerte sino que un ángel se la vino a decir."⁷⁴ Again because the

⁷³ AGN, Inquisición, Tomo 8, exp. 3.

⁷⁴ AGN, Inquisición, Tomo 18, exp. 6.

Hollan had reached a station in which there were no less than six propositions (some historical, offensive and scandalous). Hollan was surprised in asserting his orthodoxy. Hollan's commission was to investigate, two theologists and two magistrates to investigate the Hollan affair and when they were unable to reach a decision, the entire case was referred to the Supreme in Spain which ruled pro-Hollan, but whose sentence was lost at sea, causing a seemingly interminable delay in the exoneration of the Archbishop.

Near the end of the twentieth century the famous commission had alterations with the Indultion. The first was Diego José de Castille, commission of Toledo. Joseph Esteban de Guebara and son of Juan Gil, for "best" the Indultion was the Indultion. The Indultion was not retrospective. At first it was a case of grace, but later a for citizens. Unfortunately we do not know the reasons because the conclusion of the process has disappeared. The second was the Indultion commission from Guebara, Rodrigo de Segura de Castille, who had asserted the Indultion: "Indultion no había estado la hora de su muerte sino que un ángel se la vino a decir." Again because the

75 AGN, Indultion, Tome 8, exp. 3.

74 AGN, Indultion, Tome 18, exp. 8.

proceso is incomplete, we have no inkling of the sentence.

V. The End of the Episcopal Inquisition in Mexico: the Founding of the Tribunal of the Holy Office, 1571

It appears that provincial bishops and prelates of monastic houses were zealous inquisitors in the fifteen years preceding the founding of the permanent Tribunal of the Holy Office in Mexico. In Oaxaca there were evidences of sixty-three cases⁷⁵ while Yucatan boasted more than fourteen cases, New Galicia thirty-nine, Michoacán twenty-eight and Puebla one. This decade and a half witnessed a growing laxity on the part of the inquisitors in observing the legal rights of their subjects. The abuses in this episcopal and monastic period of the Mexican Holy Office stemmed from the fact that it had no central direction and its provincial commissaries lacked adequate training. This situation was further complicated by a growing civil intervention in Inquisition activities. Three cases in point may be used to indicate these tendencies in the decade of the 1560's.

1) In the opening years of the decade the Dominican friars in Oaxaca were guilty of excesses and gross illegalities in their dealings with the Pueblo of Teiticipac.

⁷⁵ These were procesos, denuncias, and informaciones.

Responsible was one Friar Guidiello who employed torture on the natives and even staged an auto de fe. He was later castigated and relieved of his office by the Order.⁷⁶

2) In the same years the civil authorities in Toluca assumed quasi-inquisitorial powers. Francisco de Tejera, a Portuguese from Toluca, was arrested for blasphemy and for spitting on a crucifix. He was tried civilly by the Alcalde without benefit of ecclesiastical advice. His sentence was extremely harsh: thirty days' incarceration, three hundred lashes, and his tongue was split on both sides.⁷⁷ He was later given a spiritual penance in Mexico City.

3) The last and most publicized example of growing irresponsibility of the inquisitors and their civil colleagues was the idolatry trials carried on by Diego de Landa, the provincial of the Franciscan Order in Yucatan.⁷⁸ He was assisted by the Alcalde Mayor of Yucatan, Don Diego de Quijada, who had already performed inquisitorial investigations on his own.⁷⁹ Rigorous investigations and the widespread use of torture characterized the Yucatecan

⁷⁶ Cuevas, op. cit., II, 263.

⁷⁷ AGN, Inquisición, Tomo 18, exp. 6.

⁷⁸ It was established by Spanish canon lawyers in the subsequent controversy that Landa legally had inquisitorial powers under the bull Omnimoda of Adrian VI, 1522. See Scholes and Roys, op. cit., for more details on these trials.

⁷⁹ AGN, Inquisición, Tomo 32, exp. 11.

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74... 75... 76... 77... 78...

trials. The sentences were harsh, and some Indians committed suicide to escape torture.⁸⁰ When the first Bishop of Yucatan, Fray Francisco de Toral, arrived in Mérida August 14, 1562, Landa's authority under the bull Omnimoda came to an end. Toral was convinced that more lenient measures toward the recently converted natives were advisable and he reversed many of the sentences handed down by Landa. This was done over the protests of Alcalde Mayor Quijada.

Increased petitions flooded into Spain during the two decades prior to 1570 urging the Crown to establish in Mexico a permanent Tribunal of the Holy Office of the Inquisition subordinate to the Spanish Suprema. The petitions reflected the inadequacies of the episcopal Inquisition in action. Clerical abuses of power were the most prevalent complaint.⁸¹ The growing civil invasion of religious functions in the Inquisition; the need for centralization of authority; the necessity for an adequately trained Inquisition personnel; the wide infiltration of heresies debilitating to religious unity; and finally the increased trade in books condemned by the Holy Office

⁸⁰ Scholes and Roys, op. cit., 596.

⁸¹ In addition to the Dominican excesses in Oaxaca and the Landa controversy in Yucatan, Medina, op. cit., I, 484, reviews other abuses.

again. The sentences were harsh, and some Indians
 committed suicide to escape torture.⁸⁰ When the first
 Bishop of Tucson, Fray Francisco de Tolosa, arrived in
 Mexico August 14, 1803, he found the Indians under the yoke
 of slavery. Tolosa was convinced that more
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 heretics and infidels into religious life; and finally the
 increased trade in books prohibited by the Holy Office

⁸⁰ Espinosa and Fyfe, pp. 211, 228.

⁸¹ In addition to the Dominican exiles in Mexico and
 the large community in Mexico, Mexico, pp. 211, 1.
⁸² See also other sources.

caused the King and Inquisitor General to consider seriously the establishment of a separate tribunal in New Spain.

The Mexican clergy seemed anxious to systematize the inquisitorial power. Fuenleal had tried to convince the Crown in a letter of 1532 that there was a great need for a Tribunal of the Holy Office to combat foreign merchants and corsairs who were coming in increasing numbers to Mexico.⁸² The Franciscan Order as a whole made the same request in 1552.⁸³ The Visitor and Apostolic Inquisitor, Francisco Tello de Sandoval, in a letter to Prince Philip dated September 19, 1545, informed the latter of the need in New Spain for a permanent Holy Office.⁸⁴ Medina cites additional petitions directed to the Crown from all over the Spanish empire which in effect demanded that some action be taken in establishing empire tribunals subordinate to Spain.⁸⁵ Lea has taken issue with Medina over the idea that Mexican clergy wished to be relieved of the inquisi-

⁸² Medina, op. cit., I, 483.

⁸³ Ibid., I, 488.

⁸⁴ Cuevas, op. cit., I, 381, cites this letter from AGI, 58-5-8.

⁸⁵ Medina, op. cit., I, 496.

torial responsibility.⁸⁶

The long-awaited reply of Philip II to the pleas of his subjects for Tribunals of the Holy Office in the New World came in 1569. On January 25 of that year Philip by royal cédula authorized the creation of two Tribunals of the Holy Office in Mexico and Peru.⁸⁷ A second cédula of August 16, 1570, defined the jurisdiction of the new tribunals.⁸⁸ The Mexican Tribunal, and the one in Lima, had jurisdiction over all inhabitants, including the vice-roys, and the entire political machinery of the Viceroyalty was charged to assist the Tribunal in all ways.

⁸⁶ "These inquisitorial powers, however, were only enjoyed temporarily by the bishops and when, in 1570, a tribunal was finally established in Mexico, a circular was addressed to them formally warning them against allowing their provisors or officials to exercise jurisdiction in matters of faith and ordering them to transmit to the inquisitors any evidence which they might have or might obtain in cases of heresy. The bishops apparently were unwilling to surrender the jurisdiction to which they had grown accustomed, for the command had to be repeated, May 26, 1585." Lea, The Inquisition in the Spanish Dependencies, 199, cites Juan de Solórzano Pereira, Política Indiana (Madrid, 1647), Lib. III, Cap. XXIV, n. 38.

⁸⁷ Recopilación de leyes de los Reynos de las Indias (Madrid, 1681), Lib. I, tit. 19.

⁸⁸ Medina, op. cit., II, 34-36, reproduces the cédula. See also Ibáñez, op. cit., III. The political jurisdiction of the Mexican body included the Audiencias of Mexico, Guatemala, New Galicia and the Philippines. The religious jurisdiction included the Archbishopric of México, the Bishoprics of Tlaxcala, Michoacán, Oaxaca, New Galicia, Yucatan, Guatemala, Vera Paz, Chiapas, Honduras and Nicaragua.

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85 These judicial powers, however, were only enjoyed temporarily by the bishops and when, in 1570, a tribunal was finally established in Mexico, a circular was addressed to them formally warning them against allowing their pretense of officials to exercise jurisdiction in matters of faith and ordering them to transmit to the inquisitors any evidence which they might have or might obtain in cases of heresy. The bishops apparently were unwilling to surrender the jurisdiction to which they had grown accustomed, for the command had to be repeated. May 26, 1582. See The Inquisition in the Spanish Colonies, also, 129, also Juan de Solares, Historia de la Inquisición (Madrid, 1897), lib. III, cap. XXIV, n. 38.

87 Reglamento de leyes de los Reyes de las Indias (Madrid, 1801), lib. I, tit. 12.

88 Medina, op. cit., II, 34-36, reproduces the edicts. See also Urbina, op. cit., III. The political jurisdiction of the Mexican body included the Audiencias of Mexico, Oaxaca, New Galicia and the Philippines. The religious jurisdiction included the Archdiocese of Mexico, the Bishops of Tlaxcala, Michoacán, Oaxaca, New Galicia, Yucatán, Guatemala, Vera Cruz, Chiapas, Honduras and Nicaragua.

The Inquisitor General of Spain, the Cardinal-Bishop of Sigüenza, Diego Espinosa, with the King's approval named the former Inquisitor of Murcia, Don Pedro Moya de Contreras, as the first Inquisitor General of Mexico.⁸⁹ Licenciado Bonilla was named as junior inquisitor, Juan de Cervantes as Fiscal,⁹⁰ and Pedro de los Ríos as notary. The staff of the Tribunal left Spain in November of 1570, but because of a layover in the Canaries while waiting to join the flota, Contreras did not arrive in Mexico until almost a year later.⁹¹

Relations between Moya de Contreras and Viceroy Martín Enríquez were not cordial initially. The Viceroy had ordered the people in the towns along the way from

⁸⁹ See Julio Jiménez Rueda, Don Pedro Moya de Contreras, Primer Inquisidor de México (México, 1944). On January 3, 1570, Espinosa notified Moya de Contreras of his appointment. Moya at first refused the appointment because of finances and ill-health but with the insistence of Crown and Inquisitor General, he accepted. His commission was dated August 18, 1570. For these and other details, see Lea, The Inquisition in the Spanish Dependencies, 201-203.

⁹⁰ Conway's researches (op. cit., 9) reveal that Cervantes was the canon of the Canary Islands. Lea, op. cit., 201.

⁹¹ Lea, op. cit., 202. Lea indicates the timetable and occurrences of the trip. On November 13, 1570, they set sail from San Lucar; they were detained in the Canaries until June 2, 1571; Cervantes died the following July 26; Contreras was shipwrecked in Cuba August 11, 1571; he finally reached San Juan de Ulúa on August 18 and Mexico City on September 12, 1571.

 

the third of these is the fact that the

 

Veracruz to the viceregal capital to give profuse welcome to the Inquisitor General and his staff. However, the Viceroy himself received Moya and his delegation rather coolly when they arrived. Enríquez was later reprimanded for his conduct.⁹² He handed over to Moya the old establishment of the Holy Office, which the latter described as very comfortable.⁹³

Two months later the Tribunal of the Holy Office began to function in Mexico. On November 2, 1571, a proclamation was posted and read in which it was required for the entire populace over twelve years of age to present themselves two days hence at mass and make the juramento de la fe publicly, upon threat of excommunication.⁹⁴ On November 4, 1571, the Tribunal celebrated a solemn procession to the Cathedral:

fué desde las Casas de este Santo Oficio, a la Iglesia Mayor de esta ciudad, en medio de el [sic] Señor Don Martín Enríquez y el Doctor Villalobos, Oidor Antiguo de la Audiencia Real de México, llevando delante de sí al Lic. Bonilla que llevaba el estandarte de la Fe, en medio de los doctores Puga y Villanueva y demás Oidores, el Ayuntamiento con sus maceros, la Universidad con sus bedeles y gran número de pueblo. En la puerta de la

⁹² José Toribio Medina, Historia del Tribunal del Santo Oficio de la Inquisición en México (México, 1954), 38.

⁹³ Ibid., 26.

⁹⁴ Lea., The Inquisition in the Dependencias, 202; Cuevas, op. cit., II, 266.

Iglesia estaba el Cabildo y los tres Ordenes.⁹⁵

After the sermon and while the people were still kneeling, the secretary of the Tribunal read the King's commands to the Viceroy and other secular officials to respect the authority of Moya de Contreras, and he read to the people an edict exhorting them to obey the Holy Office and not to conceal heretical enemies of the Faith but to pursue them and denounce them to the Inquisitors "como lobos y perros rabiosos inficionadores de las ánimas y destruidores de la viña del Señor."⁹⁶ Lifting their hands, all said, "así lo prometemos y juramos."⁹⁷ Afterwards, individually, the Viceroy and the oidores swore the oath before the Massbook and the Cross, as did other officials.

The ceremony concluded with the reading of the Edict of Grace wherein within a period of only six days self-denunciations were accepted and pardoned after light penance had been done. Many people came forward and voluntarily confessed; many others were accused before the Tribunal of crimes against the Faith.

On November 10, 1571, letters were sent from the

⁹⁵ Quoted by Cuevas, op. cit., II, 266, from the original relación of the secretary Pedro de los Ríos.

⁹⁶ Medina, Historia del Tribunal, 40.

⁹⁷ Loc. cit.

After the sermon and while the people were still kneeling, the secretary of the Tribunal read the King's commands to the Viceroy and other secular officials to respect the authority of His Majesty's Council, and he read to the people an edict exhorting them to obey the Holy Office and not to conceal heretical enemies of the Faith but to pursue them and denounce them to the Inquisition.⁹⁵ Lopez y Pizarro preached in the Cathedral of La Habana y destruyeron a la villa del Señor.⁹⁶ Lifting their hands, all said, "and in promission y jurame."⁹⁷ Afterwards, individually, the Viceroy and the judges swore the oath before the Handbook and the Cross, as did other officials. The ceremony concluded with the reading of the Edict of Grace wherein a period of only six days self-demonstrations were accepted and punished after light penance had been done. Many people came forward and voluntarily confessed; many others were accepted before the Tribunal of crimes against the Faith.

On November 19, 1897, letters were sent from the

⁹⁵ Quoted by Cuevas, op. cit., II, 388, from the original records of the secretary Pedro de los Rios.
⁹⁶ Historia del Tribunal, 40.
⁹⁷ Ibid., 41.

Tribunal of the Holy Office to all areas of the Vice-royalty, "commanding them and their officials to take the same portentous oath of obedience."⁹⁸ Familiars, or Inquisition police, were sent to all provincial areas to enforce the decrees of the Holy Office and to arrest those guilty of unorthodox conduct. Comisarios were appointed in provincial areas to investigate cases and gather evidence for the central Tribunal. They also made arrests upon order from Mexico City, but the cases were always tried in the capital.

With the establishment of the Tribunal of the Holy Office, the Inquisition settled down to a more permanent and orderly existence in Mexico. The episcopal Inquisition with its many abuses was over, and although the new inquisitors were often harsh in their procedures and their sentences, the rule of law prevailed. Father Cuevas has called the period of Mexican history after 1570 one of stabilization because the University was turning out trained men, because procedure was formalized and never deviated from, and finally because the Jesuits came to New Spain in 1571.⁹⁹ At any rate authority was centralized, and the

⁹⁸ Lea, The Inquisition in the Dependencies, 203. See Ibid., Appendix XI, pages 534-535 for this Edict.

⁹⁹ See Cuevas, op. cit., II, 258-283, for an evaluation of this period.

Inquisition was cast into the mould that it was to occupy until its abolition some two and a quarter centuries later during the Mexican revolutions for independence.

VI. Inquisitorial Procedure

The episcopal Inquisition in Mexico, and later on the Tribunal, functioned on Spanish procedure modified to meet the problems of the New World.¹⁰⁰ In line with the Real Patronato de las Indias the Viceroy exercised supervisory power over the Mexican Inquisition and issued instructions to Zumárraga on the procedure of his tribunal. Mendoza especially prescribed the methods of keeping records.¹⁰¹

¹⁰⁰ The procedures outlined here were the Torquemada procedures which were utilized by the episcopal inquisitors and the later Tribunal. They are contained in Eduardo Pallares, El Procedimiento Inquisitorial (México, 1951).

¹⁰¹ These detailed instructions are set forth in AGN, Inquisición, Tomo 30, exp. O. First there is a Pragmático contra los Herejes, and then instructions on how to proceed. After an admonition to keep sources of information secret, Mendoza instructed the inquisitors on the method of processing the accused. A proceso was to be formed containing the information on the crime; a petition for arrest by the Fiscal was to be included along with what was done with the reo after the arrest. The following was required: a limpieza in verbal form from the reo; the initial interrogatory of the reo; the accusation of the Fiscal and the reo's reply; the testimonies of the witnesses; the testimony of the reo. The proceso was to conclude with the following data: the vote and the sentence, for which there was a prescribed form; the mode of dealing with the reconciled; abjuration; the sentence of the obstinate heretic; a note on the public execution of the sentence. Finally, Mendoza prescribed certain regulations on the wearing and conservation of sanbenitos.

Legislation was passed in 1910 that it was to occupy
until the abolition some two and a quarter centuries
later during the Mexican revolution and for independence.

VI. Legislative Procedure

The original institution in Mexico, and later on
the Tribunal, functioned on Spanish procedure modified to
meet the problems of the new world. In time with the
Real Caceres de las Indias the viceroy exercised supervi-
sory power over the Mexican legislation and issued instruc-
tions to the Tribunal on the procedure of the Tribunal. The
Tribunal gradually prescribed the methods of keeping records.

100 The procedure outlined here was the forerunner
of procedure which was utilized by the Tribunal in 1811
and the later Tribunal. They are contained in the
Real Caceres de las Indias (Mexico, 1811).

101 These detailed instructions are set forth in the
Instruccion de 1811, and 1812. They are in a Spanish
style for Mexico, and their instructions on how to proceed
after an accusation to keep records of information sent,
Henderson translated the instructions on the method of pro-
ceeding to proceed. A protest was to be formed containing
the information on the crime; a petition for arrest by the
Tribunal was to be included along with what was done with the
protest after the arrest. The following was required: a list
of the verbal form from the Tribunal; the initial interrogatory
of the case; the accusation of the Tribunal and the real
copy; the testimony of the witnesses; the testimony of
the real. The Tribunal was to decide with the following
data: the vote and the sentence for which there was a pro-
scribed form; the mode of dealing with the sentenced; the
jurisdiction; the sentence of the Tribunal; a note on
the public account of the sentence. Finally, Henderson
prescribed certain regulations on the writing and conser-
vation of sentences.

Within the framework of its procedure the Inquisition did not act in an arbitrary, but in a very orderly manner. The first step was an Edict of Grace, a public declaration in church on some feast day when it was announced that the Crown had established tribunals of the Inquisition. A term of thirty or forty days was granted for voluntary confession, and those who freely confessed were absolved of their sins after doing mild penance. However, the people were called upon to denounce anyone known to be suspect of heresy, under pain of excommunication if they failed to do so.

A more common method of gathering evidence was the Visita de Partido, a yearly visit of the inquisitor or his delegate to each town or village in his jurisdiction. Again the penalty for withholding information was excommunication. Three clear and trustworthy denunciations were required before a suspect could be prosecuted.¹⁰² It was always sworn that the informer was not motivated by hatred or vengeance but by a sincere desire to rid himself of responsibility. Many of the prisoners denounced fellow heretics in the hope of receiving a lighter sentence.

After the denunciations had been processed, additional evidence was gathered from various sources and the

¹⁰² In the Zumárraga period this provision was not enforced.

case was built. The evidence was examined by the calificadores,¹⁰³ who then decided whether heresy was involved or a crime against the Faith had been committed. The Fiscal then petitioned the court for arrest¹⁰⁴ and after the arrest some of the property of the accused was embargoed. The prisoner was usually tried within eight days after the arrest.¹⁰⁵ He was called before the tribunal for his first audience. There he was questioned about his life history, and he often perjured himself by denying his Jewish or Moorish descent or by denying that members of his family had been tried by the Inquisition.

The prisoner was then given the first of three admonitions. He was told to search his conscience to see if he could advise the court why he was on trial. He was not told the charge. The Fiscal would then gather together the evidence and formulate the incident. The indictment was read to the prisoner, who replied to the charges, and the court appointed a defense attorney for the accused. The publication of the witnesses followed: abstracts of their testimony were read but their names were withheld.

¹⁰³ Usually friars trained in canon law from nearby monastic establishments.

¹⁰⁴ The alguacil and/or nuncio ordinarily performed the arrest. The prisoner was confined in the Inquisition jail.

¹⁰⁵ That is, the proceso was begun.

case was built. The evidence was examined by the jury.
The jury then decided whether or not the accused was guilty.
of a crime against the victim and been convicted. The jury
then returned the verdict for guilty and after the
arrest some of the property of the accused was returned.
The accused was then tried within eight days after
the arrest. He was called before the jury for his
first evidence. There he was questioned about the life
history, and he often answered himself by denying the
fact or knowledge of the accused or by denying that members of his
family had been tried by the jury.
The accused was then given the first of three
evidences. He was told to answer the questions as he
he could answer the questions as he was on trial. He was not
told the charges. The jury would then gather together
the evidence and formulate the indictment. The indictment
was read to the accused, who replied to the charges, and
the court appointed a defense attorney for the accused.
The publication of the witness followed; statements of
their testimony were read but their names were withheld.

105 Usually trials are held in a room far from noisy
monastic establishments.
106 The accused and/or counsel ordinarily performed the
evidences. The accused was confined in the Indian jail.
107 That is, the process was begun.

The accused never faced his accusers and was never told their names. He was given an opportunity to answer their testimony.

In most cases the evidence was such as to convict or exonerate, but in some cases the evidence was trustworthy but insufficient to prove guilt. Two methods were used to get at the truth: the use of the cautelag, or tricksters, who were placed in the cell to gain the accused's confidence and get a confession through friendly persuasion; the second method was torture.

Torture was not the usual procedure; it was used in only the most serious cases, those of major heresy. If it was used, it came just before or just after the preliminary sentence. The purpose was to get a confession, for if the accused could be brought to confess, he could then be absolved and reconciled with the Church. Physical torture was used with no distinction as to sex, age, or social position, although there were often exemptions due to delicate health. The torture session lasted only one hour and a reo could be tortured only once. Often the torture was "continued" but forced testimony under duress had no validity unless the defendant repeated it in court.

Torture methods in New Spain followed Spanish practice with few exceptions. There was always the admonition to tell the truth and thereby avoid untold anguish. The

reo was stripped to the underwear, often naked, and strapped upon a table while a cord was wound around his arm from wrist to shoulder. Successive tightening was usually enough to elicit the desired responses. A frequent method was the rack (el potro). Again the reo was strapped onto a long table and two garrotes were attached to the arms and legs and were alternately tightened and relaxed during the questioning. Often los jarros (the jars of water) were employed and combined with the rack procedure. In this case a fine piece of linen was placed over the face of the accused and water was poured in volume upon the linen. This procedure produced the sensation of drowning and proved very effective in securing confessions. One of the more strenuous devices used was the Valencian garrucha, whereby the hands were bound with ropes and the body was hoisted and dropped to within a foot of the floor. This last method was considered extreme, but the Indian resented more being stripped and having hot wax dropped upon the naked body.

After the publication of the witnesses and possible torture of the major heretic, the preliminary sentence was read. It was very often extreme--much more rigorous than the final or definite sentence. It provided another in the series of shocks designed to make the defendant confess, recant, and ask for mercy. Often torture was employed after

the preliminary sentence.

In the case of minor heresies or crimes against the Faith, sentences were light. Generally the convicted was fined or flogged and had to perform some sort of spiritual penance. Major heretics faced harsh sentences, even to the point of death by burning at the stake. When the defendant confessed major heresy he was reconciled, that is, by the acknowledgement of his guilt and the demonstration of remorse he was reunited with the Church and allowed to escape the death penalty. He generally had his property confiscated and went to prison for a long period of time.¹⁰⁶ Frequently he was banished from Mexico to serve his sentence in Spain. The sentence of banishment (destierro) was usually pronounced upon heretics who had attempted to lead others into error, particularly foreigners. Reconciliados often went to the galleys but this dreaded penalty was limited in time of service due to the harshness of the work and the short life expectancy of galley men.

The sentence of abjuration was imposed upon the reconciliado when doubt remained as to his religious orthodoxy and it was often coupled with flogging, banishment,

¹⁰⁶ The condemned was allowed to work in prison to support his family. Rarely were married couples separated. Prison was also looked upon as an opportunity to recant and to prevent relapse into error.

the preliminary sentence.

In the case of minor offences or crimes against the State, sentences were light. Generally the convicted was fined or imprisoned and had to perform some sort of public penance. Major offences faced harsh sentences, even to the point of death by burning at the stake. When the defendant confessed major crimes he was reconciled, that is, by the acknowledgment of his guilt and the demonstration of remorse he was reunited with the Church and allowed to escape the death penalty. He generally had his property confiscated and went to prison for a long period of time. Frequently he was banished from Mexico to serve his sentence in Spain. The sentence of banishment (*destierro*) was usually pronounced upon persons who had attempted to lead others into error, particularly foreigners. Banishment often went to the gallows but this dreaded penalty was limited in time of service due to the harshness of the work and the short life expectancy of galleyman. The sentence of separation was imposed upon the condemned when death remained as to his religious orthodoxy and it was often coupled with flogging, banishment, and to prevent release into error.

108 The condemned was allowed to work in prison to support his family. Family were usually coupled separated. Prison was also looked upon as an opportunity to repent and to prevent release into error.

and confinement to a monastery, or other spiritual penance.

The dreaded sentence was, of course, relajación al brazo seglar. Obstinate heretics could be handed over to the civil authority and punished according to the judicial code of the state, that is, burned at the stake. Convicts were rarely burned alive; however, they could not escape the death penalty by a last minute confession. Rather the condemned prisoner who became reconciled was put to death by strangulation, and then burned. Furthermore, the effigies of escaped heretics were burned to show contempt for their offenses.

The auto de fe was not a mass burning; it was merely a public ceremony that demonstrated the power of the Holy Office. There was a public procession in which the prisoners, wearing the sanbenito, marched to the Zócalo, the lesser offenders first, the condemned trailing. Effigies of dead or escaped heretics were carried in the procession. The inquisitors, civil officials, and the familiares, or Inquisition police, also marched in the procession. In the Zócalo the proceedings began with a sermon and later an oath of fidelity to the Holy Office. Each sentence was read and each reconciliado knelt and received absolution and was reunited with the Church. After the ceremonies the prisoners were returned to the Inquisition jail, and the next day they began serving their sentences.

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Condemned heretics were not punished in the auto de fe. Civil officials waited until the auto was finished and then the obstinate heretics were taken to the execution place, the quemadero outside the Zócalo,¹⁰⁷ where they were burned by the civil officers. The clergy were present, but merely as chaplains. All was done in an orderly, non-arbitrary manner.

¹⁰⁷ The quemadero was at the present site of the northeast corner of the Alameda.

Continued, however, were not mentioned in the auto
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 they were turned by the civil officials. The clerk were
 present, but merely as observers. All was done in an
 orderly, non-dramatic manner.

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CHAPTER II

THE INTELLECTUAL BACKGROUND OF ZUMÁRRAGA THE INQUISITOR

I. The Intellectual Climate of Mexico in the First Half of the Sixteenth Century

The discovery and colonization of America coincided with the period of the high Renaissance in Europe. Christian humanists¹ and other reform-minded individuals were excited with the idea of a "new world" in which they could apply their theories and construct a perfect Christian society free from the apparent defects of fifteenth and

¹ The term humanitas was born some one and a half centuries before the birth of Christ and meant a "cultivated intelligence." By the time of the Italian Renaissance the word humanism meant "man's high estate" but also it implied "fallibility and frailty: hence venture, risk, responsibility, freedom, and tolerance." Giorgio de Santillana, The Age of Adventure: The Renaissance Philosophers (New York, 1956), 11. Christian humanism belonged, essentially, to the northern Renaissance, Spain included, where the term did not imply amorality or extreme individualism in intellectual activity as it did in Italy, but was linked with piety and public virtue. With these humanists of the northern Renaissance, the Christian world view predominated and Dante's idea of the world empire gained acceptance. The ideal was a fusion of the philosophy of Christ with moral wisdom of Greece and Rome and the tone was reformistic--new men rather than new institutions. See Franklin Le Van Baumer, Main Currents of Western Thought (New York, 1952), 108-110, and Bertrand Russell, A History of Western Philosophy (New York, 1945), 495, 500, 512.

COOPERATIVE

STUDY

THEORY AND PRACTICE

I. THE COOPERATIVE MOVEMENT IN THE UNITED STATES

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15. THE COOPERATIVE MOVEMENT IN THE UNITED STATES

sixteenth-century European society.

These theorists had a relatively simple formula: a return to the basic precepts of Christianity in its pure form, as it existed in the golden apostolic age of the Church. The noble American savage, "blessed by nature, and free from the taint of fraud and hypocrisy,"² was to furnish the raw material for the new order, a society which would be built upon the indigenous agrarian collectivism. The upshot of such thinking was the so-called Renaissance Utopias and their attempted application in America. The thought of Campanella, More and Bacon dominated this movement.³ The Utopian ideas of the northern humanists found an ally in a reform movement going on within the Spanish Catholic Church whose intellectual mentor in the early years of the sixteenth century was the Dutch humanist,

² Silvio Zavala, "The American Utopia of the Sixteenth Century," The Huntington Library Quarterly, X (1947), 339. Zavala, loc. cit., in this same vein quotes Vasco de Quiroga the oidor and later first Bishop of Michoacán as follows: "for not in vain, but with much cause and reason is this called the New World, not because it is newly found, but because it is in its people and in almost everything as was the first and golden age..." For Quiroga, Zumárraga, Alonso de la Vera Cruz and others, America was truly a tabula rasa upon which a new culture could be constructed free from traditional European social, political and economic patterns.

³ These Utopias were based in large part upon Plato. For the three influential ones, see Agustín Millares Carlo, Utopías del Renacimiento (México, 1941). Included are More's Utopia; The City of the Sun by Campanella; and Bacon's New Atlantis.

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor creases and discoloration, characteristic of old paper. The left edge of the page shows the binding of the book, and the overall tone is a warm, off-white or light beige.

Desiderius Erasmus. Erasmus' Philosophy of Christ fitted in very well with the plan to adopt utopian rule in regulating the lives of the Indians. Lewis Hanke's thesis of the nature of the conquest of America adequately sums up this thinking: that it was

far more than a remarkable military and political exploit; that it was also one of the greatest attempts the world has seen, to make Christian precepts prevail in the relations between peoples.⁴

The difficulty in implementing the utopia in Mexico centered on the fact that the conquistador was not imbued with the idealism of the Christian humanist and that furthermore he brought to the American mainland the very culture which the humanist hoped to exclude from the colonization. The conflict between Christian humanism on the one hand and Spanish materialism and greed on the other created grave problems in the framing of colonial policy and generated an amazing amount of intellectual speculation on the nature of the Indian and how he should be treated. Hanke has indicated that the Christian humanist position

became basically a spirited defense of the rights of the Indians, which rested upon two

⁴ Lewis Hanke, "The Contribution of Bishop Zumárraga to Mexican Culture," The Americas, V (1948), 275. Hanke has characterized this defense as The Spanish Struggle for Justice in the Conquest of America (Philadelphia, 1949).

of the most fundamental assumptions a Christian can make: namely, that all men are equal before God; and that a Christian has a responsibility for the welfare of his brothers, no matter how alien or lowly they may be.⁵

Those who would exploit the natives, both conqueror and clergy, denied in fact that the Indian was a human being. Instead he was some sort of animal being, perhaps a dirty dog, and as such fitted into the Aristotelian hierarchy on the lower level. The royal chronicler Oviedo y Valdez gives us the prototype of this argument. He characterized the Indians as

naturally lazy and vicious, melancholic, cowardly, and in general a lying, shiftless people. Their marriages are not a sacrament but a sacrilege. They are idolatrous, libidinous, and commit sodomy. Their chief desire is to eat, drink, worship heathen idols, and commit bestial obscenities. What could one expect from a people whose skulls are so thick and hard that the Spaniards had to take care in fighting not to strike on the head lest their swords be blunted?⁶

The Dominican Bartolomé de las Casas, as the conscience of the Crown and extreme defender of the Indian as the noble savage, used Aristotle to prove that Indians were human beings:

⁵ Hanke, "The Contribution of Bishop Zumárraga to Mexican Culture," 275.

⁶ Cited by Hanke, *ibid.*, 276-277, from Oviedo, *Historia General y Natural de las Indias* (Sevilla, 1535), primera parte, Lib. 2, cap. 6; Lib. 4, cap. 2; Lib. 5, prohemio, caps. 2-3; Lib. 6, cap. 9. This is a composite statement made by Hanke from Oviedo's remarks.

of the most fundamental assumptions of Christianity. It is not only the Christian who has a responsibility for the welfare of his brothers, but rather now after of Jewry they may be.

Those who would exalt the natives, both as a race and as a people, denied in fact that the Indian was a human being. Instead he was some sort of animal being, perhaps a dirty dog, and as such fitted into the Aristotelian hierarchy on the lower level. The royal chronicler Ovando y Valdes gives us the prototype of this argument.

He characterized the Indians as

naturally lazy and vicious, rapacious, cowardly, and in general a living, suffering people. Their marriages are not a sacrament but a sacrifice. They are idolatrous, blasphemous, and commit sodomy. Their chief crime is to eat, drink, and waste their strength in idleness, and commit fearful offenses. Most could not even speak their own language and no child was born that was not a slave and no child was born that was not a slave and no child was born that was not a slave.

The Dominican Bartolome de las Casas, as the conscience of the Crown and extreme defender of the Indian as the noble savage, used Aristotle to prove that Indians were human beings:

5. Hanks, "The Contribution of Bishop Zumarraga to Mexican Culture," p. 275.

6. Cited by Hanks, *ibid.*, pp. 275-277. From Ovando, *Historia General y Natural de las Indias* (Seville, 1535), pp. 1-2, cap. 1, lib. 1, fol. 1, rto. Hanks, *ibid.*, p. 275. This is a composite statement made by Hanks from Ovando's remarks.

God created these simple people without evil and without guile. They are most obedient and faithful to their natural lords and to the Christians whom they serve. They are most submissive, patient, peaceful, virtuous. Nor are they quarrelsome, rancorous, querulous or vengeful. Moreover, they are more delicate than princes and die easily from work or illness. They neither possess or desire to possess worldly wealth. Surely these people would be the most blessed in the world if only they worshipped the true God.⁷

The controversy over the rationality of the Indian and his capacity to become civilized and accept and understand the Christian religion consumed the first half of the sixteenth century. In the final analysis the struggle led to a victory of security of empire and religion over humanism. However, the experiments with utopian ideas and the intellectual speculation behind these ventures provided the philosophical background of the early sixteenth-century colonial society. In general the Order clergy were divided on the question of rationality,⁸ and

⁷ Bartolomé de las Casas, Colección de Tratados, 1552-1553 (Buenos Aires, 1924), 7-8, translated by Hanke, op. cit., 276. Lewis Hanke is the foremost authority on the life and activities of Las Casas and all of his books have some bearing on this general theme. Perhaps the most valuable from the standpoint of this study is Bartolomé de las Casas, Pensador Político, Historiador, Antropólogo (Habana, 1949). His Spanish Struggle for Justice is the basic history of these intellectual attitudes.

⁸ The definitive work on the rationality controversy and the administration of the sacraments is Robert Ricard, La Conquista Espiritual de México (México, 1947). This is the Angel Garibay translation of Ricard's French edition published in Paris, 1933.

this issue became inextricably bound up with the question of the ordination of a native Christian priesthood. In general the Franciscans felt that the Indians possessed enough rationality to be converted but lacked the aptitudes necessary for ordination. The eminent ethnologists and antiquarians of the Order, Mendieta and Sahagún, were convinced that the Indians were to be ordered, not to order, and that they were unfit for the priesthood. Many other Franciscans, including Bishop Zumárraga, felt that the Indian was capable of the full cup of salvation, many feeling that the Mexican Church was not adequately constituted because there were no Indian priests.

The Dominican Order, with the exception of Las Casas, and under the intellectual leadership in Mexico of Domingo de Betanzos, were almost unanimous that the Indian was a beast not capable of salvation, but like a child to be the ward of the Church. With this basic premise it followed that there could be no Indian priests because they could not command the respect of the people and they would be liable to error because they were not firmly rooted in the Faith. Indeed, many Dominicans felt that the Indians lacked the basic intelligence necessary to understand the things of the Faith because of their ignorance of Spanish, and that even if they had a command of the language they would still be inadequately endowed because mere language

could not properly transmit the dogma. Betanzos felt that instruction in Latin must be withheld from the Indian because it would lead him to understand how ignorant the priesthood was.⁹ Betanzos was Zumárraga's confessor and the two held divergent views on the Indian. It may have been due to the Bishop's influence that Betanzos made a deathbed retraction of his opinion that the natives were beasts.

In many ways the Augustinians were endowed with a deeper humanism in the rationality controversy, as Kubler has pointed out,

. . .insisting more upon the high moral capacity of the Indians than did their Franciscan and Dominican colleagues, and admitting the Indians at communion and extreme unction, sacraments which the Franciscans sometimes refused the Indians. The late-coming Augustinians carried a Christian humanism that in certain respects reached far deeper than their mendicant colleagues, in assuming the spiritual readiness of the Indians and shortening their tutelage.¹⁰

The rationality controversy seemed to be terminated when

⁹ Hanke, "The Contribution of Bishop Zumárraga to Mexican Culture," 277.

¹⁰ George Kubler, Mexican Architecture of the Sixteenth Century (2 vols., New Haven, 1948), I, 14-15. The Augustinians came to Mexico in 1533, the Franciscans in 1519 to aid Cortés and in 1524 with Martín de Valencia, and the Dominicans in 1526. Frequently the Franciscans refused to enter Indian dwellings to administer extreme unction because they regarded the houses as unsuitable and the odor of the Indian offensive.

Pope Paul III in June of 1537 issued two bulls on the subject: Veritas ipsa condemned Indian slavery while Sublimis deus proclaimed the aptitude of the Indians for Christianity.¹¹ The bulls were largely nullified in Mexico when the crown revoked them as interference with the Patronato Real. The controversy continued to rage in Mexico and in Spain. Finally, in 1550, a council was convoked in Valladolid to deal with rationality and the treatment of the Indians. Las Casas defended the Indian while Juan Ginés de Sepúlveda upheld the traditional Aristotelian views. The outcome of the Council of Valladolid was indecisive but it generally adopted the Aristotelian view and humanism lost out to Spanish imperial security.¹²

While the rationality controversy was in progress and the Aristotelians were winning out in the decades prior to the Council of Valladolid, another famous Dominican, Francisco de Vitoria, a professor at the University of Salamanca, was attacking the problem of the Indians from a different point of view. He contended that not only Spain's Indian policy but also its fundamental right

¹¹ See Lewis Hanke, "Pope Paul and the American Indians," The Harvard Theological Review, XXX (1937), 65-102.

¹² For the Council of Valladolid, see Hanke, The Spanish Struggle for Justice, 109-132.

...in June of 1937, the bill on the
subject: Reforms in the treatment of the Indians
...the bill was largely omitted in
Mexico when the given reason was an interference with
the Catholic Church. The controversy continued to rage
in Mexico and in Spain. Finally, in 1939, a council was
convened in Valladolid to deal with rationality and the
progress of the Indians. The Council decided the Indians
while Juan Guinda de Sordivia would be traditional
Administrator. The outcome of the Council of Valli-
adolid was indicative of its generally adopted the auto-
nomous view and somewhat lost out to Mexican imperial
essentially.

While the rationality controversy was in progress
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11. See Louis Hanks, "The Indians and the American In-
dian," The Harvard Theological Review, LXX (1957), 88-102.

12. For the Council of Valladolid, see Hanks, The
Rationalist Struggle for Justice, 109-112.

to dominion in the New World were based upon untenable premises. Vitoria debunked the right of discovery (res nullius) as a just title because the Indians were already the lords of the New World when the Spaniard came. Similarly the mare clausum theory instituted by the bull Inter caetera of Alexander VI in 1493 was denied by Vitoria as a basis for Spanish rule because he contended that the Pope had no temporal power over the Indians as non-Catholics. Consequently, the refusal of the Indian to accept papal dominion could hardly be considered a basis for just war against them or the confiscation of their properties or goods.¹³

Vitoria did concede, however, that the Spaniards had certain rights and responsibilities in America, and were they hindered in the exercise of either, they might wage a just war. In all there were six possible titles to Spanish dominion in the New World. Each was predicated upon a right or responsibility which, if abridged by the natives, could lead to just war or the assumption of

¹³ These views were expressed in two tracts of 1539, De Indis and De Jure Belli, which are fully analyzed in the definitive work of James Brown Scott, The Spanish Origin of International Law. Francisco de Vitoria and his Law of Nations (London, 1934). The best interpretive summary of Vitoria's ideas and his influence is contained in Hanke, The Spanish Struggle for Justice, 147-155. See also Justus M. van der Kroef, "Francisco de Vitoria and the Nature of Colonial Policy," The Catholic Historical Review, XXXV (1949), 129-162.

to domination in the New World were based upon unproven premises. Vitoria denounced the right of discovery (discovery) as a just title because the Indians were already the lords of the New World when the Spaniards came. Early the next day Vitoria's theory was refuted by the full later passage of Alexander VI in 1493 was denied by Vitoria as a basis for Spanish rule because he contended that the Pope had no temporal power over the Indians as non-Catholics. Consequently, the refusal of the Indians to accept Spanish domination could hardly be considered a basis for just war against them or the confiscation of their properties or goods.¹⁵

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¹⁵ These views were expressed in two tracts of 1529, *De Indis* and *De Jure Belli*, which are fully analyzed in the definitive work of James Brown Scott, *The Spanish Theory of International Law*, translated by Vitoria and the law of Nations (London, 1934). The best interpretive summary of Vitoria's ideas and his influence is contained in *Spain: The Spanish Monarchy for Justice*, 147-152. See also *Spain: A History*, translated by Vitoria and the history of Colonial Policy, *The Spanish Monarchy for Justice*, 152-153. (1934), 152-153.

territorial dominium. The first title was derived from the Spaniard's right to travel and to take up residence in America if he did not harm the Indian in doing so. Should the Indian deter him, a just war could be waged. Secondly, the Spaniard had the right to preach and declare the gospel in barbarian lands and if warfare was necessary to do this, it had to be moderate and directed toward the welfare rather than the destruction of the native.

The last four possible titles to dominium were of a more nebulous character. They included the right to intervene and assume power to prevent cannibalism or sacrifice, to deter Indian princes from forcing converted Indians to return to paganism, to establish dominium when the natives truly and voluntarily submitted, and finally, to establish mandates in the natives' interests. The use to which unscrupulous conquistadores with their built-in radar for wealth and power put Vitoria's theories need not detain us; the significance of his work lies in the humanist movement of which he was a part and which dominated the thinking of a large segment of the spiritual conquerors of New Spain.

We have been discussing Renaissance utopianism and Christian humanism in the theoretical sense as it influenced thinking in New Spain. A glimpse of these movements in action now becomes essential for our purposes.

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Lewis Hanke has summarized the four large questions which confronted the early Mexican humanist in translating his ideas into reality.¹⁴ They were crucial questions, as we shall see: (1) Could the Indians learn to live like Christian Spaniards? (2) Could Spain colonize by peaceful farmers and integrate the Indian into such an agrarian society? (3) Could the Faith be preached by peaceful means alone? and finally, (4) Could the encomienda system be abolished?

The attempts to answer these questions became the first social experiments in America. Obviously, the opponents of Las Casas in the rationality controversy were also foes of these experiments. They were carried on before the conquest of the mainland in the Indies, and afterwards in the Venezuelan, Guatemalan and Mexican areas. Las Casas himself took the lead in the first mainland experiments. He was able to show only moderate success in the Vera Paz venture in Guatemala (1537-1550), and he failed completely earlier at Cumaná on the Venezuelan coast (1521). Despite failure in practical experimentation, Las Casas remained the inveterate foe of the encomienda system, and it was

¹⁴ See Hanke, The Spanish Struggle for Justice, 39-83, and for a fuller treatment, his The First Social Experiments in America: A Study in the Development of Spanish Indian Policy in the Sixteenth Century (Cambridge, 1935).

largely due to his efforts that it eventually was tamed.¹⁵

The only measure of success of the Christian humanists came in Mexico. While Bishop Zumárraga certainly had some hand in stimulating the utopian experiments in New Spain, it was the first Bishop of Michoacán, Don Vasco de Quiroga, who must be credited with adopting utopian rule

¹⁵ The encomienda was grant of Indian labor to a conquistador who in return for the Indian's labor was obligated to look out for his well-being and teach him the basic elements of Christianity. Abuses were rampant from the earliest days of the institution in the Indies. In 1512 the Laws of Burgos sanctioned the institution but tried to curb certain abuses. In 1518 the Jeronimite Friars investigated encomienda practices but reached a stalemate. In 1520 Charles V had decided that the Indian was a free agent and could not be a chattel and three years later forbade Cortés to encomendar, but due to the necessities of the conquest in 1526 the encomienda was legalized in New Spain with the proviso that no man was to hold over 300 Indians. In 1530 the first Audiencia received instructions for the gradual suppression of the institution, while in 1536 the tribute which encomenderos received from the Indians was regulated, and in the same year it was decreed that encomiendas were to be inherited for only two generations. Las Casas was largely responsible for the New Laws of 1542 because he labored at court two years before their promulgation. Article 35 of these laws sought to suppress the encomienda but the Visitor Tello de Sandoval was forced to suspend this article in New Spain because the colony was on the verge of rebellion. On October 20, 1545, Charles V revoked Article 35. The Mexican clergy were nearly unanimous in agreeing that the encomienda had to be kept and even granted in perpetuity because the Church had an economic stake in the controversy and depended upon the encomienda for its livelihood. In 1549 the institution was shorn of much of its power when it was decreed that personal service could not be accepted by the encomendero in lieu of tribute. From this date on the encomienda was essentially a tribute-gathering institution.

REPORT

1. The purpose of this report is to provide a detailed account of the activities and findings of the research team during the period from January 1, 1968, to December 31, 1968. The report is organized into several sections, each dealing with a specific aspect of the research.

2. The first section, titled "Introduction," discusses the background and objectives of the research. The second section, "Methods," describes the procedures and techniques used in the study. The third section, "Results," presents the data obtained and the conclusions drawn from it. The fourth section, "Discussion," provides a critical analysis of the findings and their implications. The fifth section, "Conclusions," summarizes the main points of the report. The sixth section, "References," lists the sources of information used in the study. The seventh section, "Appendix," contains supplementary material. The eighth section, "Bibliography," lists the works cited in the report. The ninth section, "Index," provides a guide to the contents of the report. The tenth section, "Glossary," defines the terms used in the report. The eleventh section, "List of Figures," provides a summary of the figures included in the report. The twelfth section, "List of Tables," provides a summary of the tables included in the report. The thirteenth section, "List of Abbreviations," provides a summary of the abbreviations used in the report. The fourteenth section, "List of Symbols," provides a summary of the symbols used in the report. The fifteenth section, "List of Equations," provides a summary of the equations used in the report. The sixteenth section, "List of Figures," provides a summary of the figures included in the report. The seventeenth section, "List of Tables," provides a summary of the tables included in the report. The eighteenth section, "List of Abbreviations," provides a summary of the abbreviations used in the report. The nineteenth section, "List of Symbols," provides a summary of the symbols used in the report. The twentieth section, "List of Equations," provides a summary of the equations used in the report.

in regulating the lives of the Indians.¹⁶

Vasco de Quiroga had come to New Spain in 1531 with the second Audiencia. He became the friend and companion of Zumárraga and was installed as the first Bishop of the Tarascan area when it was set up as the diocese of Michoacán in 1538. The major source of his Indian policy was the Utopia of Sir Thomas More. Following the latter's writings, he proposed and put into effect a system of Indian reducciones, or communities, into which he integrated a rational political system, the Christian Faith, and a program for the economic well-being of the natives.¹⁷ The

¹⁶ For Mexican humanism in general see: Gabriel Méndez Plancharte, Humanismo Mexicano del Siglo XVI (México, 1946); Víctor Adib, "Del Humanismo Mexicano," Historia Mexicana, V (1955), 109-113; Lesley B. Simpson, "Spanish Utopia," Hispania, XX (1937), 353-368; The Encomienda in New Spain (Berkeley, 1950); Hanke, op. cit.

The life and works of Vasco de Quiroga have attracted great attention among scholars, although it must be remarked that a balanced study has yet to appear. See: Silvio Zavala, Ideario de Vasco de Quiroga (México, 1941); La 'Utopia' de Tomás Moro en la Nueva España y Otros Estudios (México, 1937); New Viewpoints on the Spanish Colonization of America (Philadelphia, 1943); Hanke, The First Social Experiments; Rafael Aguayo Spencer, Don Vasco de Quiroga: Documentos (México, 1940); Paul S. Lietz, "Vasco de Quiroga, Sociologist of New Spain," Mid-America, XVIII (1936), 247-259; "Vasco de Quiroga: Oidor Made Bishop," Mid-America, XXXII (1950), 13-32; Don Vasco de Quiroga and the Second Audiencia of New Spain (unpublished Ph.D. dissertation, Loyola, 1940); Alfonso Reyes, "Utopías Americanas," Sur (Buenos Aires, enero, 1938), 7-16; and Zavala's comment on the latter, "Letras de Utopía: Carta a Don Alfonso Reyes," Cuadernos Americanos, II (1942), 146-152.

¹⁷ Zavala, "The American Utopia of the Sixteenth Century," summarizes many of his previous studies and gives the best overall account in English of the subject.

famous communities were founded at Santa Fe, near the boundaries of Mexico City, and near Pátzcuaro on the shores of the lake of the same name in Michoacán. His republics were monolithic and theocratic medieval entities geared to deal with both the temporal and spiritual aspects of man, but constructed almost entirely from More's outlines.

Quiroga's blueprints as outlined by Zavala give a fascinating picture of the Mexican Utopias:

Once political order and humane relations were established, the roots of all discord, luxury, covetousness, and sloth would be cut out; and peace, justice and equity would reign.¹⁸

Zavala continues with a summary description of the communities in action:

In his villages of Santa Fe, Quiroga established the common ownership of property; the integration of large families; the systematic alternation between the urban and rural people; work for women; the six-hour working day; the liberal distribution of the fruits of the common labor according to the needs of the inhabitants; the foregoing of luxury and of all offices which were not useful; and the election of the judiciary by the families.¹⁹

Quiroga's hospital-villages, as he called them, set the pattern for general Indian evangelization as the conquest period moved on and the northern frontier was pene-

¹⁸ Zavala, "The American Utopia of the Sixteenth Century," 344.

¹⁹ Ibid., 347.

trated. The lasting influence of Quiroga on Mexican humanism is best described in the words of Kubler:

The special interest of these communities is that they are the earliest manifestations now known in Mexico, of Humanist and Erasmian ideas of social reform, for Zumárraga's catechisms did not appear until the mid-1540's.²⁰

And Kubler continues that Quiroga "stated explicitly in later life that he had patterned his towns upon More's Utopia, of which a copy was in the possession of his friend, Zumárraga."²¹

Renaissance ideas among the laymen of early sixteenth-century Mexico were anything but humanistic in the Christian sense. If Quiroga and Zumárraga represented Christian humanism, the conquistador probably represented the extreme materialistic side of humanism. This layman created, initially, a pseudo-Renaissance society in Mexico which was founded on an affected cult of gentlemanliness, an imitation of the Renaissance gentleman by the baser classes in breeding and intellect. The early citizen was usually a soldier-encomendero and had an aversion to manual labor; indeed, as Kubler has suggested, he doubted its ethical value.²² The exploitation of the Indian was

²⁰ Kubler, op. cit., I, 12.

²¹ Loc. cit.

²² Kubler, op. cit., I, 15.

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the mudsill upon which he built his society, and he became extremely impatient and malicious with the Christian humanists who sought to undermine the foundations of his new order.

It was in the midst of this struggle that Juan de Zumárraga entered upon the scene of Mexican history, and it was in this struggle that he labored during his twenty years in Mexico.

II. The Intellectual Fiber of Juan de Zumárraga²³

Fray Juan de Zumárraga, O. F. M., the first Bishop

²³ The biographers of Zumárraga are numerous but generally lacking in depth and balance. The classic treatment of his life is by Joaquín García Icazbalceta, issued in 1881 but recently reprinted and augmented by Aguayo Spencer and Castro Leal, Don Fray Juan de Zumárraga, Primer Obispo y Arzobispo de México (4 vols., México, 1947). See also: Fidel de J. Chauvet, Fray Juan de Zumárraga O.F.M. (México, 1948); Juan Ruiz de Larrinaga, Don Fray Juan de Zumárraga, Primer Obispo y Arzobispo de México, Durangués, Franciscano, y Servidor de la Patria. Al Margen de Su Pontificiado (Bilbao, 1948); Constantino Bayle, El IV Centenario de Don Fray Juan de Zumárraga (Madrid, 1948); Daniel J. Mulvihill, "Juan de Zumárraga, First Bishop of Mexico" (unpublished Ph.D. dissertation, University of Michigan, 1954); Alberto María Carreño, Don Fray Juan de Zumárraga, Teólogo y Editor, Humanista e Inquisidor. Nuevos Documentos (México, 1950); Estanislao J. de Labayru, Estudios y Hechos de la Vida del Ilustrísimo y Venerable Vizcaino Don Fray Juan de Zumárraga, Natural de Durango, Primer Obispo y Arzobispo de México (Bilbao, 1880). Volume V, Number 3 of The Americas (January, 1949) is dedicated to the memory of Zumárraga. Specific articles will be cited in the text of this chapter.

of México, arrived at his post December 6, 1528,²⁴ and he began immediately to assume the full powers of his office, especially his subsidiary powers as Protector of the Indians which had been granted him on January 2, 1528, while

²⁴ Zumárraga was born in Durango, Vizcaya, in late 1468 or early 1469. We are largely ignorant of his early years. The father was a landowner and Juan was educated by the Bachiller Arrazola and later at Valladolid. He joined the Order at Abrojo and later became Guardian of the monastery there, and in 1520-1523 was Provincial of the new province of Concepción, in the latter year retiring to Abrojo where he again was elected Guardian. In 1527 Charles V visited Abrojo during Holy Week and was greatly impressed with its Guardian, later commissioning him to investigate witchcraft in Pamplona, and finally presenting him as first Bishop of Mexico in December of 1527. Zumárraga left Sevilla in late August and arrived in Mexico December 6, 1528. He had left Spain without the papal bulls of consecration because of the urgent need for his presence in Mexico. His lack of consecration provided many difficulties in the exercise of his functions, and his appointment as Protector of the Indians brought him into conflict with the peninsular population in Mexico. In July of 1532 the Bishop returned to Spain upon a summons from the Council of the Indies to answer charges which the First Audiencia and its President Nuño de Guzmán had presented against him. He cleared his name easily and took advantage of the visit to receive the ceremony of consecration on April 27, 1533, in the monastery of San Francisco at Valladolid, and dispatched his legates to Mexico to take complete charge of the diocese. It was agreed that the Office of Protector would be abolished and Zumárraga consented. With the arrival of Mendoza as first Viceroy of New Spain, on November 14, 1535, the viceregal office assumed the function of looking after the native population. Zumárraga returned to Mexico in October, 1534, to exercise his full episcopal powers. He served as Apostolic Inquisitor from 1536 to 1543 and participated actively in the spiritual conquest. His appointment as first Archbishop of Mexico did not reach him before his death on June 3, 1548.

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he still remained in Spain.²⁵ Zumárraga's duty, as he saw it, was to protect the Indian from exploitation, and in his attempt to do this he came into conflict not only with the soldier-encomendero but also with the Spanish officialdom in New Spain who were either corrupt in office or derelict in performing their duties.

Zumárraga viewed the Indian as a rational human being who was in every way capable of salvation, and as Hanke indicated "every one of his contributions to Mexican culture derived from this belief...".²⁶ As Protector of the Indians he was empowered to inform himself of social and economic conditions among the natives and to protect them in general, without restriction, against anyone who neglected his duty towards them as an encomendero or maltreated them in any way. Unfortunately, Zumárraga was set up as some kind of supreme judge without prescribed sanctions to enforce his will.

His initial clash with the First Audiencia and its President, Nuño de Guzmán, was over the right of the Indian

²⁵ For the Office of Protector and the controversy in which it involved Zumárraga, see Fidel de J. Chauvet, "Fray Juan de Zumárraga, Protector of the Indians," The Americas, V (1949), 283-295. This study is based partly on Constantino Bayle, El Protector de Indios (Sevilla, 1945). Much of the following material is taken from the Chauvet monograph.

²⁶ Hanke, "The Contribution of Bishop Zumárraga to Mexican Culture," 275.

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to appeal to the Protector for redress of grievances. In 1529 Zumárraga had made known his jurisdiction throughout the diocese and had invited the Indian to appeal any maltreatment. Flocks of natives took the Bishop at his word. When the Audiencia forbade Zumárraga to interfere and indicated that Indians who appealed might be hanged and lose their property, Zumárraga denounced the oidores from the pulpit. The Audiencia, in effect, declared war. Vile and infamous charges against the Bishop were fabricated; one Franciscan preacher, Father Ortiz, was dragged from his pulpit for preaching against the Audiencia, with the result that Zumárraga excommunicated the judges. Guzmán countered with a censorship of all of the Bishop's mail to Spain, while the oidores filed denunciations against their bishop with the Council of the Indies. Zumárraga had to resort to illicit means to get his side of the story to Spain, namely through certain trusted sailors who carried the letters in secret. Eventually, after a threat on his life and an actual pass with a sword at his person, Zumárraga placed Mexico City under interdict. Shortly the oidores sought and received absolution, but their letters to the Council netted Zumárraga a censure and an order to report in person to Spain. Zumárraga with his own consent was removed as Protector, mainly as Chauvet has said because ". . . from

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about the middle of 1529 he came to realize that the Office of Protector of the Indians did not harmonize well with his somewhat severe character, nor with the nature of his office as ecclesiastical superior of Mexico."²⁷ He felt further that "the conflict stirred up by his office worked to the detriment of the spiritual government of souls."²⁸ He continued, however, as bishop to investigate and make recommendations for the well-being of the natives, particularly in the realm of education and economic betterment. He was convinced that the Indians were capable of becoming fine craftsmen and farmers. With these thoughts in mind he urged the importation of flax and hoped to stimulate a native linen industry in Mexico. He was instrumental in seeing that all varieties of seeds planted in Spain were brought to New Spain for experimentation. Silkworms were imported as well as mulberry trees and Moriscos were allowed to immigrate to teach the natives the techniques of cultivating silk. Zumárraga recognized the practical benefits of the encomienda system and he stoutly contended

²⁷ Chauvet, "Fray Juan de Zumárraga, Protector of the Indians," 294.

²⁸ Loc. cit.

that the New Laws of 1542 were impractical in Mexico.²⁹

In the realm of Indian education Zumárraga was the leader. It is true that Peter of Ghent founded the first school for Indian boys at Texcoco in 1523 and that Friar Martín de Valencia had established a similar school in Mexico City two years later, but the real impetus to native education came from Zumárraga, both in the founding of schools personally and the encouragement of other friars and other Orders to found schools of their own. Zumárraga's most famous school was the Colegio de Santa Cruz de Tlatelolco, founded in 1534 for the sons of caciques. In the same year Zumárraga began his educational program for Indian girls, especially expectant mothers. A similar type of school was founded in 1547 for homeless mestizo boys.³⁰

The College at Tlatelolco prospered for the first few decades of its existence despite the fact that one of its brightest students, Don Carlos of Texcoco, was burned at the stake for heresy. The Don Carlos episode, coupled

²⁹ Castañeda, "Fray Juan de Zumárraga and Indian Policy in New Spain," The Americas, V (1949), 308; Mulvehill, op. cit., 179; supra, 61, note 15.

³⁰ Hanke, "The Contribution of Bishop Zumárraga to Mexican Culture," 280. See also Ricard, op. cit., 375-409, and Francis B. Steck, Education in Spanish North America during the Sixteenth Century (Washington, D.C., 1943).

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2. Castaneda, Juan. *Los indios en México*.
Mexico City, 1917. 120 pp. 12 cm. 1917.
3. *Los indios en México*. Mexico City, 1917.
Mexico City, 1917. 120 pp. 12 cm. 1917.
and Francisco A. de la Cruz. *Los indios en México*.
during the Mexican Revolution (1910-1920).

with the fact that Indians were outshining Spaniards in their knowledge of Latin, raised grave doubts as to the value of the school in the minds of some of the clergy. Hanke reports that the colegio languished and never became the great center that Zumárraga had hoped. The consequences were serious for Mexico for the College had been the obvious training ground for a native priesthood, and with its ineffectiveness the clergy tended to become entirely peninsular or creole. Hanke and Ricard think the role of the College might have been crucial in Mexican history: "If the colegio of Tlatelolco had trained only one bishop for the country, the whole history of the Mexican Church would have been far different."³¹ In addition to his contributions to native education Zumárraga must be credited with four other decisive contributions to Mexican culture. He participated in the movement for the founding of the Royal and Pontifical University of Mexico; he founded great hospitals for the Spaniard and Indian alike; he was instrumental in bringing the first printing press to the colony; and the books which he printed and edited for the Indian's religious edification rounded out as large a contribution to culture as any man could have made in

³¹ Hanke cites Ricard, op. cit., 419 et passim, in "The Contribution of Bishop Zumárraga to Mexican Culture," 280.

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sixteenth-century Mexico.³²

Beyond a doubt Juan de Zumárraga represented in Mexico the Erasmian brand of Christian humanism with certain modifications.³³ His branch of the Franciscan Order, says Kubler, was "exalted by a spiritual unrest closely akin to that of the Northern Reformation in Europe,"³⁴ and the climax of their reform movement came in the decade of 1510 under the auspices of Cardinal Ximénez de Cisneros, the

³² For Zumárraga's writings, editings and printings, see Alberto María Carreño, "The Books of Don Fray Juan de Zumárraga," The Americas, V (1949), 311-330. This article is a translation with some variations of a section of Don Fray Juan de Zumárraga: Teólogo y Editor, Humanista e Inquisidor. Documentos Nuevos (México, 1950).

³³ The monumental work on Spanish Erasmism is Marcel Bataillon, Erasmus y España, Estudios sobre la Historia Espiritual del Siglo XVI (2 vols., México, 1950), trans. Antonio Alatorre. Especially valuable for Mexico is the appendix of Volume II, "Erasmus y el Nuevo Mundo," 435-454. By the same author, "Erasmus au Mexique," Société Historique Algérienne. Deuxième Congrès National des Sciences Historiques, 1930 (Algiers, 1932) is valuable for Mexico, but perhaps the foremost authority on Zumárraga and Erasmus is José Almoína, "El Erasmismo de Zumárraga," Filosofía y Letras, XXIX (1948), 93-126. By the same author, Rumbos Heterodoxos en México (Ciudad Trujillo, 1947) and "Citas Clásicas de Zumárraga," Historia Mexicana, VIII (1954), 391-419, are extremely useful.

Other studies of merit are Kubler, op. cit., I, 1-21; José Miranda, "Renovación Cristiana y Erasmismo en México," Historia Mexicana, I (1951), 22-47; Alfonso Reyes, Letras de la Nueva España (México, 1948); Carreño, "The Books of Fray Juan de Zumárraga;" Silvio Zavala, "Letras de Utopía: Carta a Don Alfonso Reyes," which contains facsimiles of Zumárraga's copies of More, Erasmus and Gerson with notations in his own hand.

³⁴ Kubler, op. cit., I, 4.

1940-1941

Report of the Committee on the

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great pre-Reformation advocate of the humanist Philosophy of Christ in Spain.

The Cisnerian reform was predicated upon a purification of the clergy by revitalizing their preaching mission and reemphasizing the precept of austerity. The end result of this movement was the creation of a "spiritual elite of evangelical tendency"³⁵ who were sympathetic to Erasmus and anticipatory of the Protestant Reformation. These elite, of whom the Los Doce of Martín de Valencia were a segment, were members of the observant rather than the conventual branch of the Franciscan Order and followed the reformed regula of Juan de Puebla and Juan de Guadalupe, the founders of the observantias strictissimas in Renaissance Spain.³⁶

Kubler makes the speculation, however, that in 1524 when the Apostolic Twelve came to Mexico,

³⁵ Kubler, op. cit., I, 4. Kubler has the best summary of this material on Erasmus in Mexico based upon the sources previously mentioned.

³⁶ The observant-conventual split had its origin in the medieval controversy over the renunciation of property. Kubler's researches revealed that the Mexican Franciscans originated in a special group founded by Juan of Puebla in 1487 and developed by Juan of Guadalupe who initiated the typical Mexican Franciscan habit and the practice of going barefoot. In general the conventuals lived in larger houses and permitted common possessions and incomes. In the fifteenth century their discipline became very lax. The observants abjured any property in common and renounced all fixed incomes and landed estates.

Great pre-occupation with the future of the world.

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. . . the Franciscan Missionaries, were not to our knowledge in contact with the political and religious thought of North European Humanism. If the Apostolic Twelve represented Cisnerian Spain, a later group of missionaries under Juan de Zumárraga represented Erasmian thought in Mexico.³⁷

Zumárraga was appointed in a Spain whose officialdom were intellectual followers of Erasmus.³⁸ Unfortunately we are largely ignorant of the first Mexican Bishop's spiritual biography. Kubler has framed the two fundamental questions which need to be answered: (1) Was Zumárraga an Erasmist before he left Spain in 1528? and (2) How long before 1540 did Zumárraga's intention to mediate the Philosophia Christi to the Indians shape in his mind? The answers to these and other questions are to be found in the conventual archives in Spain.³⁹

Since Juan de Zumárraga was born some three decades before the turn of the sixteenth century, it is very plausible to think that he had acquaintance with the writings of Erasmus of Rotterdam. However, the main documentary

³⁷ Kubler, op. cit., I, 9.

³⁸ Kubler, loc. cit. See also John E. Longhurst, Erasmus and the Spanish Inquisition: The Case of Juan de Valdés (Albuquerque, 1950), 28-34; 70-77. The fate of the Spanish Erasmists in the 1530's and later is outlined.

³⁹ Kubler, op. cit., I, 11.

evidence that we have of his Erasmism "are the doctrinal books printed in Mexico under his direction and a copy of More's Utopia and Erasmus's Epigrammata in his possession."⁴⁰

Bataillon and Almoína⁴¹ have analyzed the Doctrina Breve (1544) and the Doctrina Cristiana (1545, 1546) of Zumárraga⁴² in order to discern the use by the Bishop of Erasmus' ideas. Bataillon correlated parallel passages of the two and came to the conclusion that Zumárraga not only quoted whole blocks of Erasmus' Epigrammata and Paraclesis as well as the Enchiridion, but that he also must have been acquainted with the Diálogo de Doctrina Cristiana de Juan de Valdés.⁴³

The Doctrina Breve was issued in 1544 to instruct the priests of the diocese. It contained Erasmus' remedies against vices and used certain sections of the Paraclesis for a conclusion. Kubler comments on the Bataillon analysis:

⁴⁰ Kubler, op. cit., I, 10.

⁴¹ Bataillon, "Erasme au Mexique," and Almoína, Rumbos Heterodoxos, 169.

⁴² For complete titles and publication data, see Carreño, "The Books of Fray Juan de Zumárraga," 314-330.

⁴³ For a very useful summary of the Valdés Doctrina, see Longhurst, op. cit., 79-96.

evidence that we have of his "Humanism" are the doctrinal books printed in Mexico under his direction and a copy of More's Utopia and Erasmus's Enchiridion in his possession.⁴⁰

Battalion and Almoneda⁴¹ have analyzed the Doctrina Breve (1544) and the Doctrina Cristiana (1545, 1546) of Zumárraga⁴² in order to discover the use by the Bishop of Mexico, Almoneda. Battalion correlated parallel passages of the two and came to the conclusion that Zumárraga not only quoted whole blocks of Erasmus's Enchiridion and Paraphrase as well as the Doctrina Breve, but that he also must have been acquainted with the Doctrina de Doctrina (1544) of Juan de Valdes.⁴³

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⁴⁰ Kehler, op. cit., p. 10.
⁴¹ Battalion, "Erasmus en Mexico," and Almoneda, Erasmus en Mexico, 189.
⁴² For complete titles and publication data, see Carrasco, "The Books of Fray Juan de Zumárraga," pp. 33-34.
⁴³ For a very useful summary of the Valdes Doctrina, see Longhurst, op. cit., pp. 79-80.

He [Zumárraga] changed Erasmus's filosoffia cristiana to doctrina cristiana, and deleted the name of Erasmus but confirmed the denunciation of scholasticism. . . . Zumárraga also approved Erasmus's advocacy of the unlimited diffusion of Scripture, as in the Paraclesis, and kept the doctrine of interior Christianity intact. On the whole, the Pauline formulas of Charity appear as in the Enchiridion. The unfavorable remarks about mendicants, were of course suppressed.⁴⁴

The Doctrina Cristiana was prepared as a catechism for Indian use. It was based in great part upon the Suma de Doctrina Cristiana of the famous confessor to Charles V, Dr. Constantino Ponce de la Fuente, who was later convicted as the leader of the Sevilla Lutheran movement. It contained "essential Christianity, conceived in the spirit of Erasmus," and insisted upon the primacy of faith over good works. Zumárraga again used parts of the Paraclesis as a conclusion to this edition.⁴⁵

When the Montúfar Inquisition examined this work in the late 1550's it did so with the firm conviction that Zumárraga's Erasmism was heretical. It is probably true that the work would have been condemned in Spain in the same year that it was printed in Mexico, 1545. However, modern Zumárraga scholars--and most of them are pro-Zumárraga--contend that although the Bishop knew and admired

⁴⁴ Kubler, op. cit., I, 10.

⁴⁵ Loc. cit.

Erasmus, he used only those sections of the noted humanist's works which were orthodox and which he found applicable to the needs confronting him.⁴⁶

Furthermore, Zumárraga's supporters marshal additional evidence to substantiate their claims. It is pointed out that the Enchiridion was not condemned in Spain until 1559, nine years after the death of the Bishop, and sixteen years after the publication of the Doctrinas. Carreño shows Zumárraga's astuteness in editing other books which were to be published under his auspices to make sure that they were completely orthodox.⁴⁷ In addition, Carreño takes Almoína's general theme that Zumárraga was laboring to bring about an orthodox reform of Catholicism and supports it, contending that he certainly would not try to do this by unorthodox methods, namely heresy and plagiarism.⁴⁸ Finally, the classic biographer of the

⁴⁶ Mulvihill, op. cit., 32.

⁴⁷ When the Compendio de la manera como se han de hacer las procesiones, compuesto en latín por Dionisio Riguel Cartusiano y romanceado para común utilidad was published by Cromberger in 1544, Zumárraga inserted an appendix containing his replies to three complaints against the work. "This appendix proves the Bishop's carefulness to provide in doctrinal matters only the most approved teachings, according to his mind and conscience, for the instruction of his spiritual subjects." Carreño, "The Books of Fray Juan de Zumárraga," 324.

⁴⁸ Ibid., 319.

Bishop, García Icazbalceta, flatly indicated that "everything about him excludes the idea that by word or writing he ever gave any reason for the slightest suspicion regarding his orthodoxy."⁴⁹

Fernando Benítez, a critic of Zumárraga, marvels that the Bishop "dared to launch an Erasmist program of Christianization ten years after Erasmus had died, and when his works were without defenders in Spain, and were the objects of implacable inquisitorial investigations."⁵⁰

Zumárraga's Inquisition has clearly indicated to this author that the Bishop was probably orthodox in all things. In 1539, before the publication of the Doctrinas, Zumárraga had occasion to try a Castilian, Francisco de Sayavedra, as an Erasmist.⁵¹ This fact must be interpreted to mean that Zumárraga understood the heterodoxies of Erasmus as the Spanish Inquisition had defined them, and that certainly he could not be a party to such errors.

We have some evidence to support the idea that

⁴⁹ Carreño, "The Books of Fray Juan de Zumárraga," 325. Carreño cites José T. Medina, La Imprenta en México (8 vols., Santiago de Chile, 1912), I, 38-39.

⁵⁰ Fernando Benítez, La Vida Criolla en el Siglo XVI (México, 1953), 85. The translation is mine.

⁵¹ The proceso is found in the AGN, Inquisición, Tomo II, exp. 8. It is also published in the Boletín del Archivo General de la Nación, XVIII (1947), 1-15.

Blanco, however, is not a man who is easily
thing about his existence. He is a man who is
he ever gave any reason for his existence.
garding his existence.
Fernando Benítez, a man of letters, writes
that the Blanco "lived in a house" and
Christ's vision of the world. He was a man
when his work was without effort. He was a man
the extent of his knowledge. He was a man
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49. Benítez, "The Book of the World," p. 325.
325. Benítez, "The Book of the World," p. 325.
(8 vols., Santiago de Chile, 1932).
50. Benítez, "The Book of the World," p. 325.
(Mexico, 1932).
51. The process is found in the 1932 edition of the
II, exp. 6. It is also found in the 1932 edition of the
Chivo General de la Nación, 1932.

besides an affinity to certain Erasmian doctrines, Zumárraga had a profound respect for the writings of Sir Thomas More.⁵² Kubler has examined Zumárraga's own copy of the Epigrammata of Erasmus which was the Froben edition of 1518. This edition also contained More's Utopia. Kubler has these comments to make about Zumárraga's marginal notations on the Utopia:

For the Mexican humanists, such complexities in the English political situation were irrelevant. The marginal notations to Utopia are nearly all in the same rapid hand, and bear an unmistakable resemblance to Zumárraga's known holographs. Zumárraga's notations show him especially sensitive to More's remarks upon the foolish estimation of gold, upon crafts and hospitals, social organization, and religious exercises. They are the notes of a straightforward, simple man of action, revealing a decidedly naive curiosity about the natural and historical identification of Utopia, as on page 63 where he glosses More's navigational distances. Zumárraga failed to comment on More's esthetics, or his speculations on health and the pleasures of the mind. Significantly, there is no comment upon the passages treating of war and religious tolerance, but much upon the industry of the Utopians (one marginal note reads "none is idle"), the manner of dying, the laws, the forms of religious community, the size of the familia ("30 families eat together"), the status of priests, and the forms of towns, where Zumárraga has underlined the passages describing Utopian architecture with heavy, rapid, agitated strokes.⁵³

Zumárraga certainly must have gotten many of his ideas from More, especially on hospitals and Indian crafts.

⁵² Kubler, op. cit., I, 11.

⁵³ Loc. cit.

besides an affinity to certain Indian doctrines, Sumatra had a profound respect for the writings of Sir Thomas More. 52 Kubler has examined Sumatra's own copy of the *Utopia* of Erasmus which was the first edition of 1516. This edition also contained More's *Utopia*. Kubler has these comments to make about Sumatra's marginal notations on the

Utopia

For the Western humanists, such considerations in the English political situation were irrelevant. The marginal notations to *Utopia* are nearly all in the same rapid hand, and bear an unmistakable resemblance to Sumatra's known handwriting. 53 Sumatra's notations show his especially sensitive to More's remarks upon the foolish estimation of gold, upon virtues and vices, social organization and religious exercises. They are the notes of a straightforward, simple man of action, revealing a decidedly naive curiosity about the natural and historical identification of *Utopia*, as on page 63 where he glosses More's metaphorical distances. Sumatra failed to comment on More's estimates, or his speculations on health and the pleasure of the mind. Significantly, there is no comment upon the passages treating of war and religious tolerance, but much upon the industry of the *Utopians* (one marginal note reads "none is idle"), the manner of dying, the laws, the forms of religious community, the size of the *Utopia* (200 families at 20-30 persons each), the status of women, and the forms of towns, where Sumatra has underlined the passages describing Utopian architecture with heavy, rapid, slanted strokes. 54

Sumatra certainly must have gotten many of his ideas from More, especially on hospitals and Indian crafts.

52 Kubler, *op. cit.*, I, 11.

53 *loc. cit.*

The fact that Quiroga used this Froben edition to plan his hospital villages and write his ordinances for their government made the mere fact that Zumárraga had it in his library of untold significance.

III. An Evaluation of Zumárraga's Intellectual Background

I agree with Fernando Benítez who said that Zumárraga, in spite of his affinity for Erasmus, remained in doctrine and practice a medieval friar.⁵⁴ One has to conclude that sixteenth-century Mexico did not really belong to the Renaissance but to Dante's De Monarchia. The main teleology in conquest Mexico was still religion, although the unruly conquistador represented the move toward materialism. There were, to be sure, radical reformers among the clergy, but they simply had not been declared unorthodox until after the Zumárraga period. Humanism was acceptable as long as it fused with St. Thomas, and the aspects of humanistic belief which did not fit Thomas were discarded. Zumárraga and the friars of Mexico lacked the real essence of humanism, tolerance.

Zumárraga was a man of contradiction, a segmented thinker, not untypical of the sixteenth century. Perhaps the greatest contradiction in Zumárraga was his Indian

⁵⁴ Benítez, op. cit., 84.

 

III. The question of the future of the country

 

Inquisition. He was convinced that the Inquisition was just and was needed in New Spain, but he knew the Indian's frailty and instability in the new religion, and he realized that it was predicated upon inadequate instruction.

One cannot help feeling that perhaps a single ingredient made the Mexican Renaissance Utopia impossible: the lack of elasticity in the clerical mind to absorb new ideas and integrate them into its thinking. Initially, the clergy tried to compartmentalize their religious orthodoxy on the one hand with a type of philosophical eclecticism on the other. Eventually humanism had to give way to security of the empire and its religion. The Noble Savage, despite his many attributes, had to stay within the boundaries of the new orthodoxy or be punished.

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CHAPTER III

THE INDIANS AND THE INQUISITION:

1536-1543 (PART ONE)

I. The Religion of the Aztecs¹

To generalize about Aztec religion is a difficult and dangerous process. Perhaps the safest general statement

¹ The two definitive primary studies on the Indians of central Mexico are Bernardino de Sahagún, Historia General de las Cosas de Nueva España (3 vols., México, 1955), translated from the Nahuatl and annotated by Arthur J. O. Anderson and Charles E. Dibble, The Florentine Codex: General History of the Things of New Spain (Vol. I--., Santa Fe, 1950--); and Toribio de Motolinía, Historia de los Indios de la Nueva España (Barcelona, 1914), translated and annotated by Francis Borgia Steck, Motolinía's History of the Indians of New Spain (Washington, D.C., 1951).

Four modern scholars have distinguished themselves in the archaeology and ethnology of central Mexico: Alfonso Caso, El Pueblo del Sol (México, 1953); J. Eric Thompson, Mexico Before Cortez, An Account of the Daily Life, Religion, and Ritual of the Aztecs and Kindred Peoples (New York, 1933); Herbert J. Spinden, Ancient Civilizations of Mexico and Central America (New York, 1917); and George C. Vaillant, The Aztecs of Mexico: Origin, Rise and Fall of the Aztec Nation (Harmondsworth, Middlesex, 1950). It must be noted that Vaillant's archaeology has been altered by recent Mexican discoveries and by the use of radiocarbon dating. His ethnology, although it is a general composite picture of Aztec culture, remains fairly reliable for my purposes. For added information on Vaillant and modern revisions of his work, see John Paddock, A Guide to G. C. Vaillant's Aztecs of Mexico (México, 1956).

This introductory section on the religion of the Aztecs relies very heavily on Vaillant, but the general materials quoted from Dr. Vaillant in the next pages are substantiated in the other accounts.

came from George C. Vaillant when he said that "Aztec religion was an outgrowth of the recognition and fear of natural forces and the attempt to constrain them."² As such it permeated all phases of Indian culture and daily life. Aztec society, then, was monolithic, and there existed no real distinction between religion, politics and social life. Consequently it was difficult for the Spaniard to intervene radically in the Aztec's theology without re-orienting the entire cultural complex of his race.

According to Aztec mythology the world has passed through four stages and is embarked upon a fifth. The first age was called Four Ocelot and was dominated by the god Tezcatlipoca, "who at the end of the era transformed himself into the sun, while jaguars ate up the men and giants who then populated the earth."³ The second stage was designated as Four Wind and had as its prime mover the

² Vaillant, op. cit., 169. The following general characterization of the Aztecs is excellent for our purpose: "The Aztecs and their forebears believed that the forces of nature acted for good or evil very much as does mankind, so that it was logical for them to personalize the elements as gods or goddesses. The process of worship entailed offering presents, uttering prayers, and performing symbolic acts to induce the divine powers to operate for the public benefit. The tribal intellect was mobilized, as it were, to sort out processes of nature, find out how they acted, and devise magical procedures or rituals to win them to be favorable to man." Ibid., 168.

³ Ibid., 169.

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3. The fact that it is of great value in life, and the fact that it

god Quetzalcoatl, lord of the wind. When this era terminated hurricanes destroyed the world and men were transformed into monkeys. The third era was named Four Rain and was ruled by Tlaloc the rain god; this world ended in a fiery rain. Four Water, the world preceding our era, was controlled by Chalchihuitlicue (Our Lady of the Turquoise Skirt), and it ended with a series of floods while mankind was turned into fishes. Our world was dubbed Four Earthquake and was ruled by the sun god Tonatiuh, and was to be destroyed by great earthquakes.⁴

Vaillant explained that the Aztecs conceived their universe in a religious rather than a geographical context, and that they divided it horizontally and vertically.⁵ The horizontal universe contained five directions: East, West, North, South and Center. In the center there was the fire god, and to the East Tlaloc, the rain god, and his companion Mixcoatl the cloud god. To the South, Xipe (The Flayed One) and Macuixochitl (Five Flower, the gods of spring and flowers, held forth. The North was apparently a place of horrors because its god, Mictlantecuhтли, was

⁴ It is to be remembered that the Aztecs lived in a great basin which was dominated on the south particularly by giant volcanoes. The three largest were Popocatepetl, Ajusco, and Ixtaccihuatl.

⁵ Vaillant, op. cit., 170.

the lord of the dead. The West had a favorable significance, being the home of Quetzalcoatl, the god of knowledge, and of Venus, the evening star.

The vertical universe had thirteen heavens and numerous hells, but these were devoid of moral significance except that they were the dwellings of various gods according to their rank. Tlaloc's heaven received those who were drowned or were killed by various kinds of accidents connected with lightning or water; the East heaven was the resting place of warriors who died in battle or sacrifice and thus nourished the sun; the West heaven was reserved for women who died in childbirth, "thus sacrificing themselves in bearing potential warriors." The remainder of the deceased went to Mictlan, the underworld, where they journeyed through a type of purgatory prior to their final rest.

There were hundreds of gods in the Aztec pantheon, but some were more important than others because they intervened frequently in human affairs, especially the sky gods. In many cases the Aztecs adopted certain gods of the earlier Toltec culture and integrated them into their theology. The most potent Aztec god seemed to be Tezcatlipoca (The Smoking Mirror) and he had a multiphastic existence. In the West he was red and assumed the name of Xipe; in the South he was blue and called Huitzilopochtli; to the North

he was black, and to the East white. The white Tezcatlipoca of the East was sometimes Quetzalcoatl, especially in Cholula. In general, Tezcatlipoca was the chief divinity of Texcoco.

The two chief divinities that the Mexicans of the conquest era borrowed from the Toltecs were Tlaloc and Quetzalcoatl. Tlaloc, the rain god, was as important in Tenochtitlán as the Aztec war god, Huitzilopochtli, because of the necessity of rain for survival on the central plateau of Mexico. On the other hand, Quetzalcoatl (The Feathered Serpent) dominated Teotihuacan⁶ and shared influence as far south as the Maya area where he was called Kukulcan in Chichén Itzá. He has remained somewhat of an enigma to modern scholars because he too led a multiphastic existence. Besides his identity as Kukulcan among the Maya, Quetzalcoatl was also known among the Aztec as Xiuhcoatl and Ehecatl. Legend also had it that he was a white king who civilized the Toltecs and left for the east to return again.

⁶ In 1941 and shortly thereafter Mexican archaeologists proved that the Teotihuacan peoples were pre-Toltec. For want of a better term they are referred to as Teotihuacanos. See: Wigberto Jiménez Moreno, "Tula y los Toltecas según las Fuentes Históricas," Revista Mexicana de Estudios Antropológicos, V (1941), and Bertha Dutton, Tula of the Toltecs (Santa Fe, 1955). The main center of the Toltecs was in Tula, Hidalgo. They later overran the Teotihuacanos and absorbed their culture.

To add to the confusion, the name Quetzalcoatl was also applied to the high priests in many areas.

In addition to the sky gods many earth gods were closely associated with Mexican daily life. On earth, Tlaloc represented growth and vegetation and his companion Chalchihuitlicue was the goddess of lakes and rivers. There were many deities connected with corn and there was even a goddess of maguey, Mayauel, whose 400 sons represented pulque.

Tlaltecuhltli was a powerful god of the earth, as was Coatlicue (Our Lady of the Serpent Skirt) who was first and foremost a mother: mother of the stellar gods, mother of Huitzilopochtli, and goddess of all earthly mothers. Perhaps she was the same goddess as Tonantzin (Our Mother) who had a shrine at Tepeyac.⁷ The real mother of all the gods was Tlazolteotl (Eater of Filth), who is described by Vaillant: "Primarily an earth-goddess, she, alone of the goddesses, had a moral significance, since in eating refuse she consumed the sins of mankind, leaving them pure."⁸ Vaillant also notes that a rite of confession developed in

⁷ In speaking of Tonantzin Vaillant (*op. cit.*, 177) added the following statement: "...and her cult was transferred to the Virgin by the early missionaries, an act exemplifying their intelligent procedure in evangelizing the Aztecs."

⁸ *Loc. cit.*

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her cult. Mictlantecuhtli and Mictlancihuatl (Our Lord and Lady of the Region of Death) rounded out the important earth deities. All of the deceased passed to their domain.

The major Aztec deity and the ranking god in Tenochtitlán was Huitzilopochtli (Hummingbird Wizard). Legend had it that the Aztecs found the idol Huitzilopochtli in a cave in western Mexico, and that he guided their wanderings and directed the founding of Tenochtitlán in 1325. Huitzilopochtli was a war god and according to the native belief had an unquenchable thirst for blood. Since he was actually an anthropomorphic god, he needed food and drink. He preferred blood, which the Aztecs called "the divine liquid."

The native population was convinced that a well-fed Huitzilopochtli would direct their lives with kindness and abundance. However, flood, famine, pestilence or drought was thought to be inevitable if the god were angered by hunger. In prequest Mexico victims had been recruited voluntarily or through warfare. They were held on the sacrificial altar and their chests were ripped open with obsidian knives. The hearts were plucked from the bodies and collected, along with the blood for the consumption of the god. If the sacrifice were made to Xipe, often the victim was skinned and the human pelt was worn for a period by the presiding priest.

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The entire Aztec pantheon, of course, was reflected in a ritualistic system of worship, and in turn the ritual was intricately bound up with the Aztec calendar which was actually the core of the religion.

II. The Methods of the Spiritual Conquerors of Mexico⁹

Given the primitive mentality of the Indians, and their limited capacity for comprehending the spiritual doctrines of Christianity, in the early rage of conversion the natives without doubt were often taken into the Church without sufficient preparation or instruction.¹⁰

This statement by Clarence Haring is an apt characterization of the first two decades of the spiritual conquest of Mexico.

The general theory of the regular clergy was that the Indian was to be baptized very soon after he had been taught some of the basic doctrine of the Church. Given the small number of priests of the three missionary Orders in Mexico and the number of Indians evangelized during the

⁹ The authoritative work on the evangelization of Mexico in the sixteenth century is Robert Ricard, La Conquista Espiritual de México. See particularly chapters V and VI of the first book for pre-baptismal instruction and the administration of baptism. Since Toribio de Motolinía wrote his history during the middle of the 1530's, his treatment of the "rage of conversion" and the problems of instruction of the natives is particularly valuable for this study. See Steck, op. cit., 103-105, 179-204, 245-250.

¹⁰ Haring, op. cit., 186.

The end of the war was a relief to the people of the United States. The war had been a long and hard one, and the people had suffered many hardships. The war had also been a time of great sacrifice and heroism. The people of the United States had shown great courage and determination in the face of the enemy.

II. The War and the People

Given the fact that the war was a long and hard one, and the people had suffered many hardships, it is not surprising that the war had a profound effect on the people. The war had also been a time of great sacrifice and heroism. The people of the United States had shown great courage and determination in the face of the enemy.

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years 1520-1540, it is apparent that both pre-baptismal and post-baptismal instruction were very meager indeed. Motolinia left us rudimentary statistics of the mass baptisms which took place in the 1520's and the early 1530's: "I believe that after the land was won, which was in 1521, up to the time I am writing this, which is the year 1536, more than four million souls have been baptized."¹¹ Later on Motolinia spoke of five millions and then nine millions of baptisms.¹²

The administration of the sacrament of baptism by individual friars in this era cannot be described as anything but a herculean task:

Toribio de Motolinia tells us of some of the early Franciscan friars in New Spain who baptized as many as 1500 Indians, children and adults, in one day. He goes on to say that several of them baptized each over 100,000 during their sojourn there. . .

Peter of Ghent in a letter of June 1529 speaks of 14,000 being baptized in one day.¹³

Motolinia describes the actual administration of the sacrament.¹⁴ First, there was a lineup of all

¹¹ Steck, op. cit., 179.

¹² Ibid., 182, 183.

¹³ Haring, op. cit., 186, cites Motolinia, Historia de los Indios de la Nueva España, Part Two, chapters 2-4.

¹⁴ Steck, op. cit., 186.

the candidates for baptism with the children in front, and the roll was called. Then the sacrament was administered, "observing in the case of a few the ceremony of the anointing with the sign of the cross, the breathing, the salt, the saliva and the white cloth."¹⁵ Each child was baptized separately and then each adult. During the ceremony some of the adults were questioned about their instruction. Motolinia said that many of the priests who administered baptism "were often unable to raise the pitcher with which they baptized because their arm was tired."¹⁶

Early methods of instructing the Indian were experimental.¹⁷ The prime requisite to any type of religious instruction was to inculcate the concept of monotheism and, in the words of Motolinia, "make them understand Who God is."¹⁸ The spiritual conquest had to be first of all destructive of the old religion and then instructive of the new.

¹⁵ Steck, op. cit., 186.

¹⁶ Ibid., 245.

¹⁷ Particularly valuable for these methods are Ricard, op. cit.; Arthur L. Campa, "The Churchmen and the Indian Languages of New Spain," Hispanic American Historical Review, XI (1931), 542-550; France V. Scholes, "The Beginnings of Hispano-Indian Society in Yucatan," The Scientific Monthly, XLIV (1937), 530-538; and Steck, op. cit., 103-105, 179-186, 245-246. For the viewpoint of a priest, see Mulvihill, op. cit., 146-153.

¹⁸ Steck, op. cit., 103.

Because of the lack of friar personnel and the difficulty the instruction of necessity had to elementary and deal only with fundamental tenets of the Christian religion. Besides the belief in one God, three basic concepts were taught: the nature of the Trinity, the incarnation, and the Virgin Birth.¹⁹

Some prayers and devotionals and rules of Christian living were given the Indian to round out his instruction. Among these were the Pater Noster, the Ave Maria, the Credo, the Salve, reverence for the Cross, respect for the clergy, punctual attendance at mass, and the "true character of the sacrament of marriage and the degrees of carnal and spiritual relationship permitted."²⁰ In some areas a modified type of confession was used.

The major difficulty that the friars faced in evangelizing the Indian was the language barrier. "The missionaries . . . found it indispensable to master the dialects in order to transmit new religious concepts and abstruse theological ideas."²¹ However, in the early years of the conquest period the problem was acute because there

¹⁹ See Scholes, "Hispano-Indian Society," 536, and Steck, *op. cit.*, 105, 245, 246, for added data on religious instruction.

²⁰ Scholes, *op. cit.*, 536.

²¹ Campa, *op. cit.*, 544.

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simply had not been time to absorb the new languages, and the Indian was doubly difficult to reach because he "hated the very name of Christ because the conquerors called themselves Christians."²²

Consequently nonlingual methods of communication and instruction sometimes had to be adopted. Hieroglyphs were used by the clergy to instruct, and by the Indian to reply to the instruction. Frequently, illustrated scenes from the Bible were painted and used in the visual program.²³

Widespread use of pantomimes composed by the clergy and acted by the teacher and his Indian students also filled the language gap. Judicious use of chanting and music led to great success in evangelizing, but frequently the Indian came in for conversion and baptism because the music of the friars fascinated him and not because of his love of God.²⁴

Very soon the Indians began to cope with the languages of their conquerors, both Spanish and Latin. They proved to be apt students in memorizing sounds and words, although they had no idea of the meanings attached to the

²² Campa, op. cit., 544.

²³ Ibid., 546.

²⁴ Mulvihill, op. cit., 166. In Steck, op. cit., 246, Motolinia discusses the use of music in evangelizing.

new language. Campa gives two prime illustrations of this process.²⁵ Praying in Latin came to be an easy task for the native for he merely divided the prayer into units and used a pebble to represent each unit. Thus "Our Father" would be equal to one pebble and "which art in heaven" to a second pebble, and so on. Another technique used by the native was to associate the sounds of Latin with Nahuatl:

A word in Aztec that resembled the Latin was written in the usual hieroglyphical manner: for Pater they used pantli meaning banner, and painted a banner to represent it. For noster they used nochtli, the name of a fruit (tuna) and placed it beside the previous one. With the aid of this mnemonic device the natives were able to memorize entire prayers without knowing what they were saying.²⁶

Eventually these makeshift methods passed away as the Mexican churchmen began a systematic study of the native tongues.²⁷

²⁵ Campa, op. cit., 546.

²⁶ Gerónimo de Mendieta, Historia Eclesiástica Indiana (México, 1870), Lib. III, cited by Campa, op. cit., 546.

²⁷ There were three stages in dealing with the language problem. From 1518 to 1523 practically no attempt was made; from 1523 to 1530 the first written works, such as the Artes and vocabularies, began to appear. This stage was the era of great research into Indian philology. Finally, from 1530 to 1550 the great grammars were being compiled; they were published in succeeding decades. The major Indian languages became a part of the curriculum in the seminaries by 1550. Campa, op. cit., 548.

Until the clergy became proficient they had to rely upon Indian interpreters whose Spanish was as imperfect as the clerical Nahuatl. Usually the priests memorized prayers and sermons which the interpreter had translated into Nahuatl. Campa concludes that the interpreter "must have offered a rather dubious channel for the transmission of abstruse doctrines,"²⁸ and he indicates that especially in the confessional there must have been many problems with the interpreter system.

Another problem which the spiritual conqueror of Mexico had to face was the fact that the Aztec and Christian religions had many outward similarities. The native affinity for pomp and ceremonialism fitted in very well with Catholic ritual. Other similarities tended to cause grave problems in the Christianizing process. For instance, the goddess Tonantzin²⁹ and the Virgin Mary were often confused, and moreover, eventually amalgamated in the mind of the native. The astute Franciscans and Bishop Zumárraga were able to transfer this allegiance paid to Tonantzin to the Virgin of Guadalupe and to her shrine at Tepeyac which was built on top of the earlier native

²⁸ Campa, op. cit., 547.

²⁹ Supra., 87, especially note 7.

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shrine to Tonantzin.³⁰ Even with this transfer of allegiance, the Indian thought Mary and God to be the same person, and tended to call God and all of the images they saw Santa María.

The Spaniards frequently employed the word papa (derived from the Aztec papatli) as a general term for the native priests. Consequently the missionary clergy could not use the Latin papa (Pope) in religious instruction of the Indians; Pontífice (Pontiff) was always used instead.³¹ The sacramental system of Christianity also encountered certain outward similarities in the Aztec ritual and tended for this reason to confuse the Indian and to help him remember the old belief.³²

³⁰ Motolinía does not mention Juan Diego, the native to whom the Virgin was reported to have appeared. Steck, op. cit., 103-104, tends to agree with Icazbalceta on the historicity of the Virgin of Guadalupe. The best general study denying the historical existence of the Virgin of Guadalupe is Joaquín García Icazbalceta, Investigación Histórica y Documental Sobre la Aparición de la Virgen de Guadalupe (México, c.1950). The official histories of the Virgin are Mariano Cuevas, Album Histórico Guadalupano del IV Centenario (México, 1930) and Fortino Hipólito Vera, Tesoro Guadalupano. Noticias de los Libros, Documentos, Inscripciones que Tratan, Mencionan o Aluden a la Aparición de Devoción de Nuestra Señora de Guadalupe (2 vols., México, 1887-1889).

³¹ Steck, op. cit., 99, note 3. The Aztec term papatli referred to "the long and disheveled hair as worn by the ministers of the idols."

³² The Aztecs had a kind of communion, a precept, of abstinence, a ceremony of baptism, a type of confession, a concept of purgatory, the use of blood in the same way that Christians used Holy Water, and the use of a cross in their ritual.

Despite the zealous conquistadors' destruction of public idols, idolatry and sacrifice continued in private, and, for the most part, with the tacit consent of the civil government.³³ After 1524, however, every idol which could be found was confiscated, but still the clandestine native practices continued and the calendar cycle with its pagan ceremonies continued to regulate the lives of the Mexicans.

Motolinia informs us that in the 1530's the Indians concealed idols in every conceivable place, ". . . at the foot of the crosses or beneath the stones of the altar-steps, pretending they were venerating the cross, whereas they were actually adoring the demon."³⁴ He goes on to describe current idolatry and sacrifice:

The idols, of which the Indians had very many, were set up in many places, in the temples of the demons, in the patios, and in conspicuous places, as in groves or on prominent hills and especially on mountain passes and summits; in short, wherever there was a high spot or a place inviting to repose by reason of its loveliness. Those who passed by drew blood from their ears or tongue or offered a little of the incense, called copalli, which is found in this land; others offered roses which they gathered on the road; and when they had nothing else they offered a little green

³³ Motolinia indicated that the Spaniards allowed private sacrifice and idolatry from 1521 to 1524. Steck, op. cit., 99.

³⁴ Steck, op. cit., 107.

weed or some blades of grass.³⁵

Shrines continued to be built and rebuilt at springs, large trees, and crossroads. The idols cached there resembled men, lions, jaguars, dogs, snakes, deer and birds.

Besides the type of sacrifice described above by Motolinía, human sacrifices continued well into the colonial period. Human sacrifices as a general rule had been offered more to the Aztec war god Huitzilopochtli than to any other deity. Such sacrifices continued well into the colonial period and were a common occurrence in sixteenth-century Mexico.³⁶ Especially on an appointed day in the fourteenth month of the Aztec calendar (usually November of the Christian calendar) was the prominence of Huitzilopochtli evident to the Spaniards. It was in this month that the great feast of Panguetzaalistli was celebrated in honor of the war god. Sacrifices of animals and human blood were made. Despite harsh penalties meted out by

³⁵ Steck, op. cit., 107. See 114-115, 116-119 for added data on sacrifice, and 136-140 for actual descriptions of the teocallis, or temples.

³⁶ Don Pablo Martínez del Río, the dean of Mexican anthropologists, insists (as do other of his colleagues) that human sacrifice was not a sign of decadence among the Aztec but of advanced thought predicated upon logic. In a certain phase all peoples practiced sacrifice, including the Germanic tribes. Unpublished Lectures delivered at the Universidad Nacional de México, January to March, 1956.

Church and State alike to the natives this feast was repeatedly observed by the Mexicans.

Given the methods which the spiritual conquerors used in the era of 1520 to 1550 and the nature of the two religions between which the natives vacillated, it is not surprising that even the baptized Indians were caught in acts of recurrent idolatry and sacrifice. As Catholics, however, they were subject to the discipline of the Church for engaging in such activities.

III. Zumárraga's Campaign Against Idolatry, Sacrifice and Superstition: 1536-1540

A. The Case of Tacatetl and Tanixtetl, Native Priests of Tanacopán

Zumárraga began to chastise the natives for pagan practices within twenty-three days after he established his Holy Office in Mexico. A Spaniard, Lorenzo Suárez, made the first denunciation against an Indian in Mexico City on June 28, 1536. Suárez held an encomienda in Tanacopán in the modern state of Hidalgo, and he denounced Tacatetl and Tanixtetl of that village for practicing idolatry and offering sacrifices to the rain god, Tlaloc.³⁷

³⁷ AGN, Inquisición, Tomo 37, exp. 1. This proceso and several others cited hereafter have been published in Procesos de Indios Idólatras y Hechiceros, Vol. III of the Publicaciones del Archivo General de la Nación (México, 1912). In each case, however, care was taken to consult the original manuscript, since there are certain errors in the printed text.

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Suárez related that he and a companion, Pedro de Borjas, some weeks past had witnessed and broken up certain ceremonies which Tacatetl and Tanixtetl had organized. Two boys who had been at the ceremonies had been sacrificed in the legs by Tacatetl, who was also instructing them to be native priests. The boys had taken Borjas to a cave near the ceremonial place in which were found nine large idols and many sacrificial masks. Borjas, who testified along with Suárez, indicated that he had been informed by the natives that Tacatetl was an idolater and sacrificial priest; that he could turn himself into a jaguar; that he had led many of the faithful astray and had killed many without cause; and that he had a daughter by a goddess who collected tribute for him and for the other papas.

On August 4, 1536, the Guardian of the monastery at Tula and the Indians of that area testified to what they knew of Tacatetl and his companion Tanixtetl. They indicated that the two in question were never allowed near the monastery, and that away from the vicinity they always avoided the priests. On August 12 Zumárraga ordered the arrest of the two native priests and brought them to Mexico City. The two native boys were also called in for testimony. The young men were frightened and crying, and they

related that they had been intimidated by the papas Tacatetl and Tanixtetl who threatened to club them to death if they testified. They exhibited the sores on their legs made by the sacrificial knives, and they told Zumárraga that often blood from the ears and other parts of the body was used in the rites. They declared that they were apprenticed priests, that they were instructed by Tacatetl, and that they fasted and had actually seen Tacatetl become a jaguar and a dog with the aid of native potions called patles. As a final statement they related that they had witnessed Tacatetl and Tanixtetl sacrifice ten persons and take their human hearts to the idols for consumption.

With the aid of an Otomí interpreter Zumárraga proceeded to interrogate the two native priests on their backgrounds and activities. Tacatetl indicated that he had been baptized Antonio and that he understood Christian dogma and had even been to confession in Tula. He admitted that he had committed incest with his daughter, had children by her, and was at present having relations with her and his two wives. The sacrifices which he made were directed to Tlaloc, the rain god, in order to alleviate a severe drought among his people. Three other principales of the area were implicated by Tacatetl³⁸ and he also ad-

³⁸ Of these three, one Mixcoatl was later brought in for trial. See infra., 106-111.

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mitted collecting tributes from the natives for the gods.

Tanixtetl testified that he was baptized Alonso in Tepeatepeque and he confirmed his part in the sacrificial ceremonies that Suárez and Borjas had interrupted, but he disclaimed any direct responsibility for leading others astray. He also indicated that Tacatetl's daughter, María, was adopted. Both defendants testified that all of the chiefs had idols hidden away but they refused to give details. In the end both men refused defense attorneys and pleaded for mercy because they said that they realized their sins.

María, the daughter of Tacatetl, confessed on September 7, 1536. She was not positive that she was his daughter but she gave the full details of their conjugal life, and she pleaded ignorance of Christian doctrine on prohibited carnal relationships, indicating that Tacatetl had forced himself upon her.

Zumárraga decided to mete out a reasonably harsh penalty for these two Christians who had relapsed into paganism. They were mounted on burros, tied hand and foot, and stripped to the waist, were ridden through the streets of Mexico and Tlatelolco with a town crier proclaiming their crime in Spanish and in Otomí. They were flogged in the marketplace of Tlatelolco and along the way. In the

Tlatelolco they were also shorn of their hair, and half their idols were publicly burned; and upon their return to the market in Mexico City the remainder of the idols were destroyed and the two prisoners were returned to the Inquisition jail. Tacatetl was then remanded to the Guardian of the monastery at Tula for a three-year incarceration and his companion Tanixtetl received a year sentence at the same establishment. Both were to do penance and receive instruction in basic dogma. They were furthermore exiled from Tanacopán for an indefinite period with the threat that if they traveled within a five-league radius of the village they would receive a life sentence in jail. They were admonished that the stake awaited them if they again embraced idolatrous practices. María, the daughter of Tacatetl, was sent to the Monastery of Santa Clara for instruction. These sentences were carried out between September 25, 1536, and October 23, 1536.

B. The Trial of Ocelotl, Mixcoatl
and Papalotl for Sorcery

Within a month after the close of the trial of Tacatetl and Tanixtetl, Zumárraga conducted his first major sorcery trial of an Indian. Indians of the Texcoco area and from Tlaxcala submitted repeated denunciations of a nomadic sorcerer whose name was Ocelotl in Nahuatl and Martín Ucelo

in Spanish.³⁹ Testimony revealed that Ocelotl had performed many sorceries and could foresee the future, and that he was able to turn himself into a jaguar, lion or dog. He admitted to the natives that he often talked to the devil at night, and he taught the natives many things against the Faith. The friars of the various monastic houses were convinced that Ocelotl had by word and deed impeded the Christianization process.

Ocelotl was greatly respected and feared by the native population because he declared that he was immortal and that the clouds were his brothers and he controlled their rain. He had predicted great famines and droughts and urged the planting of more food for the future. The Indians actually looked upon him as a god because he could prophesy and cure illness; they gave him tribute for his services and he often preached to them against the Christians. He told them of apostles who had come from heaven and who had commanded the Indians to return to the old religion; he incited riot and rebellion; he encouraged idolatry and sacrifice and also sexual immorality because of his own example of licentiousness. He performed most of his ceremonies in underground caves where he practiced his crafts. That he was a major papa was obvious from the testimony, and that

³⁹ AGN, Inquisición, Tomo 38, exp. 4. Ucelo was a corruption of Ocelotl.

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he practiced his sorceries before the conquest was evidenced by the fact that none other than Montezuma had imprisoned him for a year and twelve days because he had predicted the downfall of the Aztec Empire, indeed, he said, the very coming of the Spaniards.

Since Ocelotl was a baptized Catholic and because he had continued his sorceries and deified himself, the Franciscan friars Pedro de Gante and Antonio de Ciudad Real believed that he was jeopardizing the missionary movement and they recommended his banishment from New Spain. Ocelotl refused to admit his guilt and tried to vitiate the above testimonies by admitting the circumstances but altering the context of what occurred. The Fiscal, Dr. Rafael de Cervantes, demanded the full sanctions of the Holy Office.

Ocelotl was unable to refute the total testimonies before Zumárraga, and the Apostolic Inquisitor deemed the banishment necessary. On February 10, 1537, Ocelotl was given the traditional burro ride through Mexico City with a town crier proclaiming his crime, and later that month he was taken to Veracruz and placed in a ship's brig to be transported to Sevilla, where he was to spend the remainder of his life in jail. His properties, of which there were vast quantities of jewels, were confiscated and sold by the Holy Office on March 27, 1537.⁴⁰ Unfortunately, Zumárraga

⁴⁰ AGN, Inquisición, Tomo 37, exp. 4 contains the data on the inventory and sale of Ocelotl's properties.

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had not heard the last of Ocelotl, because after his banishment reports persisted that he was still performing his rites in the area from Tulancingo to Huauchinango, and the investigation of these tales provided the Holy Office with its next case.

On July 10, 1537, Don Juan, the Cacique of Xinantepec, denounced two individuals whom he thought to be the brothers of Ocelotl for idolatry and sorcery; their names were Mixcoatl and Papalotl.⁴¹ Apparently Mixcoatl at times passed himself off as Ocelotl's brother, or as Ocelotl himself. He also claimed that he was the brother of Tlaloc who controlled the winds, but who was in turn under Mixcoatl's power. Papalotl had been the servant of Ocelotl, and at this time (July, 1537) was Mixcoatl's cohort.⁴² Both of these men had convinced the natives of the mountainous and coastal region to the east that because Tlaloc was hungry he sent fire, floods, winds and snow to destroy their crops. Because of his control over Tlaloc, Mixcoatl acted as intermediary in the sacrificial rites to the rain god.

⁴¹ AGM, Inquisición, Tomo 38, exp. 1A.

⁴² Frequently Papalotl traversed the area proclaiming that Mixcoatl was Ocelotl in disguise and that he now served him. Papalotl definitely shared complicity in the idolatry and sacrifices which Mixcoatl practiced.

In some areas Mixcoatl himself was believed to be a god because people knelt before him, sacrificed to him, and endowed him with houses and fertile land in each of their villages.

Mixcoatl was greatly aided in his calling by the very erratic climatic conditions in the area. In the middle 1530's rain was destroying the maize and cotton crops and presented him with an ideal situation for becoming a god. His fame was so great that he had bands of disciples who followed him from place to place; indeed, in imitation of Christ he frequently said, "Ídos conmigo." Fray Francisco Marmolejo of the monastery at Tulancingo testified that among his people Mixcoatl was regarded as rain god and was also called Tezcatlipoca and that the natives sacrificed to him.⁴³ He had made it rain in Metepec and had thus saved the corn crop from a severe drought. He had told Marmolejo that he could recite incantations which would make it rain or cease to rain and make the clouds go elsewhere. When the natives resisted or displeased him he made it rain so hard that rivers were formed and whole sections of villages were inundated.

⁴³ On August 19, 1537, Father Marmolejo testified, "Muchos pueblos . . . saben como el dicho Andrés, y en nombre de indio Mixcoatl, se hacía dios, y cómo por él llovía, y se hacen todas cosas, y pedía muchas cosas para quel él sacrificasen."

The miracles of Mixcoatl were not limited exclusively to climatic deeds, but he was also known far and wide as a doctor and a magician. He cured children and adults with his native remedies for pay, and he was known as far as the coastal plain city of Papantla. He ate weeds that produced visions and aided him in communicating with the occult. The natives were extremely impressed that he could place parts of his body in the fire without being burned. All of these rites were in some way connected with idolatry, and Mixcoatl made use of numerous caves filled with idols where he made sacrifices and the natives sacrificed to him.

Besides practicing his superstitious rites, Mixcoatl was also a violent foe of the friars and their mission program. He had preached openly against the Christians in Tulancingo, Huauclilla and Papantla, dogmatizing against the Faith. Mixcoatl urged the natives to resist baptism and to refuse to learn the Articles of the Faith. He assisted them in making darts which were to be used to combat the friars. In a letter to Zumárraga dated September 12, 1537, from Tulancingo, the Franciscan Fray Francisco de Lintone recounted the danger of Mixcoatl and Papalotl to the progress of the Faith. Lintone informed Zumárraga that he had arrested the two and was sending them to Mexico City for trial. Lintone related that disciples of Mixcoatl

The witnesses of the trial...
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with idols where he...
fired to him.
Besides practicing...
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assisted them in...
but the trials. In...
12, 1537, from Tulane...
de Lintone recounted...
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that he had arrested...
city for trial. Lintone...

were being punished locally.

On September 13, 1537, Mixcoatl testified in his own defense before Zumárraga. He indicated that he was a baptized Christian and that he had been instructed in the Faith for six or seven days in Texcoco. He admitted dogmatizing against the friars for a period of three years and that he had preached publicly in Tulancingo and other places. The defendant blandly told the inquisitor that he had been a god to be satiated by idolatry and sacrifice and that he could make it rain. He recounted conversations with the devil and he indicated that he had received a regular tribute from the natives.

Mixcoatl contended, however, that human sacrifices had never been a part of his ceremonies and that he had stopped all of his sorceries because he realized that they were sinful and that the devil had deceived him. He asked God's mercy and Zumárraga's and earnestly confirmed his belief in the Christian Faith and his desire to be a good Christian. The Holy Office immediately embargoed his properties, which included houses in Zacatepec, Metepeque, Thecincoaque, Atiztaca, Chiautla, plus certain arable lands scattered throughout the region.

On September 20, 1537, Papalotl gave the following testimony. He was a Christian, baptized a year ago, and he had heard brief instructions in the things of the Faith.

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On September 12, 1911, ...
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Christian ...
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Theological ...
lands ...
On September 12, 1911, ...
testimony ...
had been ...

He had been a servant of Martín Ucelo (Ocelotl) for three years and the latter had sent him many places on errands, and he, Papalotl, had believed all that Ocelotl had taught. He knew that his former master had been banished to Castilla but he had been deceived by Mixcoatl of Tulancingo, who had said that Ocelotl was not gone but had merely changed to the form of Mixcoatl.

On December 15 the sentence of the Holy Office was carried out against Mixcoatl and Papalotl: both were tied on burros and ridden through the City of Mexico with the traditional town crier proclaiming their offense. They were each given one hundred lashes in the market place and then they were transported to the villages in which they had preached to receive additional lashes and to publicly abjure their sins and the heresies they had preached. In each town they swore not to return to their pagan practices upon pain of being burned at the stake. Their heads were shorn and they began a year of incarceration in the monastery at Tulancingo, where they were to study and do penance. The Guardian of Tulancingo was given the power to absolve and reconcile them. On December 15, 1537, Mixcoatl's goods and land were sold and the funds were diverted to the treasury of the Holy Office. Papalotl's lands were also inventoried and sold on December 15, to Isabel, the wife of the Cacique of Tulancingo, for forty

tomines which the Holy Office fined Papalotl.

C. The Idolaters of Atzacapozalco

Prior to the conclusion of the trial of Mixcoatl, Zumárraga had begun the investigation of idolatry in the village of Atzacapozalco, a modern suburb of Mexico City.⁴⁴ It was not until November 19, 1538, that formal charges were made. On that day, an Indian alguacil of Atzacapozalco appeared before Zumárraga with certain idols and sacrificial objects which he had uncovered in a house of the village. He brought along several of the residents whom he had arrested for idolatry. Among these were Juan, who had guarded the idols and had sacrificed and fasted for them, and three prominent elders who had ordered the ceremonies and sacrifices to be made.⁴⁵

Juan testified that Tacatecle had ordered a one hundred day fast for a good corn crop and that he had in his home three idols: Huichillobos (Huitzilopochtli), Cialeuque, and Tlalocatecle (Tlaloc). Juan said that he had seen blood on the lips of the idol Huitzilopochtli, and that the idols were inlaid with turquoise and precious

⁴⁴ AGM, Inquisición, Tomo 37, exp. 2.

These three were Tacuxcalcatl, baptized Martín, Huycanaual, baptized Francisco, and Tacatecle, baptized Pedro.

Tomlinson, who was the first to see the idols.

C. The idols were found in the

prior to the discovery of the idols.

Sumatra and began in the year 1811.

village of Sumatra, and in the year 1811.

It was not until November 1811, that the idols

were made. On that day, an Indian of the village

appeared before the British with a number of idols.

of objects which he had found in the village.

He brought along several of the idols, and

rested for the night in the village.

the idols and the British were found in the

prominent objects which he had found in the

Idols to be made.

Thus resulted that the idols were found in the

hundred day, and in the year 1811.

his name three idols, and in the year 1811.

Chiswick, and in the year 1811.

had seen blood on the idols, and in the year 1811.

that the idols were found in the village.

by the British, and in the year 1811.

These were the idols, and in the year 1811.

Hyacinth, and in the year 1811.

Pedro.

stones. Juan mentioned idols concealed in the houses of the other principales of the village. A search was made for the idols at night and the properties of the three chiefs were confiscated.

Pedro, another Indian of Atzacapozalco, testified about the hundred-day fast. The fast was directed to Tezcatlipoca, and the three defendants made Pedro fast for one hundred days while they ate. Pedro and two others were enclosed in a house where there were no women and they burnt incense once daily and twice nightly with intermittent offerings of copal to the god Tezcatlipoca. Tortillas were also offered and were then eaten by the men after the fast, or were distributed to the boys of the neighborhood as blessed bread.

The three principales who possessed the idols and had ordered the fasting and other ceremonies were painfully without testimony in their defense. One defendant, Martín, testified that he was a Christian, baptized ten years ago, and that he and the two others had ordered the fasting. He said that he realized that the devil had been deceiving him for four years and that he had carried on these ceremonies and others without realizing his sin. Now he asked forgiveness, pleaded for mercy, and swore that he would henceforth be a model Christian. The other two gave substantially the same testimonies and the defense attorney

stones. These were placed at the entrance of the village. The other principles of the village were for the idols of the village. The idols were considered as gods.

Pedro, another man of the village, said that about the hundredth year, the village was established, and the land was divided into three hundred days while the village was established. The village was closed in a house where the village was established. The village was once daily and the village was established. Offerings of corn to the gods were made. The village was also offered and water was given to the gods. The village was or were distributed to the gods of the village. The village was blessed once.

The first village was established in the year 1500. The village had ordered the first village and the village was established without testimony. The village was established. The village testified that he was a village. The village and that he and the two other villages. The village he said that he testified that the village was established. The village him for four years and the village was established. The village and others without testimony. The village was established. The village, blessed the village and the village was established. The village be a village. The village was established. The village the village was established.

threw the defendants upon Zumárraga's mercy.

On November 22, 1538, Zumárraga passed sentence. The three convicted were to appear on Sunday, November 24, in the church, gagged, with the corozas on their heads and lighted candles in their hands, and were to stand during the mass and be the subject of a sermon on their errors, and were to abjure their sins publicly before the congregation. Since this was a first offense, Zumárraga prescribed that they could be reconciled, but he warned that recurrent idolatry would mean death at the stake. Their property was to be confiscated, and on November 23 they were to be given one hundred lashes each in the market of Mexico City and their hair was to be shorn. On Sunday, November 24, 1538, Zumárraga preached the sermon at Atzca-pozalco and the three Indians fulfilled their penance, kneeling and abjuring their sins. The idols and sacrificial paraphernalia were then burned before the assembled populace.

D. The Case of Ana, Curandera of Xochimilco

The only case in which an Indian woman was specifically tried took place in April of 1538 when Ana of Xochimilco was tried as a curandera.⁴⁶ The denunciation

⁴⁶ Proceso del Santo Oficio contra una India Curandera. This proceso is found in the legajos sueltos of the AGN.

three the defendants were...
 On November 23, 1938, the...
 The three convicted were...
 in the church, raised, with the...
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 prescribed that they could be...
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 of Mexico City and their...
 November 24, 1938, the...
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 kneeling and singing...
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D. The Case of the... of Xochimilco

The only case in which...
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 Xochimilco was tried as a...
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This process is found in the...
 of the...
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was made by Elvira Herrera, wife of Diego Olguín, on April 2, 1538. She stated that Ana had come to her home to cure a sick woman:

. . .la cual india curanteca sahumó a la enferma y le rució con un poco de agua, y después pelliscábale el cuerpo y de cada pellizco le sacaba a la enferma un bocado de papel tan grueso como el dedo pulgar; y decía que el diablo Tezcatlepuca había topado con esta enferma y le había hechado mal y aquellos papeles en el cuerpo, los cuales eran que aquellos que ella sacaba. . .

The above rites were witnessed by Marta and Catalina, servants of Elvira Herrera. On April 12, 1538, Ana of Xochimilco was brought before Zumárraga for questioning. She admitted that she was a curandera and that she had performed other such services ("e que ha echado dos veces suertes con maices para ver si sanaba o moría un niño"). Ana further confirmed that she had cured one Isabel in the house of Elvira Herrera, but she indicated that the illness had not really been caused by the god Tezcatlipoca. Ana said this ancient god had deceived her, that she was sorry for her sin, and that she had heard the friars preach against such practices because she had been a Christian for eight years.

Zumárraga decided to make an example of Ana of Xochimilco so that other women would not be inclined to practice similar sorceries. She was made to wear the coroza and to stand with a candle in her hand and hear mass. At a later

time she was ridden through the streets of Mexico City and its market with a town crier proclaiming her crime and she was given one hundred lashes on her bare back to serve as an example for others. On April 15, 1538, these sentences were carried out and Zumárraga was informed of Ana's compliance.

E. The Search for Idols and Trials for Idolatry

As the 1530's came to a close the Holy Office became increasingly concerned with the problem of hidden idols and the practice of idolatry and sacrifice in private. Every effort was made to ferret these idols out from their hiding-places. From composite testimonies of the natives during Inquisition trials of the years 1539 and 1540 it would appear that many of the idols from the temples of Tenochtitlán were taken from Mexico City and hidden in various villages of the provinces. Other testimonies revealed that there were caches of idols still in the city. The Indians were very devious when they were questioned about the idols, and even the use of rigorous tortures failed to make them divulge the hiding-places of the Huitzilopochtli, as they called them. Zumárraga or his delegates waged five interesting cases in the two years 1539 and 1540 dealing with hidden idols: in 1539 against Puxtecatl Tlaylotla (Miguel) of Mexico City, against Cristóbal, Catalina and

time also was taken to search the area for any other
and the search was continued until the area was
and the search was continued until the area was
serve as an example for others. The search was
sentences were taken from the book and were
and a copy made.

B. The Search for the Book in the Area

As the search was continued, the search was
increasingly continued until the search was
the search was continued until the search was
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that there were copies of the book in the area.
dians were very helpful in the search and the
idols, and even the search was continued until the search was
then divide the book into two parts. The search was
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with other books. The search was continued until the search was
(Miguel) of the area. The search was continued until the search was

Hernando of Ocuituco, against Tlilanci of Izucar, against the Cacique of Matlatlán, and against Baltasar, Cacique of Culoacán. The year 1540 brought a continuation of these cases, but success in finding the idols was negligible.

On June 20, 1539, Mateos, an Indian painter, related to the Holy Office that when Mexico was won by the Spaniards the idols of the Temple of Huitzilopochtli were taken to the home of Puxtecatl Tlaylotla of Mexico for safe keeping. Mateos and the Inquisitors believed that the idols should be found and destroyed for the good of the evangelization process. As a consequence of this denunciation Zumárraga began a proceso against the denounced Tlaylotla, whose Christian name was Miguel.⁴⁷

Initial testimony revealed that the idols in question were first taken to Atzacapozalco and Tula but that with the passage of time Miguel inherited the post of protector of the idols. Miguel, a resident of the Barrio of San Juan in Mexico City, denied any knowledge of the disposition of the effects of the Temple of Huitzilopochtli. Later he was forced to admit that certain packages had been brought to his house but that he had not known their contents, but that afterwards Indians came to worship the

⁴⁷ AGN, Inquisición, Tomo 37, exp. 3.

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idols and had taken them away from his house. The Fiscal of the Holy Office was not at all satisfied with this version of the story and accused Tlaylotla of hiding the idols, adoring and sacrificing to them, and he further alleged that the defendant knew where they were at the time of the trial. Dr. Cervanes then asked extreme penalties for this heretic and idolater.

On August 22, 1539, Vicencio de Ráverol, the court-appointed defense attorney for Miguel, answered the Fiscal's charges. Riverol contended that the Fiscal had no real evidence as to specific facts or dates. Furthermore, Miguel demanded that since these events occurred prior to his baptism, he could in no way be considered culpable before the Holy Office of the Inquisition. On these grounds the defense asked Miguel's vindication. When Zumárraga refused to admit Riverol's plea, the defense attorney in the name of his client asked for thirty days in which to consult certain Indians in building his defense, and he requested and received Friar Bernardino de Sahagún as a consultant on the case. When the prescribed time had elapsed and the defense was still not ready, Zumárraga not only refused an extension of time to the defense to built its case, but he also proposed to use torture on Tlaylotla to ascertain the truth.

On January 30, 1540, Tlaylotla filed a deposition to

idols and has been a great help to the people of the Holy Land.

It is a great pleasure to me to see the work of the Holy Land being done.

It is a great pleasure to me to see the work of the Holy Land being done.

It is a great pleasure to me to see the work of the Holy Land being done.

It is a great pleasure to me to see the work of the Holy Land being done.

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It is a great pleasure to me to see the work of the Holy Land being done.

the effect that the torture was unjust because of the meager evidence against him, but on March 16, 1540, he consented to the torture and pleaded that it be deferred because he was a sick man. Zumárraga was amenable to postponing the torture but not to dismissing its use. Consequently on May 21, 1540, Tlaylotla was taken to the torture chamber, stripped naked, and tied to the rack. The garrotes were employed three times, but the defendant denied any knowledge of the hidden idols of the Temple of Huitzilopochtli.

Although the sentence of torture was unsuccessful in getting at the truth, Zumárraga was still in grave doubt as to the complete innocence of Miguel Tlaylotla. Consequently he decreed that Miguel should be incarcerated in the Monastery of San Francisco in Mexico City under the care of Fray Pedro de Gante for an indefinite time, or until he should remember where the idols were hidden. He was also to be fully instructed in the Faith and charged not to leave the Monastery without the express permission of Zumárraga. The Inquisition archive bears no additional information on the case of Miguel Tlaylotla.

Zumárraga apparently had information to the effect that some of the idols in question were hidden in the village of Ocuituco, and he sent his special visitador, Juan González, to the area to make investigations. González uncovered evidence that the Cacique of Ocuituco, whose name

was Cristóbal, his wife Catalina, and his brother Martín were guilty of concealing idols and of other crimes.⁴⁸

Servants of the Cacique testified that he had married the sister of his first wife without the dispensation of the Church and that he worshipped the stars and sacrificed to them. He frequently burned copal and sacrificed the blood of chickens to Tlaloc and Tezcatlipoca. Francisco Coatl, one of the servants, indicated that the Cacique Cristóbal had idols hidden and had charged him to guard and protect them. Others revealed that Cristóbal imposed excessive tributes on the villagers and that he got intoxicated and performed the ancient rites as a papa with his wife assisting him on occasion. These rites he performed in twenty-day cycles, and he frequently married couples by a pagan ceremony which did not take into account the mandates of the Church.⁴⁹

Cristóbal testified after his arrest that he had married Catalina according to the mandates of the Church and

⁴⁸ AGM, Inquisición, Tomo 30, exp. 9.

⁴⁹ González was assisted in gathering the initial information in this trial by Diego Díaz, the parish priest at Ocuituco. Díaz himself fell prey to the Inquisition in the years to come. He was a disreputable character who solicited women in the confessional, committed homicide, and bore false witness against the Indians. It was ascertained later that Díaz had fabricated some of the testimony in this case. See Chapter VII, 212-213.

that he was a Christian of ten years standing. He admitted marrying his sister-in-law without dispensation. Although he contended that he knew the Ave, Pater Noster, and the Credo, he did them very poorly. He said he had been to confession only once because he had been so busy gathering tributes for the Spaniards. He denied the major part of the damaging testimony given by the servants: post-baptism idolatry, drunken orgies in which he acted as a papa, hiding idols, and sacrificing chicken blood. He admitted that he had performed pagan marriage ceremonies without benefit of the Church. When confronted at the trial with idols that had been hidden in his area, he disclaimed any knowledge of them, but nevertheless he knew their names, Tlaloc and Chicomecoatl. Cristóbal defended this knowledge on the grounds that many people buried and guarded idols and that the entire area in which he lived was rife with sorcery. He named sites and individuals who he said had hidden idols.

Catalina, the wife of the Cacique, testified that she was a Christian and that she understood that the carnal relationship she enjoyed with Cristóbal was prohibited by the Church. She professed to know the Ave, the Pater Noster and the Credo, but she was unable to recite them adequately. Catalina indicated that she had been an idolater and sacrificer and that she had given idols to her servant Tomás Coatl. She implicated her husband when

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she said he knew of the hidden idols because his father had willed them to him. Catalina denied knowledge of certain idols that she was confronted with at the trial, but she named Miguel of Ocuituco as an idolater and indicated that she had sacrificed to the gods after her husband's arrest in order to abate the anger of the Inquisitors.

The Visitador González sent Cristóbal, Catalina and Martín and their properties, including a golden idol, to Mexico City. They appeared before Zumárraga in the first week of September, 1539. Cristóbal and Catalina made no additional pleas but the brother, Martín, denied any complicity in the idolatry. After rigorous questioning he retracted his denial and admitted his part in the ceremonies, asking the lenience and pardon of Zumárraga.

On October 11, 1539, Zumárraga pronounced the sentence. This sentence is somewhat unique for our period because it involved a forced labor provision, and we are told at the end of the proceso how the labor sentence was carried out.

On a feast day to be prescribed by the Holy Office, Cristóbal, Catalina and Martín were to stand barefoot with candles in their hands at mass, and they were to receive one hundred lashes each in the streets of Mexico City the day following. Cristóbal and Martín were sentenced to

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three and two years respectively of work with pick and shovel on a chain gang in the mines, and they were exiled for the period of their sentence from Ocuituco. They were required to pay the costs of the trial. On October 12 the sentence was carried out.

The labor services of Cristóbal and Martín were auctioned off in the Zócalo of Mexico City by Juan González, the pregonero. It took four days to dispose of their labor services. On November 6 Diego del Castillo offered seven pesos de oro de minas for each Indian per year, but on November 8 Andrés de Salinas offered eight pesos. Finally the Indians were rented to Diego González, a merchant, on November 10, 1539, who paid twelve pesos de oro de minas a year for each man. The provision was made that if Cristóbal or Martín escaped or died González was to be reimbursed on a pro rata basis. The money was then deposited with the treasury of the Holy Office of the Inquisition.

On March 16, 1540, the Indian Cristóbal was again brought before Zumárraga because he had left the mines and returned to Catalina in Ocuituco for some things to eat. Zumárraga remanded him to the mines⁵⁰ to fulfill his sen-

⁵⁰ The proceso does not inform us of the specific location of the mines.

tence and informed him that if he again returned to his village before his three years had elapsed he would be relaxed to the secular arm and his entire properties would be confiscated. Zumárraga terminated the case by charging Cristóbal not to return to his pagan practices or to take free Indians to the mines with him to do his work.

Tlilanci, an Indian of the Pueblo of Izucar, was the next suspect processed in the search for hidden idols.⁵¹ The evidence was gathered by the Vicar of Izucar and commissioned judge of the Holy Office, Fray Hernando de Oviedo. On September 13, 1539, Oviedo had questioned the principal figures of the village, and the composite testimony revealed that Tlilanci's father had been the keeper of the idols in the major temple of Izucar and that upon his death the son had assumed the duty. On that same day Oviedo framed the charges and asked the full penalty for Tlilanci's idolatries and sacrifices. On September 15, 1539, Oviedo interrogated Tlilanci in Izucar and learned that the latter was baptized and that he and his father had been native priests prior to his conversion. Tlilanci admitted that he had sacrificed eight young boys to the gods but said that after his father's death he had left his duties as

⁵¹ AGN, Inquisición, Tomo 37, exp. 4 bis.

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...and informed ... village before ... lax to the ... be confiscated ... Cristobal not ... three Indians ... Tiliand ... the next ... The evidence ... missioned judge ... On September ... figures of ... that Tiliand's ... in the ... son had assumed ... the charges ... idolatry and ... interrogated ... latter was ... native ... that he had ... that after his ...

priest and that he had no knowledge of a cave of idols or the hidden idols of the Izucar temple.

A day later, in order to ascertain the truth of Tlilanci's testimony, Father Oviedo prescribed torture. After an exhortation to tell the truth, Tlilanci was stripped and tied on a stairway and was submitted to los jarros, the water torture. On receiving the third jar of water Tlilanci confessed that the idols were hidden by Don Alonso of Quazalcalco and he mentioned other areas where there were caches of idols, especially in caves. With this confession Oviedo allowed Tlilanci his freedom until the stories could be verified.

When the idols were sought out, it became obvious to Oviedo that Tlilanci had lied, and he had him re-arrested and sent him to Mexico City for trial before Zumárraga. On October 14, 1539, the Fiscal made his accusation. The charges were essentially the ones that had been made in Izucar: that Tlilanci had performed idolatry and sacrifices; that he had hidden idols and had refused to tell where they were; and that he had been a native priest with full ceremonial powers. The Fiscal asked severe penalties.

On March 16, 1540, Tlilanci's defense attorney, the Licenciado Téllez, concluded a series of demands upon the Holy Office to free his client. Téllez denied that any

of the charges against Tlilanci had any validity because they were all performed in the period before his client's baptism. Tlilanci insisted that since his baptism he had remained a good Christian and had committed no crime against the Faith. Character witnesses in behalf of the defendant were brought before Zumárraga. The lawyer Téllez insisted that no charge against his client had been substantiated and that the witnesses of the prosecution were the enemies of Tlilanci who wished him evil. Zumárraga was petitioned to free the accused. On this same day Zumárraga announced his decision. Tlilanci was granted absolution because the Fiscal had failed to prove his charges. The case was dismissed.

Fray Andrés de Olmos, a life-long friend of the Apostolic Inquisitor and his cohort in the Pamplona witch trials, was sent to the village of Matlatlán, an encomienda of the Conqueror of Yucatan Francisco de Montejo, to investigate reports of hidden idols.⁵² Olmos reported to Zumárraga that the Cacique of Matlatlan was an evil man who practiced idolatry and sacrifices. Olmos, as Zumárraga's delegate, was later empowered to prosecute the Cacique on the spot. Servants of the chief and Indians of the village indicated that the Cacique had hidden the idols of the

⁵² AGM, Inquisición, Tomo 40, exp. 8.

age and that he saw to their protection. Olmos was to learn little more of the idols but he carried on trial of the chief on other more concrete charges.

Testimony revealed that the Cacique was a baptized christian, married according to the Church, but despite he had between seventeen and twenty concubines, including some close relatives. He was an inveterate drunkard and he encouraged his subjects to get intoxicated. He seldom went near the church and prevented the baptism of his children. On a recent Sunday he had celebrated the feast of Panquetzaliztli in which he sacrificed a chicken in his house while his subjects sacrificed dogs. Certain sorceries were performed by him to cure his ill daughter.

The Cacique blatantly admitted his crimes when it came time for his testimony. On an indeterminate day in late November of 1539 Olmos passed his sentence. In view of the incontrovertible evidence and the confession of the defendant, it would appear that Olmos' sentence was very lenient. The entire village had been placed under the ban of excommunication, but Olmos lifted it after a few of the most delinquent did penance. The Alguacil was charged to cut the Cacique's hair and to give him one hundred lashes. In addition the Cacique had to go to the school for children in Hueytlapa to be taught the Credo and the Scripture.

Zumárraga's final effort as Inquisitor to uncover

village and that he was a ...
able to learn little more of the ...
the trial of the ...
testimony revealed that ...
Christian, married according to ...
this he had between ...
being some close relationship ...
and he encouraged his ...
dom went near the ...
children. On a recent ...
of Panphostol ...
house while the ...
were performed by ...
The ...
case time for ...
late November of 1939 ...
of the incontrovertible ...
defendant, it would ...
lieutenant. The ...
of excommunication, ...
most delinquent ...
out the ...
In addition the ...
in ...

and destroy hidden idols was his investigation of the Cacique Don Baltasar of Culoacán in December of 1539.⁵³ Baltasar indicated that sixteen years ago the Ochilobos (idols of the Temple of Huitzilopochtli) were brought to his village for a period of six days and thence they were scattered among caves throughout the provinces. Apparently a son of Montezuma had brought them and had charge of their dispersion. Baltasar also gave vague data on other caves and sacrificial sites in the Mexican provinces, but no other action of the Holy Office seems to have been taken according to the records of the Zumárraga period.

F. Investigations of the Caciques of
Tlapanaloa and Iguala

Two other Caciques had altercations with the Holy Office in the period of 1538 to 1540, but the records yield only the informaciones or denuncias of the two cases and we have no way of knowing if the two chieftains were tried or not. On October 19, 1538, Friar Bernardo de Isla at the order of Zumárraga launched an investigation of the crimes of Don Diego, the Cacique of Tlapanaloa.⁵⁴ Diego's crimes were concerned mostly with sexual immorality, but

⁵³ AGN, Inquisición, Tomo 42, exp. 18.

⁵⁴ AGN, Inquisición, Tomo 40, exp. 2.

the testimonies also revealed dogmatizing tendencies in Diego's activities. He had been baptized for eight years at the time of the investigation, and he was apparently intelligent enough to grasp the Faith but he did not know the Pater Noster or the Ave Maria.

One witness alleged that Diego had had the body of a woman who had been sacrificed in his home, but Diego indicated that she was dead when she arrived at his home and that he merely officially certified her death. It was sworn and admitted by the Cacique that he had at least six women for wives and that three of these were sisters. There were innumerable offspring from these relationships. It was further ascertained that Diego had taken his sister as a concubine and she had borne him a child. Although sodomy was implied in the testimony, Diego was cleared of the charge. He was accused of performing an abortion on a slave whom he had gotten pregnant, and when the abortion was accomplished there were three recognizable fetuses involved! Diego admitted that one of his slaves had aborted, but he denied any part in the proceedings. It was established that Diego was in the habit of taking the wives of other Indians and that he initiated a system of forced swapping of wives in his village. He put those couples in stocks who refused to submit to the exchange.

Several other charges of a more serious character

the testimony of the witness who testified that Diego's activities at the time of the investigation, and the fact that intelligent enough to know the truth but a little thing the Peter Hostet or the ...

One witness testified that ... a woman who had been ... dictated that she was ... that he never ... and admitted by the ... for wives and ... knowledge of ... further ascertained ... concubine and ... implied in the testimony ... He was accused of ... he had gotten ... plished there were ... Diego admitted that ... denied any part in the ... Diego was in the ... and that he ... in his village ... to submit to the ...

Several other ...

were levelled against Diego. Because of the outrages with other men's wives and his forced tributary levies on the natives, it was contended that the village was quickly being depopulated. In addition, the Cacique by example and deed exhibited a very definite anti-Church policy. He refused to allow his subjects to go to mass; indeed he often drove them away from the church with force. Diego himself did not possess even a rudimentary knowledge of the things of the Faith. It was evident that he pilfered the tithe and used village revenues to build two new wings on his house while the church, which had been under construction for six years, was still unfinished. In view of these rather grave charges it seems strange that Zumárraga did not choose to try the Cacique of Tlapanaloe. We have no record that he was ever processed by the Holy Office.

The other Cacique who was investigated but not tried was Don Juan of Iguala.⁵⁵ His crimes were so atrocious that his wife, Doña Ana, and two principales of the pueblo made a pilgrimage to Mexico City and denounced Don Juan on July 16, 1540. His maltreatment of the natives of Iguala was common knowledge, and even the former President of the Audiencia, Fuenleal, in league with the friars of Cuernavaca, had repeatedly enjoined Don Juan to reform.

⁵⁵ AGN, Inquisición, Tomo 40, exp. 7.

Despite the fact that Juan had been threatened with the stake, he continued his abusive administration.

Viewing the composite testimony, Don Juan appears as some sort of sexual athlete apparently without any moral fiber at all. He had actually raped two women in the church at Iguala during Lent, as well as a child of ten years of age sometime thereafter. He had untold concubines, and he took for carnal intent the sister of his legal wife, beating her into submission. Furthermore, he had relations with another sister of his wife who was a natural daughter of his own father--and with her aunt. He kept at least five concubines in his house and insisted that his wife live with this harem, treating her with no more respect than a dog.

Idolatry and sacrifice, accompanied with the usual pagan ceremonies, were practiced publicly in Iguala at Don Juan's command. The people burned copal, gave roses, and offered human blood from the ears, tongue and other parts of the body. Don Juan customarily burned copal to the old gods and kept an official sorcerer in his home. When his sister died, Juan had an image of her placed in his house and daily laid offerings of chicken blood at its feet.

Don Juan steadfastly opposed the mission process. He made jokes about the use of the Cross and the natives'

Despite the fact that he had been a member of the
state, he continued his private study of the
viewing and ceremonial practices, and in 1900
as some sort of reward for his services he was
fitted at all. He had actually been in the
church at Santa Clara, and with the help of the
of eye sometimes interrupted. He had written several
he took for himself. In 1901 he was again
beating her into submission. In 1902 he was
with another sister of his. He had written several
of his own father--and with the help of his
five companions in his house. He had written
live with his father. He had written several
than a dog.

Isolating and separating the various
pagan ceremonies, some of which were
Don Juan's comment. He had written several
and offered human blood. He had written several
parts of the body. He had written several
the old gods and made sacrifices to them.
When his sister died, he had written several
his house and built a shrine to her. He had written
feet.

Don Juan eventually returned to his home.
He made jokes about the fact that he had written
feet.

of themselves. He refused to let a child of his be baptized, and when the child died he buried it under a grain bin, thus depriving it of the salvation that Christianity offered. He made the principales and the vecinos eat meat on Fridays in defiance of the teachings of the friars.

Doña Ana and her companions testified that all of these activities had taken place in the last two to three years, and Doña Ana pleaded not to be returned to Iguala as the Cacique's wife.

Perhaps because of the factor of administrative distance and perhaps because of lack of personnel, Zumárraga was unusually lax in initiating proceedings against Don Juan. He was merely notified that the Holy Office was taking mercy on him for his crimes but that if in the future he continued in his sinful ways, he would be punished according to the law. We have no inkling of the future relations between Don Juan and Zumárraga's Holy Office.

IV. A Case of Bigamy

It was rarely that Zumárraga proceeded against an Indian for bigamy charges alone, but in the case of Martín Xuchimitl of Coyoacán the Inquisitor made an exception.⁵⁶

⁵⁶ AGM, Inquisición, Tomo 23, exp. 1.

It came to the notice of the Holy Office that Martín had defied the Church and married twice, and that both wives were still alive. On October 11, 1538, Martín was brought before Zumárraga, and he testified that his first wife, Ana, whom he had married seven years ago, had been discarded by him and that he had married María three years ago. He had been kind enough to secure another husband for Ana after he left her. Both wives testified to substantiate Martín's remarks. The defense attorney placed the defendant upon the mercy of the court.

Zumárraga meted out a reasonably harsh punishment to the bigamist from Coyoacán. He was bound hand and foot and ridden through the streets with his crime proclaimed in Spanish and Nahuatl. At the market he was given one hundred lashes. He had to pay the costs of the trial and he forfeited half of his properties. Ana was returned to Martín as his legal wife and he was charged not to return to María again upon pain of being relaxed to the secular arm for burning.

It came to the notice of the authorities that the
believed the Chinese and Japanese were still alive.
before the Japanese, and he was taken to the
and, when he had been taken to the
caused by him and that he was taken to the
ago. He had been taken to the
and after he had been taken to the
Hortle's remains. The Japanese
dant upon the mercy of the court.
Examination of the remains
to the Japanese from the court. The Japanese
and taken through the court. The Japanese
Spanish and Japanese. At the time of the
leather. He had to pay the court and he
felted half of his property. The Japanese
as his loyal wife and he was taken to the
again upon the mercy of the court.
burning.

CHAPTER IV

THE INDIANS AND THE INQUISITION:

1536-1543 (PART TWO)

V. The Dogmatizers Marcos and Francisco of Tlatelolco

Perhaps the major concern of Zumárraga's Holy Office was with the dogmatizers, those who preached against the teachings of the missionary friars and urged the Indians to return to paganism. These individuals could not be tolerated by the Mexican Inquisition or even allowed to remain in contact with the native population. The year 1539 was the decisive phase in Zumárraga's campaign against dogmatizers; it ended with the burning of Don Carlos, the Cacique of Texcoco.

Preceding the celebrated trial of Don Carlos, two other Indian dogmatizers, Marcos and Francisco of Tlatelolco, were penanced by Zumárraga. On May 30, 1539, Marcos Hernández Altaucatl was interrogated by the Apostolic Inquisitor.¹ Marcos was a Christian and a native judge for the Tlatelolco district of Mexico City, appointed by Viceroy Mendoza. Marcos admitted the fact that he kept concubines and that the friars had repeatedly urged him to dismiss

¹ AGN, Inquisición, Tomo 42, exp. 17. The proceso is fragmentary and contains only the testimonies of the defendants and the final sentence.

them, but he denied the dogmatizing charges: that he had criticized the teachings of the Franciscans and that he had cast aspersions on their sexual morality. Apparently both Marcos and his cohort Francisco had ridiculed the friars to the native congregations. They had taught that the sacrament of confession was the invention of the Franciscans and that it was they and not God who wanted to know of the sins of others.

Francisco testified on June 6, 1539, and admitted that he was a Christian of eighteen years' standing and that he was acquainted with Marcos. Francisco was intransigent in his denial of the dogmatizing charge, but he admitted that he had heard one Lorenzo of Tlaxcala ridicule the sacrament of confession. He denied that he had repeated Lorenzo's ideas to anyone.

On June 20, 1539, Marcos Hernández was admonished to tell the truth and escape torture; he confessed to being a dogmatizer and expressed the desire to become a true Christian. On the same day Zumárraga passed sentence. Marcos was required to make a public abjuration of his statements against the friars and to admit that he had made the statements while temporarily insane or drunk. Both Marcos and Francisco were banished from the Mexico-Tlatelolco area for a period of two years. Marcos was remanded to a distant monastery in Tlaxcala and Francisco was made a servant in

them, but he denied the charge that he had
criticized the teaching of the Church. He
had cast aspersions on the teaching of the
both Marcos and his son. He had written
letters to the native clergy. He had written
the sacrament of confession. He had written
disseminated that it was not a sin to
of the sins of men.

Franchino said that he was a Christian
that he was a Christian. He was a Christian
he was acquainted with the teaching of the
in his denial of the teaching of the Church.
he had heard one teaching of the Church.
of confession. He had heard one teaching
ideas to anyone.

On June 20, 1970, Franchino was interviewed
to tell the truth and to tell the truth
a dogmatized and dogmatized teaching of the
Christian. On the same day, Franchino was
was reported to have been interviewed by the
ments against the Church and to have been
statements while Franchino was interviewed.
and Franchino were interviewed by the Church.
for a period of two years. Franchino was
monastery in Tlacotal and Franchino was

the Hospital de las Bubas in Mexico City. Both men had their heads shorn and received one hundred lashes. Marcos was forbidden to hold any public office in the future without the express consent of the Viceroy or the King. An auto de fe was held in Tlatelolco on June 22, 1539, and Marcos and Francisco made their abjurations. On June 23 they began to serve their sentences.

VI. The Trial of Don Carlos of Texcoco for being a Heretical Dogmatizer: 1539²

Don Carlos Chichimecatecuhtli or Ometochtzin was the grandson of the great Netzahualcōyotl³ and the son of Netzahualpilli, both former rulers of Texcoco in the period immediately preceding the conquest. Carlos had been reared in the household of Cortés and had been educated by the Franciscans at the Colegio de Santa Cruz de Tlatelolco. According to his own testimony he was baptized circa 1524 by the Franciscan Fray Juan de Palos in Texcoco. He was married to Doña María of Guaxutla in 1535. After his brother, Don Hernando, the Cacique of Texcoco, died, probably in

² AGN, Inquisición, Tomo 2, exp. 10. This proceso has been printed by the Archivo General y Público de la Nación, Proceso Inquisitorial del Cacique de Texcoco (México, 1910).

³ Netzahualcōyotl was the poet-king of Texcoco in the late fifteenth century. See Frances Gillmor, Flute of the Smoking Mirror (Albuquerque, 1949).

the hospital de las Indias. Their heads
their heads shown and received one hundred lashes.
was forbidden to hold any other office in the future
out the express command of the Viceroy on the 11th
auto de fe was held in Valladolid on August 25, 1592, and
Marcos and Francisco were their representatives. On June 12
they began to serve their sentences.

VI. The Trial of Don Garcia of Leon and his wife
Retardado Don Garcia

Don Garcia Christened himself as Don Garcia de Leon
grandson of the great Don Garcia de Leon, and was born at
Valladolid, both before and after the birth of the
immediately preceding the marriage. Garcia de Leon resided
in the household of Garcia de Leon, and was married to
Francisca at the College of San Sebastian in Valladolid.
According to his own testimony, Garcia de Leon was married
by the Franciscan friar Don Garcia de Leon, who was
married to Dona Maria de Leon, the daughter of Garcia de Leon.
Don Hernando, the Governor of Valladolid, was present at the

2 AGN, Valladolid, 1592. This document has
been printed by the Spanish Historical Academy.
Processo Inquisitorial del Retardado Don Garcia
3 Retardado Don Garcia was the son of Garcia de Leon, who was
late fifteenth century. He was born in Valladolid, Spain, in 1540.
Smoking Mirror (Almirez)

1524,⁴ Carlos succeeded to the caciqueship of Texcoco. In view of his hereditary position as Cacique and natural lord of Texcoco, one of the three cities comprising the Aztec Triple Alliance prior to the Spanish conquest, Don Carlos obviously enjoyed considerable prestige and influence among the Indians of the Texcocan area. From data recorded in the Inquisition proceso we also know that his sister was married to the Cacique of the nearby pueblo of Chiconautla, and that Carlos may have been the uncle of the Cacique of Tacuba, also one of the cities of the Aztec Triple Alliance. He was related to other native chiefs of the area and to Fernando de Alva Ixtlilxochitl, the sixteenth-century Texcocan historian, another grandson of Netzahualcōyotl.

Don Carlos of Texcoco was denounced before the Holy Office of the Inquisition on June 22, 1539, as a dogmatizer by Francisco, an Indian of the village of Chiconautla. Francisco related that in the first days of June Don Carlos had journeyed to Chiconautla to visit his sister. The area of his sister's home was beset with drought and plague and the Father Provincial had encouraged the Indians to pray for relief and to make certain processions as a part of their

⁴ Francisco López de Gómara, Historia de la Conquista de México (2 vols., México, 1943), II, 104. Gómara does not cite a date, but according to the arrangement of the materials Carlos must have assumed the caciqueship in 1524.

1924, Carlos succeeded in his endeavor to...
In view of his hasty departure as soon as the...
lord of Texcoco, one of the most powerful...
Aztec Triple Alliance with the...
Carlos obviously enjoyed considerable...
among the Indians of the...
in the Indian process...
was married to the...
consent, and that Carlos had been...
Cacique of Texcoco, also one of the...
Alliance. He was related to...
and to Fernando de...
Texcoco historian, another...
Don Carlos of Texcoco...
Office of the...
by Francisco, an...
Francisco related that...
had journeyed to...
of his sister's home...
the Father Provincial...
for relief and to...

Francisco...
de Mexico (2 vols., Mexico, 1911)...
not after a date, but according to...
certain Carlos must have...

supplication. These activities were in progress when Don Carlos arrived in Chiconautla. He ridiculed the entire procedure and the teachings of the friars who, he said, were deceiving the people. Francisco quoted him as saying that Christian doctrine was nothing, that the pronouncements of the friars, Viceroy and Bishop were of no consequence, and that the instruction given the principales in the colegios was of no value. He urged the villagers to return to their ancient ways. He pointed out that each of the three Orders, the Dominicans, Franciscans and Augustinians, had their own dress and their own ways of doing things, and he told Francisco and the others that it was entirely right that the natives should have their own mode of worship and living. Francisco ended his denuncia with a statement made by Carlos about Spanish rule in Mexico:

Quiénes son estos que nos deshacen, é perturban, é viven sobre nosotros, é los thenemos á cuestras y nos sojuzgan? Pues aquí estoy yo, y allí está el Señor de México Yoanize, y allí está mi sobrino Tezapille, Señor de Tacuba, y allí está Tlacahuepantli, Señor de Tula, que todos somos iguales y conformes y no se ha de igualar nadie con nosotros; que esta es nuestra tierra, y nuestra hacienda y nuestra alhaja, y nuestra posesión, y el Señorío es nuestro y á nos pertenece, y quién viene aquí a sojuzgarnos, que no son nuestras parientes ni de nuestra sangre y se nos igualan, pues aquí estamos y no ha de haber quién haga burla de nosotros. . .

This statement was clearly an act of dogmatizing against both Spanish rule and the Church.

application. These activities were in fact a...
Carlos arrived in Chicago...
procedures and the testimony of the...
were deceiving the people. Francisco...
that Christian doctrine was...
of the... Viceroy and...
and that the instruction...
colleges was of no value. He...
to their ancient ways. He...
three orders, the...
had their own dress and...
he told Francisco and...
that the natives should...
living. Francisco...
made by Carlos about...

guénes non estis...
é viver...
y nos...
el Señor de México...
tequila, Señor...
pañil, Señor...
comformos y no...
que este es...
nuestro...
es nuestro y...
a soluzarnos...
de nuestra...
estamos y no...
sotras...

This statement was...
Spanish rule and the...

After Zumárraga had studied the denunciation he took immediate action. Because of Don Carlos' position and influence the Apostolic Inquisitor regarded the case as very serious. Within a few days he went in person to Chiconautla to review the events related by Francisco. On July 4, 1539, he ordered the arrest of Carlos and placed an embargo on his properties. In one of his houses were found caches of idols including Quetzalcoatl, Xipe, Tlaloc and Coatlicue.

Between July 4 and July 12 Zumárraga continued the investigation in Chiconautla and Texcoco. He interrogated many witnesses: Carlos' wife and son, his sister Inés, the governor and several principales of Texcoco, the wife of his deceased brother Hernando, the Cacique of Chiconautla, and many others.

The testimonies made clear the charge that Carlos was a heretical dogmatizer. Antonio, the son of Carlos, gave testimony that served to intensify the accusation that Carlos was an enemy of the Faith. The boy was eleven or twelve years old, but he had not grown up in the house of God because the father had forbidden him to go to church. He knew nothing of Christian doctrine; he could not santiguar or persinar nor was he able to recite the Pater Noster, the Credo and the Ave Maria.

Don Carlos had become particularly offensive to the Church when he preached to the natives on the licentious-

After the hearing, the court ordered the following:

Immediate action be taken to remove the defendant from the premises.

Further investigation be conducted to determine the extent of the defendant's influence.

Persons who have been in contact with the defendant be interviewed.

To review the evidence and report back to the court.

He ordered the arrest of the defendant and the seizure of his property.

On the day of the hearing, the court was informed that the defendant had been seen at the premises.

It was also noted that the defendant had been seen at the premises on several occasions.

The court then ordered the defendant to be removed from the premises.

Investigation in connection with the case was ordered.

Many witnesses were interviewed and their statements were taken.

The court then ordered the defendant to be removed from the premises.

It was also noted that the defendant had been seen at the premises on several occasions.

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It was also noted that the defendant had been seen at the premises on several occasions.

ness of the friars. He charged them with sexual immorality and concubinage. He alleged that the sacrament of confession was a joke because the friars, and not God, wanted to hear of sin. He asserted that the friars punished the Indian for concubinage and drunkenness while they allowed these privileges to the Spaniard.

Carlos' views on concubinage were particularly damaging to Church teachings. He insisted that since their forefathers had taken concubines, the Indians were justified in having them. He counseled Indian wives to obey their husbands in all things and not to complain when the husbands took other women. He related that he slept with his niece Inés whenever he desired. Inés admitted that she had been her uncle's concubine. There had been a child from the union which Carlos supported. Other witnesses reported that Inés was the woman Carlos really favored and that she had control over vast estates when the legitimate wife had only a meager existence and only one slave.

Doña María, the wife of Carlos' deceased brother Hernando, took advantage of the trial to relate some of the advances that the Cacique had made to her while she was still in mourning. First, she charged that Carlos had pilfered the inheritances left by her husband for his nephews. Then she recounted how Carlos had come to her home to take her as a concubine just after Hernando's funeral. When

she refused to receive him he made a practice of prowling around her house at night making weird noises to frighten her. Carlos admitted his "visits" to Doña María's house but contended that they were merely for conversation and not to "echar con ella." The servants of María confirmed her side of the story and condemned Carlos for his improprieties.

There was no clear-cut testimony that Carlos had practiced idolatry. When the Cacique's property had been embargoed, Zumárraga personally conducted the search of Carlos' houses to uncover hidden idols. In one particular house was found an entire collection of idols: Quetzalcoatl, Xipe, Tlaloc, Coatlicue, and others. The house belonged to Carlos but had been the residence of a dead uncle. The place had been a pre-conquest shrine and temple. The wife and son of Carlos knew nothing of the idol house and Carlos swore that the dwelling had been closed since his uncle's death. The witnesses offered no evidence that connected the Cacique with idolatry or sacrifices.

Zumárraga's discovery of the cache of idols on Carlos' property stimulated an idol hunt throughout the Texcoco area, and much additional knowledge of paganism in the region accrued from the search. The main cult seemed to be worshippers of Tlaloc. In pre-conquest times the idol Tlaloc had resided in a mountain cave near Texcoco,

she refused to testify in the case. She was
found her home at 1111 North Main Street in
her. Carlos admitted that he had been in the house
but contended that she was not his wife. He
not to "come out alive." The evidence was
her side of the story was presented in the
protested.

There was no other evidence. The
presented identity. The evidence was
embargoed, but the evidence was
Carlos' house was found in the house. In the
house was found an empty bottle of
type, Tialoe, Carlos, Carlos, Carlos
Carlos had been in the house at the time
place had been a question. The
and non of Carlos had been in the house
swore that the dwelling was his. The
death. The witness said that he had seen
the Carlos was in the house at the time
Tialoe's house was in the house.
Carlos' property was in the house. The
Tialoe was, and the witness said that he
the region occurred in the house. The
to be working in the house. The
that Tialoe had been in the house.

and the Indians had come from Tlaxcala, Cholula, Chalco, and points farther distant to petition for rain. When the drought of 1539 occurred the natives resumed their propitiation of the rain god. The native officials of Texcoco had noticed smoke issuing from the mountain, and upon investigation found the idolaters, confiscated their idols and masks, and other sacrificial instruments. These were brought before Zumárraga during Carlos' trial but had little connection with the case.

Testimony did reveal that Carlos had claimed that his father and grandfather were prophets and that they communed with him and gave instructions on how to proceed with the rule of his subjects. He had told the natives that Netzahualcóyotl had instructed him to follow the directions of the old sky gods and earth gods of the Aztec religion. Nowhere in the testimonies was Carlos alleged to have made sacrifices.

On July 15, 1539, Zumárraga moved his staff back to Mexico City to continue the trial, and Don Carlos was brought before the Apostolic Inquisitor for formal interrogation. Fray Bernardino de Sahagún was the chief interpreter. The Cacique's testimony on the charges of dogmatizing and heresy was decidedly weak. He insisted that he had encouraged his subjects to become Christians and to remain faithful. He denied dogmatizing and offending God in any

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and points...
brought of 1835...
petition of the...
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On June 11, 1835...
to Mexico City...
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way except for having a concubine. He testified that he had never said that the law of God was a joke, nor had he cast aspersions on the morality of the clergy. He denied slandering Zumárraga and Viceroy Mendoza. Don Carlos refused to admit that he practiced the old rites, sacrificed, or elicited the aid of the Aztec gods in his government. Finally, Carlos stoutly denied that he had exhorted the natives to concubinage or that he had praised the anarchy in morals of the pre-conquest era.

Although he professed loyalty to Church and State, there was no doubt from the testimonies that Carlos had made the treasonous speech reported by Francisco of Chicoma-nautla in the original denuncia. This segment of Carlos' views was probably the most important factor in the decisions of Viceroy Mendoza and the Audiencia to agree with Zumárraga on the relaxation sentence.

The Inquisition Fiscal, Cristóbal de Canego, made his accusation against Carlos on August 22, 1539. The charges were really two: heretical dogmatizing against the Faith and morals of the Indian population and idolatry. When the witnesses ratified their testimonies Carlos stood convicted for heretical dogmatizing and exonerated of the idolatry charge.

Later in the day of August 22 Carlos, through his defense attorney, Vicencio de Riverol, answered the accusa-

tions of the Fiscal. Carlos contended that Canego had no specific evidence as to time or place of the alleged idolatries and heresies. Even after a thirty-day adjournment to formulate his defense, Carlos was unable to produce witnesses to support his contentions. He stoutly proclaimed that his childhood in the Cortés home and his education at Tlatelolco had made him a model Christian, observing the Sabbath and requiring his subjects to do so.

As a last resort to save himself, the Cacique presented a brief in which he alleged that he was the victim of a plot formulated by his enemies to secure his post as Cacique. He indicated that they were motivated by hate and vengeance because of certain punishments that he had imposed upon them in his official capacities. Between September 23 and November 4, 1539, Carlos failed in a series of petitions to secure more time to formulate a defense or to be granted a new trial.

Before Zumárraga pronounced his sentence he sent the entire transcripts of the trial to Viceroy Mendoza and the oidores of the Audiencia for their views on the matter. This action on November 18 indicated that Zumárraga was considering relaxing Don Carlos to the secular arm. Apparently the Viceroy and oidores registered no objection to Zumárraga's proposed sentence. At least we have no records to the contrary.

tions of the fiscal year 1911.

Specific evidence as to the year 1911 is

lacking and therefore the year 1911 is

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trial.

The sentence was pronounced on November 28, 1539. It was brief and to the point. Carlos was adjudged to be a hereje dogmatizador, and since he had refused to confess or ask for mercy, Zumárraga recommended that he be relaxed to the secular arm. The prescribed civil sentence was burning at the stake. All of Carlos' properties were confiscated. No mention was made of the idolatry and concubinage charges.

On November 29, 1539, a town crier announced to the populace that there was to be an auto de fe on the approaching Sunday. All were required to be present upon pain of excommunication if they failed to attend. The auto took place on the Zócalo on Sunday, November 30. Don Carlos appeared in the procession wearing the sanbenito and coroza with a candle in his hand. He was led to the scaffold on the plaza. Assembled were most of the citizens of Mexico City and Texcoco as well as Viceroy Mendoza, the Audiencia and Zumárraga. The Bishop preached his sermon and then commanded the Inquisition secretary, Miguel López de Legazpi, to read the sentence. It was translated for the condemned.

At the last moment Carlos became penitent and petitioned Zumárraga to allow him to address the assembled natives in their own language. He urged them to heed his example and to turn from their idolatries and follow the

The sentence was pronounced on October 11, 1935.

It was brief and to the point. The sentence was pronounced on October 11, 1935.

A people's domesticator, and also a people's domesticator, and also a people's domesticator.

or ask for mercy. The sentence was pronounced on October 11, 1935.

to the secular arm. The sentence was pronounced on October 11, 1935.

burning at the stake. All of them were sentenced to death on October 11, 1935.

executed. No mention was made of the sentence pronounced on October 11, 1935.

blame charges.

On November 22, 1935, a new trial was announced for the

populace that there was to be no more of the sentence pronounced on October 11, 1935.

Guadalupe. All were released from the sentence pronounced on October 11, 1935.

communication if they refused to testify. The sentence was pronounced on October 11, 1935.

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Harlow City and Texaco as well as the sentence pronounced on October 11, 1935.

Adams and Cummings. The sentence was pronounced on October 11, 1935.

and then commanded the sentence pronounced on October 11, 1935.

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At the last moment the sentence pronounced on October 11, 1935.

tioned Cummings to allow the sentence pronounced on October 11, 1935.

tives in their own language. The sentence was pronounced on October 11, 1935.

exchange and to turn from the sentence pronounced on October 11, 1935.

true Faith. He was unable to escape the death penalty owing to the lateness of his confession. He was turned over to the civil authorities for the execution of the sentence. We do not know the manner in which Don Carlos died. Don José Toribio Medina makes the following speculations:

¿Como murió Don Carlos de Mendoza? ¿Fue ajusticiado primeramente, es decir, ahorcado con el garrote y entregado después su cuerpo á las llamas? ¿Fue quemado vivo? Del proceso, como queda expresado en la diligencia en que se relata el auto, no existe antecedente alguno al respecto, pues dice simplemente que fué el reo entregado á la justicia seglar, y de la sentencia no hay tampoco cómo adelantar más el punto.

Por el código inquisitorial, el hereje dogmatizador debía ser quemado vivo, siempre que se manifestase impenitente, cosa que no sucedió con don Carlos, que en el cadalso se condujo con toda humildad y aún habló á los indios en su idioma para que aprovecharan del castigo que veían se ejecutaba en él y abandonasen sus idolatrías. En teoría, pues--si no se faltó al derecho--solo fué quemado el cadáver.⁵

The execution of Don Carlos aroused a storm of protest among the officialdom in Spain. Zumárraga was reprimanded from Spain for his harsh action.⁶ There can be no

⁵ Medina, La Inquisición Primitiva, I, 173, note 10.

⁶ For the reprimand see García Icazbalceta, Don Fray Juan de Zumárraga, I, 41, and IV, documents 18 and 19. Ricard, op. cit., 470-473, analyzes the case of Carlos and speculates on the idea of whether Carlos had been the victim of a native plot either to secure his position or motivated by vengeance. Ricard concludes, and rightly so, that this side of the story must remain in the realm of conjecture. Medina's treatment is found in La Inquisición Primitiva, I, 141-175, and Cuevas' defense of Zumárraga is contained in Historia de la Iglesia, I, 376-378. As far as we know Tello de Sandoval never reported on the dispo-

doubt that the Don Carlos case gave real impetus to the movement for exemption of the Indian from the jurisdiction of the Holy Office of the Inquisition.

The exemption movement, while grounded in the humanistic attitudes discussed in Chapter II and given force by the Don Carlos case, was slow to come to fruition.⁷ The instructions of Tello de Sandoval and Moya de Contreras granted to these Inquisitors jurisdiction without exception.⁸ Indians were tried by Sandoval and by the bishops of all New Spain until 1571. Monastic prelates in areas where there was no resident bishop continued their inquisitions under authority of the bull Omnimoda until a decree of Philip II of December 30, 1571, which removed Indians from the jurisdiction of all inquisitions and placed them under the direct control of bishops in matters of the Faith and morals.⁹

sition of Carlos' properties or the fate of his son. See Chapter I, 27-28. Tello's instructions were produced in Puga, op. cit., I, 452-454.

⁷ Zumárraga had petitioned the King in 1537 to permit him to castigate as a father the Indians who offended against the Faith after having been baptized. Indeed, he proceeded on this philosophy. A cédula of 1538 of Charles V had exempted the Indian from the Holy Office's jurisdiction and placed him under the direct control of the Viceroy. This order was never effectuated. See Genaro García, El Clero in México durante la Dominación Española, 40-44, 76.

⁸ See Chapter I, 27-28.

⁹ Lea, The Inquisition in the Dependencies, 210-211.

doubt that the Don Carlos case was a case of... movement for... of the Holy Office...

The... the Don Carlos case... instructions of... granted to these... Indians were... New Spain until 1571... there was no... under authority of... Philip II of December 1571... the jurisdiction of... the direct control of... Maria.

Chapter 27-28... of... him to... against the... proceeded on... had executed the... and placed the... This order was... Chief of Mexico...

See Chapter 1, 27-28.
See, The...

VII. Conclusions on the Inquisition and the Indians:
1536-1543

Any judgment of Zumárraga's Indian Inquisition would necessarily depend upon one's criteria for evaluation. If one examines this institution as a device to extirpate idolatry and sacrifice and to dissolve paganism, the whole history of Mexico proves Zumárraga to have been a failure. The orthodox churchman would defend Zumárraga's Indian trials as necessary, and he would point out the general leniency of the Apostolic Inquisitor in cases of little significance. He would be quick to contend, however, that firmness and harshness were absolutely necessary in dealing with those natives who would have undermined the spiritual conquest.

Beyond a doubt the humanist would condemn Zumárraga for his Indian Inquisition. From his viewpoint it would appear to have been harsh, unjust and unnecessary. He would not condone abandoning humanist ideas for the security of empire and religion. The cultural anthropologist would merely contend that the Indian Inquisition was a haphazard device in the process of forced acculturation.

The objective scholar has to vindicate Zumárraga of any guilt in the Don Carlos case. The trial was carried on without legal irregularities and the Cacique was convicted upon ample evidence of being a heretical dogmatizer.

Any further evidence... would necessarily... If one examines... history of... The order of... trials as necessary... agency of the... assistance... rose and... those matters... quest.

beyond a... for his... appear to have... not condone... empire and... merely contend... device in the... The objective... of any guilt... on without... violated upon...

CHAPTER V

ZUMÁRRAGA, THE LUTHERANS, AND OTHER HERETICS

I. Introduction

Although Protestantism never attained a following among great numbers of the Spanish people, the fear of its doctrines was an obsession with the Spanish Inquisition.¹ Luther was regarded as the great enemy of Spanish society, and the term luterano came to be applied to many deviations from orthodoxy that had no connection with Lutheran ideas.² If the era 1480 to 1520 was the Judaizante phase

¹ The opinions of Luther, Carlstadt, Zwingli, Oecolampadius, Melanchthon, Munzer and Calvin began to permeate Spain during the ministry of Alonso de Manrique, Fifth Inquisitor General of Spain, 1523-1538. These reformers were called Protestants after the Imperial diet of Speyer of 1529.

² In Spain the doctrines of Luther, Erasmus and the Alumbrados became confused; in Mexico the term luterano was even broader, with the exception that the alumbrados usually retained their separate identity. The most reliable account of Spanish Protestantism remains Lea, The Spanish Inquisition, III, 411-476. Bataillon, Erasmus y España is the best account of Erasmian thought in sixteenth-century Spain. Two monographs of John E. Longhurst should be consulted for valuable information and new viewpoints on Spanish Protestantism: Erasmus and the Spanish Inquisition: The Case of Juan de Valdés (Albuquerque, 1950), especially pages 7-9, 57-58; and Luther and the Spanish Inquisition: The Case of Diego de Uceda, 1528-1529 (Albuquerque, 1953), 7-13. Lea's Chapters from the Religious History of Spain Connected with the Inquisition (Philadelphia, 1880), 234-245 et passim, is valuable for the mystics.

ZUMARRAGA, THE PROTESTANT, AND THE CATHOLIC

I. Introduction

Although Protestantism was not widespread among great numbers of the Basque people, the fact that doctrinal was an obstacle to their religious freedom. Luther was regarded as the great enemy of the Catholic Church and the term *lutherano* was used to designate those from Germany who had adopted his ideas. It is true that the Catholic Church was not

1 The origins of the *lutherano* name, however, are not clear. Some have said that it came from the name of the German city of Luther, while others have said that it came from the name of the German city of Luther. In any case, the name was used to designate those from Germany who had adopted his ideas. It is true that the Catholic Church was not
2 In Basque the word *lutherano* was used to designate those from Germany who had adopted his ideas. It is true that the Catholic Church was not
3 The word *lutherano* was used to designate those from Germany who had adopted his ideas. It is true that the Catholic Church was not
4 The word *lutherano* was used to designate those from Germany who had adopted his ideas. It is true that the Catholic Church was not
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10 The word *lutherano* was used to designate those from Germany who had adopted his ideas. It is true that the Catholic Church was not

of the Spanish Inquisition, the period from 1520 to 1570 must certainly be called its Protestant phase. During this era Spanish society was gripped by the fear of losing its religious orthodoxy, and while the major problem was the fear of heresy rather than heresy itself, the Inquisition set to work to suppress all ideas that were deemed to be unorthodox or on the fringes of orthodoxy.

Spain's imperial emigration policy reflected the unrest at home, and care was taken that persons of unquestioned orthodoxy were the only Spaniards allowed to emigrate to or trade in the New World.³ Except for the period from 1526 to 1549 when Charles V permitted his German and Flemish subjects into the colonies legally, immigration was restricted to peninsular Spaniards.⁴ Initially, only Castilians had been allowed because of the nature of the original discovery enterprise, but with the death of Isabella, Ferdinand decreed that all Spanish subjects save heretics or their descendants were to be given access to the New World.

Isabella had launched the policy of exclusion of

³ The best source for emigration policy is Clarence Haring, Trade and Navigation between Spain and the Indies in the Time of the Hapsburgs (Cambridge, 1918), 96-122.

⁴ Ibid., 98-102. In Mexico the Flemings engaged in commerce and silver mining at Zultepeque. Several of them were tried by Zumárraga for blasphemy and heresy in 1540.

of the Spanish language, and the fact that the
must certainly have been a very early one.
This was the first time that the word
the religious character of the word was
the fear of a new religion, and the
set to work to convert the people to the
Christianity of the time. The word was
used in the New Testament, and the
to 1563 when the first missionaries were
subjected into the religious life, and
started to penetrate the interior of the
Atlantic had been known for some time.
Final discovery of the word was made
Ferdinand Columbus, who had been in the
of their language, and he was the first
world.

Isabella and Columbus were the first to
3 The best known of the early explorers
Bartolomeo, Juan, and Christopher Columbus, who were the first
in the time of the discovery of the New World.
A list of the early explorers of the New World
commence and the first of the great explorers
were filled by the discovery of the New World.

heretics from the Indies when she required a certificate of *limpieza de sangre* from each person who would emigrate. This policy was continued first by the Suprema and then by the Casa de Contratación. The result was a prohibition against embarkation from Sevilla of all Jews or Judaizing Christians, Moors, and all former heretics who had been penanced by the Inquisition. As colonial policy developed, their descendants to the third generation were also prohibited from sailing.⁵

In 1537, by the bull Altitudo divini consilii, Pope Paul III forbade all apostates to go to the Indies and commanded the colonial authorities to expel any who might have come.⁶ By 1549 Charles V had to placate native Spaniards by secretly instructing the Casa not to issue papers to non-peninsulars for migration or trade in the New World.

Despite these formidable obstacles, foreign migration continued, as did heretic migration, by devious and illegal means. All over the Americas Inquisition officials set to work to ferret out these people and to compile

⁵ In 1501 Ovando was given instructions not to allow among his party to Santo Domingo any Jews, Marranos, Moors or reconciliados. Ferdinand between 1508 and 1517 issued a series of decrees prohibiting the migration of the descendants of the above to the third generation. See Medina, La Inquisición Primitiva, I, 25-30.

⁶ Lea, The Inquisition in the Dependencies, 194.

heretics from the ... of ...
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This policy was ...
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secret lists of suspects.⁷

An integral part of the attack on heresy in the colonies was the censorship process. Strict Castilian laws were modified for use in the empire and the Holy Office was granted control over importation of books into the New World, as well as the censorship of books printed there. Possessing, selling or distributing prohibited books was a serious crime in Mexico and one which the Inquisition investigated with particular zeal.⁸

Prior to 1536 heresy had occupied the efforts of the Mexican Inquisition very little. Besides Santa María's burning of Morales and Alonso and his trial of Ocaña in 1528, all for being Judaizantes, only one case of major heresy was tried, that of Andrés of Rhodes for being a

⁷ Prince Philip, on August 14, 1543, had ordered all colonial officials to investigate Moorish slaves of free-men, recently converted, or sons of Jews who were resident in the New World, and to banish them to Spain. This order prompted Juan Muñoz de Parrales, an Inquisition clerk, to present to Tello de Sandoval a Memoria de Hijos de Quemados y Reconciliados que Hay en esta Ciudad, dated May 13, 1544. This document is found in AGN, Inquisición, Tomo Ia, exp.25.

⁸ For the censorship process in the Indies see: Lea, Chapters, 20-24, 56-68; Irving Leonard, Books of the Brave (Cambridge, 1949); José Torre Revello, El Libro, la Imprenta, y el Periodismo en América durante la Dominación Española (Buenos Aires, 1940); and Diego de Encinas, Cedulario indiano (Madrid, 1945), I, 228-229. Particularly valuable for Mexico after the Zumárraga period is Francisco Fernández del Castillo, Libros y Libreros en el Siglo XVI (México, 1914).

Greek Schismatic.⁹ It was Zumárraga who really launched the anti-heresy phase of the Mexican Inquisition.

II. Luther in Mexico: the Trial of Andrés Alemán, 1536-1540

Zumárraga's first Lutheran trial proved to be the most important of his Inquisitorial ministry. On August 14, 1536, Alonso de Paz, a scribe, denounced Andrés Alemán, a Moravian jeweler, for Lutheranism.¹⁰ Within a week Alemán was arrested and the testimonies were gathered.

The Inquisition proceso yields a fair amount of biographical material on the accused. He had been born in the province of Brunn in Moravia and had grown up as an apprentice to an Austrian noble. Apparently he was of Slavic background. At the age of fourteen Alemán had spent a year and a half in Bohemia learning German and other central European dialects. He became familiar with the Bohemian religion and the sacraments used in their worship services. In his own testimony Alemán described the sacraments of infant baptism and the Bohemian practice of deathbed confession. He did not mention the name of John Huss.

⁹ AGN, Inquisición, Tomo I, exp. 14. The year was 1528.

¹⁰ AGN, Inquisición, Tomo 2, exp. 1. Medina, La Inquisición Primitiva, I, 135-137, lists the accusations of the fiscal in this case, but it is evident from his commentaries that he has not seen the actual proceso.

Great Britain. It was... the anti-heresy phase of the... movement.

II. Letter to Mexico: The First of January, 1930

...most important of the... 1930, Alvaro de Paz... Norwegian Jeweler, for... was arrested and the... The Imperial... biological material in the... the province of... agencies to an... background. At the... and a hall in... European... religion and the... in his own... infant... location. He did not...

9 AM, January 1, 1930, ... 10 AM, January 1, 1930, ...

It was evident from his testimony that Alemán's travels in central and western Europe had been very broadening from the standpoint of religion. He had ranged throughout Hungary and the Low Countries, engaged in his profession as a lapidary, and he had fought in the wars in Flanders. In each country he had observed and studied religious customs. The proceso does not inform us of the year of Alemán's arrival in Mexico. His testimonies proved him to be intelligent and well read, and his adjustment to the procedures of the Holy Office showed a remarkable ability to make the best of his unfortunate situation.

Apparently Alemán traveled great distances in the pursuit of his jewelry trade in Mexico. Alonso de Paz' denunciation and other testimonies placed him in Colima and Jalisco where he had contended that confession need only be mental and be directed to God and not to men. On these business trips Alemán carried with him certain books in foreign languages which the witnesses believed were prohibited by the Holy Office.

Alemán repeated many other unorthodox views on religion in the northwest Mexican provinces which led Zumárraga to believe that the jeweler was proselytizing for Lutheranism. In addition to possessing suspect books and defending the doctrine of mental confession, Alemán spread other ideas that were Lutheran in orientation: he

It was evident from the testimony that the
travelers in general, and especially the
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out Hungary and the
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flamers. In each country
lighter customs. The
year of Albania's
him to be totally
the procedures of the
ability to make the
Apparently there
pursuit of his
connection and other
and Lallac there
only be mental and
these business firms
in foreign languages
prohibited by the
also reported
light in the
adverts to believe
for international
and deterring the
spread other ideas

said that veneration of images took honor from the Son of God and bestowed it upon Mary and the saints; and he contended that papal bulls were worthless and that papal indulgences and pardons were a fraud. Alemán's views on the clergy convinced Zumárraga that the jeweler was a Lutheran because he had stated his firm belief that priests should be married and that they ought not to receive rents and other monetary rewards.

Other testimonies charged Alemán with heresies of a more nebulous nature. Leonor de Castañeda and Margarita Alemán (who was no relation to Andrés), women to whom the defendant had talked in Mexico City, tried to link his ideas with certain teachings of Erasmus of Rotterdam. Although the name of Erasmus appears several times in the proceso, specific ideas are not mentioned, indicating the confusion in both lay and clerical minds on the nature of the Lutheran and Erasmian heterodoxies, and the common stereotype adopted in which all heresies were labeled as Lutheran or Erasmist. Pedro de Celaya, a scribe in Colima, testified that Alemán had supported the Lutheran doctrine of communal wives while he was in that area. This was evidently a confusion on Alemán's part of Lutheranism with certain radical doctrines of the left wing of the Reformation, perhaps Anabaptism, which when carried to extremes led to sexual promiscuity. It is not at all unlikely that

the idea of communal wives was the product of Alemán's imagination.

After two sessions with the Inquisitor between August 26 and September 7, Alemán confessed to the above allegations and more. It was ascertained that the books which he carried were prohibited versions of the Psalms of David, the Epistles of Paul, and other fragments of the New Testament. Zumárraga was particularly interested in Alemán's views on the writings of the Sacred Doctors of the Church. He maintained with Luther that commentaries were of no value and that the individual could consult the Scripture and interpret it.¹¹

The accusation of the Fiscal of the Holy Office, Dr. Rafael de Cervanes, was made on September 7, 1536. The charges against Andrés Alemán were the following:

- 1) that Alemán had proselytized Lutheran doctrines and tried to undermine the sacrament of confession;
- 2) that he had contended that excommunication was offensive to God and was unchristian;
- 3) that he held Lutheran ideas on images;
- 4) that he contended that priests should marry;
- 5) that he criticized the monies that the Church

¹¹ " . . . que decia el dicho Alemán que el Lutero decia que los Evangelios y Sagrada escritura no se habia de entender sino al pie de la letra. . . "

the last of communal violence and the
investigation.

After two years have passed since the
August 28 and September 1, 1971, events in the
allegations and some. It was not until 1973 that the
which he carried were first formally investigated. In the
David, the Epistolar of 1971, and the Epistolar of 1973.
Testament. The Epistolar of 1973 was a response to the
and a view on the situation of the Church in the
Church. He maintained that the Church was not a
no value and that the Church was not a
ture and integrity.

The resolution of the Church was
Dr. Rafael de Guzman, the Bishop of the Church,
charges against the Church.

- 1) that the Church was not a
and tried to understand the Church in the
2) that the Church was not a
offensive to God and was not a
3) that he held the Church as a
4) that he considered the Church as a
5) that he considered the Church as a

II. The Church of the
the Church of the
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accumulated;

6) that he contended that papal bulls and indulgences and pardons were of no value;

7) that he doubted the truth and authority of the Pope;

8) that he favored individual interpretation of Scripture.

On September 8, 1536, Andrés Alemán answered the charges of the Fiscal. He denied that he was a dogmatizer but he admitted the Lutheran errors and other heretical propositions of which he was accused. He tried to convince Zumárraga that he was truly sorry that he had offended God and the Church. He lamented his indiscreet conversations. Alemán asked absolution from his sins and a suitable penance.

On September 26, 1536, Andrés Alemán renounced the usual thirty-day period allowed for framing the defense and asserted that he would enter no plea. He reaffirmed his faith in God and the Roman Catholic Church, and he stated his detestation of his previous heresies.

Of his own free will, on Sunday, October 15, 1536, in the cathedral of Mexico City, with a candle in his hands, and kneeling, Andrés Alemán abjured his heresies one by one before the assembled congregation. After this ceremony, he took the juramento de la fe in front of Zumárraga, Viceroy Mendoza, and the oidores of the Audiencia

recounted;

6) that in consequence of this...

gences and persons were...

7) that he...

Page;

8) that he...

Periphrasis.

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On September 10, 1933...

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Of his own...

in the cathedral...

hands, and kneeling...

one by one...

ceremony, he...

Marriage, Viceroy...

of Mexico. He reiterated his Christian beliefs, his renunciation of all heretical tenets, and he promised to fulfill the penance which the Holy Office was to prescribe. After the oath Zumárraga granted him absolution and he was reconciled with the Church. The Apostolic Inquisitor then pronounced Alemán's sentence.

The sentence was simple and surprisingly lenient in view of the clear testimony against Alemán coupled with his own confession. He was to wear the *sanbenito* for an indeterminate time. He was banished perpetually from New Spain and the Indies and all of his properties were confiscated. He was to embark on the first boat to Sevilla and there he was to be under the immediate supervision of Inquisitor General Manrique and the Suprema. This sentence was pronounced and signed by Zumárraga on October 15, 1536, the same day as the abjuration ceremony.

By the fall of 1538 Andrés Alemán had become a well-established jeweler in the city of Sevilla and seemed to be suffering from none of the censures usually associated with reconciled heretics.¹² On October 29, 1538, he began a two-year campaign aimed at the restoration of

¹² Alemán's Spanish career can be followed in certain correspondence from the Sevillian Inquisitors to Zumárraga. The letters and Zumárraga's comments on them are scattered throughout the proceso. It was therefore necessary to rearrange them in chronological order in order to ascertain their significance.

his properties. He also petitioned for more freedom in practicing his profession. On this day he admitted his errors again to the Sevilla Inquisition and petitioned to be allowed to live among Christians in Spain. Because he had been able to convince the Inquisitors of his contriteness, on November 28, 1538, he was given freedom of mobility in the Iberian Peninsula but charged not to leave Spain without express authorization.

On February 12, 1539, Alemán petitioned the Inquisition to be allowed to follow the court of Charles V outside of Spain in the exercise of his profession. His request was granted. Fortified with these documents and with ideas of forgery in mind, on December 12, 1539, he tried to recover part of his properties because he had returned to the Catholic fold and because "ahora no han hallado culpa en mí de lo que me acusaban por luterano." He had hoped with the aid of a Sevillian escribano to modify the documents and send these credentials to Mexico City to be used in a suit for the restoration of his properties.¹³ Although his plan was discovered and the escribano reported him to the authorities, we have no record that he got his just deserts. Indeed, just eight months later, on August 16,

¹³ In 1537 his wife Catalina de Caxas was able to recover part of the property which she proved had been part of her dowry. AGN, Inquisición, Tomo 42, exp. 11.

1540, he began his campaign anew. This time his line of attack was slightly different. He had hoped to build up the illusion in Zumárraga's mind that the Suprema had absolved him of his previous crimes and that it was behind him in his suit for restoration of his property. His letter to Zumárraga related his sentencing for Lutheranism and his banishment from Mexico. He indicated that he had worn the sanbenito and that it had been hung, as was the custom, in the Cathedral of Mexico City. He said that upon his arrival in Spain the Suprema had reopened his case and had revoked that part of Zumárraga's sentence which had required him to wear the sanbenito. He therefore requested that it be taken down from the Cathedral and destroyed.

Zumárraga was suspicious of the Alemán request. He indicated that his intention had been for Alemán to wear the sanbenito perpetually and that he was confused on exactly how it came to be hung in the Cathedral in the first place. In any event, he demanded more clear and official documents from the Suprema on the matter before he would act. Later, for some inexplicable reason, Zumárraga ordered the sanbenito taken down.

The last record of Andrés Alemán that we have showed him to be diligently pressing his case and with moderate success, for on September 15, 1540, he was able to liquidate certain debts that he owed in Mexico from the

1940, he began his campaign for the
attack was slightly different. He had expected that
the situation in America was such that the
solution of his previous case would be
him in his suit for re-election. He had
letter to Lammie's father and had
and his belongings from the house. He had
from the authorities and that it was not
question, in the case of the
upon his arrival in Boston. He had
and had received last year's
regarding him to wear the uniform. He had
that it be taken down from the
Lammie was energetic and
He indicated that the situation was
with the authorities. He had
exactly how it came to be
first place. In any event, he
official documents from the
he would not. Later, for
again ordered the
The last report of
showed him to be
case against him. He had
Lammie's case.

confiscated properties which the Treasurer of the Holy Office had in escrow. This action was surely taken with the approval of Apostolic Inquisitor Zumárraga. Whether Alemán was able to complete his ruse must remain, for the moment, a mystery.

III. The Dissemination of Lutheran Ideas: 1536-1540

Although the Lutheran heresy was slow to spread in New Spain, four additional trials occupied Zumárraga's Inquisition prior to his retirement as Apostolic Inquisitor in 1543. The case of Juan Nizardo was initiated in 1536 and spanned the next three years, owing to some peculiar circumstances.¹⁴

We know from the interrogatory framed in 1539 that Nizardo had been convicted on at least one count of Lutheranism in 1536. He had been proven guilty of destroying a papal bull and other acts indicative of a disrespect for the Church and its Pope. He was sentenced on July 1, 1536, to perpetual banishment from New Spain to Castilla, and he was ridden through the streets of Mexico City tied and gagged on a mule while a town crier proclaimed his crime.

¹⁴ Fragments of the Nizardo case are contained in AGN, Inquisición, Tomo 30, exp. 1. Unfortunately the full details of the original trial are lacking, but the Interrogatory of February 4 to February 28, 1539, is still extant. The final disposition of the case must remain unknown because the records have been lost or destroyed.

connected properties... Office had in... the approval of... Alaska was able to... moment, a mystery.

III. The Dissemination of...

Although the... New Spain, four... question prior to the... in 1845. The case of... and spanned the next... circumstances, it... no know from the... Alaska had been... that in 1855. He had... paper bill and other... the Church and the... to personal... he was hidden through... begged on a mile...

14. The... included, from... title of the... repository of... fact. The... known because...

He was then given one hundred lashes. Zumárraga prescribed that he must leave Mexico by July 7, 1536. Nizardo was admonished that should he break the terms of his banishment and return to New Spain, he would be relaxed to the secular arm and burned at the stake.

Three years later it was determined that Juan Nizardo was still in Mexico. He had apparently moved frequently to escape detection and apprehension. After living for a period in Pánuco he felt it advisable to move to Mestitán, where he was eventually arrested again by the order of the Holy Office.

Testimony taken between February 4 and February 23, 1539, led to Juan's downfall.¹⁵ He was arrested and jailed on the latter date. Without exception the witnesses knew of Nizardo's previous record. Why he was not denounced earlier is curious. In both Pánuco and Mestitán he had consistently refused to go to mass and when prompted by the laymen and the priests to attend, he became abusive, uttering such blasphemies as "Mal a Dios," "Pese a Dios,"¹⁶ "Que cosa la Misa," "Pese a tal con la Misa," and "let me live according to my own law." He also said on frequent

¹⁵ García Alonso and María de Allón from Pánuco testified, as did Guillermo Flamenco and Juan Rubio, calpisque, from Mestitán.

¹⁶ "Pese a Dios" is difficult to translate. An approximation would be "to hell with God" or "God gives me a pain."

occasions that the abbot of Mestitán was a hunchback. It was ascertained that he had fled from Pánuco when the authorities there had sought to force him to attend church.

Nizardo was questioned in the week following his arrest. He admitted that he had been tried for Lutheranism and had been banished from Mexico by the Holy Office in 1536. He said that he did not embark at Veracruz because the Holy Office had not arranged passage for him. He could not afford to pay his own fare, and after begging the ship captains to take him free and being refused, he went to Pánuco to live. He admitted refusing to go to mass and blaspheming when his neighbors urged him to attend. He expressed true contrition for his crimes and promised to do better in the future. Of his ultimate fate we have no evidence because the document is incomplete.

An elderly teacher, Maestre Pedro of Sevilla, was brought before Zumárraga in October of 1537 on charges of Lutheranism.¹⁷ This gentleman of over seventy years of age had been rash enough to say on shipboard from Sevilla that it was a good precept that clergymen should be married. He also was reported to have indicated that he had been tried by the Sevilla Inquisition for these views, as had his brother, and that he had been forced to wear the sanbenito

¹⁷ AGN, Inquisición, Tomo 30, exp. 3.

prior to fleeing to Portugal. When Zumárraga interrogated him on this point, he admitted that he had said that it would be better that the priests were married than sleeping illicitly with concubines. He asserted that he had seen married priests and monks in parts of the Indies. He never elucidated on this statement. It was true that his brother had been reconciled by the Spanish Inquisition but Pedro denied that he was a fugitive reo. He ended his testimony with a denial of the worth of Luther and an affirmation of his deep faith in Catholicism.

On October 8, 1537, Dr. Cervanes, the Fiscal, made the accusation that Pedro was a Lutheran. On the following day Maestre Pedro replied to the charges. He indicated that his words had been twisted and taken out of context, and he denied that he ever had any intention of offending God or the Church. He asked mercy and penance.

Pedro and his counsel spent the next three weeks establishing evidence of his good and Christian character. Even his priest indicated that he was a good Christian and a solid citizen. The Fiscal repeatedly demanded sanctions against Pedro. The old man constantly referred to his advanced age and his failing health. He was allowed to have his home as a jail.

On October 12, 1537, testimonies were taken from Pedro's traveling companions on the ship from Sevilla. One

receives the impression from their remarks that Maestre Pedro was a cantankerous old man who insisted upon giving everyone his advice. The Lutheran allegations were more or less substantiated. Pedro charged that these people were malicious and bore him ill will. He later modified his plea and said that he did not remember making heretical statements and that if he had done so, it was during a temporary mental lapse. He again called attention to his age and infirmities.

Zumárraga was reasonably lenient when he pronounced sentence on October 30, 1537. Maestre Pedro was charged to refrain from contending that clergymen should be married, and to be on the safe side, to abjure the teachings of Martin Luther in the Cathedral of Mexico, kneeling and with a candle in his hand, on November 1, 1537. He was fined fifty pesos de oro de minas for his impetuous statements.

The trial of Alonso Delgado for Lutheranism need hardly be mentioned.¹⁸ On April 26, 1537, Zumárraga questioned this humble and ignorant man. Alonso Delgado admitted that he had contended that it was better for priests to be married than to live in mortal sin with concubines, and upon this point he agreed with Luther. If this were heresy, he said that he was sorry, and asked

¹⁸ AGN, Inquisición, Tomo 125, exp. 6.

penance because he had not intended to offend God. Zumárraga perceived that Delgado was contrite and ignorant of the fact that he had erred, and he ordered him to make a pilgrimage to San Miguel and to recite along the way a short devotional entitled La Corona de Nuestra Señora.

IV. The Trial of the Fleming Juan Banberniguen, 1540

Juan Banberniguen was a native of Ambères in the Brabant country. He was one of the Welser miners that Charles V allowed into the colonies in 1526, and he and other Welser employees exploited the mines of Zultepeque near Tasco in Mexico.

Banberniguen was denounced to the Holy Office on April 2, 1540, by Peti Juan, a tailor who resided in Mexico City but who traveled in the Tasco area exercising his profession.¹⁹ The denunciation and subsequent testimony revealed that Banberniguen was guilty of heresy on two counts: his denial of the existence of purgatory, which was Lutheran, and his denial of the real presence in the sacrament of the Holy Eucharist. This latter heresy was not Lutheran, because Banberniguen's views would have also denied the Lutheran doctrine of consubstantiation. His actual statement was the following: ". . . que pareseme a mi

¹⁹ AGN, Inquisición, Tomo 2, exp. 11.

penance because he had not been...
tragedy perceived that he had...
of the fact that he had...
a pilgrimage to San Miguel...
short devotional...
IV. The Trial of the...
Juan Bandin...
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Charles V...
which employees...
these in Mexico.

Bandin was...
April 2, 1940, by...
city but who...
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revealed that...
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inherent, because...
and the...
actual statement...

is not, incidentally...

que nosotros no somos dignos que Dios viniese en nuestras manos pecadoras."

The tailor Peti Juan had urged Banberniguen to see a priest about the doubts that he had concerning the Eucharist. When Banberniguen when to Mexico City he conferred with Fray Domingo de la Cruz in the Dominican monastery there, but he later confided to Peti Juan that he left the friar more confused than when he had come to him. Juan's own testimony later revealed that he had discussed purgatory with Fray Domingo but not the Eucharist.

Banberniguen's ideas on purgatory had come directly from the Low Countries. When Jacob de Cayzer and two other Flemings had come to Zultepeque they related to Banberniguen the progress of Lutheranism in his homeland and explained to him certain of Luther's doctrines, including the negation of purgatory. This same Cayzer was later tried by Zumárraga for heretical blasphemy.²⁰ Cayzer testified that as far as he knew, Banberniguen had not fallen into heresy but that he did possess certain books dealing with religion, and that among these were sections of the New Testament and a treatise of Erasmus whose title he could not recall. He remembered, however, that the Erasmus book

²⁰ AGN, Inquisición, Tomo 14, exp. 36.

the horses no longer...

names persons.

the latter part...

a priest upon the...

artist. The...

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had the seal of examination of the Inquisition.

Juan Banberniguen's testimony resulted in a straightforward confession. He waived his right to a defense attorney and threw himself on Zumárraga's mercy, promising to do penance and be a model Christian in the future. On May 23, 1540, Banberniguen was sentenced. Juan was forced to stand in church, barefoot and with a candle in his hands, during the entire sermon, after which he was made to abjure his heresies before the assembled parishioners. He was fined one hundred and fifty pesos de oro de minas and admonished to lead a life of scrupulous orthodoxy in the future.

The Banberniguen trial was the last trial for heresy that Juan de Zumárraga conducted. While Luther was slow to penetrate New Spain, the cases of Alemán, Nizardo, Pedro de Sevilla and Banberniguen indicate that when the penetration came it was a thorough one.

V. The Trial of Francisco de Sayavedra for Erasmism, 1539²¹

Sayavedra's trial is of some interest because it

²¹ AGN, Inquisición, Tomo 2, exp. 8. Julio Jiménez Rueda has published this proceso in the Boletín del Archivo General de la Nación, XVIII (1947), 1-15. The original proceso does not charge Sayavedra with Erasmism. It merely indicates that he was guilty of heretical propositions. For a brief commentary on the case, see Bataillon, op. cit., II, 433-440.

represented the only early sixteenth-century case of Erasmus in Mexico. To be sure, it is a very weak statement of Erasmus' teachings, but it shows his influence in Mexico and, perhaps more important, proves that Zumárraga could not be considered a follower of Erasmus in Mexico.

Sayavedra exhibited a disrespect for the formal ceremonies of the Church. Indeed, his trial implied that he considered the ceremonies not as necessary as faith. If he had more important things to do, he forewent mass, and especially did he work and charge his household to work on feast days. On March 4, 1539, Sayavedra was called before Zumárraga to testify. He indicated that he was a native of Medellín in Castilla and that he could read and write, although he did not understand Latin very well. The Erasmian ideas which led to his conviction were the following: he contended that men ought not to pray to images or saints but directly to God;²² he admitted that he ridiculed a book which Pedro de Zalaya had in his possession and which said that by reading this book and reciting its prayers one could gain merits. Sayavedra said that the authors of the book had inserted this promise in order to

²² He contended that he had gotten this idea and others from a book by Erasmus which said ". . . que mas querían los santos que les imitasen en las obras que no que les rezasen diez Pater Nosters." Bataillon, *op. cit.*, II, 439, and Almoyna, *op. cit.*, 169, agree that this must have been the Enchiridion.

sell more books. Sayavedra testified that he had not been to mass for six months because he had been ill. Later he contended that he had been ignorant of the fact that it was a feast day when he ordered his household to work, and being informed that it was the feast of the Ascension of Our Lord, he ordered the work to cease.

Sayavedra affirmed his belief in each Article of the Faith before the Inquisitor and promised to go to mass and confession in the future. He was allowed to have his home as a prison until his sentence was pronounced, but he was placed on a thousand pesos bail. Zumárraga's sentence was mild. Sayavedra had to deliver an arroba (approximately twenty-five pounds) of oil to the Monastery of San Francisco of Cuernavaca and to tell the fathers there to say mass for him and ask God to pardon his sins. In addition he had to recite the rosary of Our Lady three times and pay a fine of one hundred pesos de oro de minas.

VI. Zumárraga and the other Heretics

Cases of minor heresy were frequent before the Mexican Inquisition from its earliest days. Only a few of the more interesting trials will be mentioned here. As a general rule the minor cases were connected with blasphemy and the accused were of a low general character: mule drivers, gamblers, or shepherders. Perhaps the most in-

will more likely be found in the
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contended that the most likely
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being interviewed and it is
Our belief, the witness who
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VI. Seymour and the other

Case of Seymour and the other
can indicate that the
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teresting minor heretic was Juan de Toledo, who was the son of a reconciliado and a native of Almagro in Spain. At the time of his denunciation on June 6, 1536, he was alcalde mayor of Tehuantepec.²³ Besides being a son of a reconciled heretic, he was denounced for making the following statement: ". . . que los angeles se abian de comer asados y los Cherubines fritos y que las cruces que se ponen en las calles . . . no se abian de poner." We do not have the trial record of this heretic, but the trial must have been interesting.

On July 1, 1536, Hernando Núñez was denounced and tried on three counts of heresy.²⁴ While gambling in a card game he had indicated that if Moorish territories were nearby, he would leave Christianity and become a Mohammedan because that way of life was better. He also gave his opinion that the passion of Jesus Christ was a fable and that he did not believe in the dogma of the Virgin Birth. After several interrogations before Zumárraga and the Fiscal, Núñez confessed his errors and pleaded mercy. Apparently he was able to convince the Inquisitor of his earnest repentance, because he merely had to hear mass barefoot with a candle in his hand. He had been fined thirty

²³ AGN, Inquisición, Tomo 1, exp. 12.

²⁴ AGN, Inquisición, Tomo 30, exp. 2.

pesos de oro de minas, but seeing his contrition Zumárraga commuted the money payment to additional spiritual penance.

Two cases of heretical blasphemy occurred from October to December of 1537 which were prototypes of the usual trials Zumárraga judged. Luis Heredero was denounced on October 26 for saying "pese a Dios," "no creo en Dios," "mal grado haya Dios," and "mal grado hayas tu Dios y tu hijo e tu Madre."²⁵ He received the usual spiritual penances and the comparatively stiff fine of eighty pesos de oro de minas. On December 11 of the same year Gonzalo Herradura was tried for similar heretical blasphemies.²⁶ He had shouted that he did not believe in the Mother of God nor her Son and ended his rage with "pese a Dios." Afterwards he repented, confessed, and waived any defense, throwing himself upon Zumárraga's mercy. The Inquisitor was not as merciful as he might have been. Herradura had to attend church barefoot, with a candle in his hand and a gag in his mouth. Later he recited the Pater Noster and the Ave Maria thirty times each while kneeling before the saints.

Gaspar de Plaza was a habitual blasphemer and appeared before the Holy Office three times in ten years.

²⁵ AGN, Inquisición, Tomo 30, exp. 4.

²⁶ AGN, Inquisición, Tomo 2, exp. 7.

passed to one of mine, but seeing his condition I thought
 committed the money payment to additional spiritual persons.

Two cases of hysterical blindness occurred from
 October to December of 1937 which were associated with the
 usual triad (Lumbago, rigidity, and headache) was de-
 noted on October 25 for saying "pass a piece," "no one
 in place," "that grade says this," and "that grade says to
 pass a piece to the head." He received the usual spiri-
 tual phenomena and the comparatively still time of sleep
 passed to one of mine. On December 11 of the same year
 Gonzalo Hernandez was tried for similar hysterical blind-
 ness. He had showed that he did not believe in the
 Father of God nor son and ended his rage with "pass a
 piece." Afterwards he repented, confessed, and waived any
 defense, knowing himself upon Hernandez's name. The in-
 dicator was not as reliable as he might have been. He re-
 sulted in a second episode, with a similar in his
 hand and a gag in his mouth. Later he received the Father
 Father and the Ave Maria thirty times each while kneeling
 before the altar.
 Gaspar de Plaza was a hysterical epileptic and ap-
 peared before the Holy Office three times in ten years.

35 AGM, Indianapolis, June 30, exp. 4.
 36 AGM, Indianapolis, June 3, exp. 7.

In 1538 he was tried for saying that it was not a mortal sin to have relations with an Indian woman.²⁷ He again appeared before Zumárraga for having written a heretical letter in which he had likened the Cross to a crossbow.²⁸ Countless trials for minor heresy centered around the problem of sexual morality. The trial of the brothers Rosino and Alonso Valiente in 1538 exemplified the usual heretical statement in these cases:²⁹ that simple fornication, that is, between two unmarried people, was not a mortal sin. The Church was diligent in trying anybody who made this statement openly. The usual sentence was one hundred lashes.

Frequently people who had committed minor heresy or blasphemy denounced themselves to the Inquisition, as in the case of the simple shepherd, Cristobal de la Hoz, who had denied the existence of the Mother Mary.³⁰ These folk were ordinarily devout and moved by a deep sense of grief for offending God. Their crimes were usually brought on by anger or other emotional disturbances. Zumárraga was kind to them but nevertheless firm. Cristobal de la Hoz was

²⁷ AGN, Inquisición, Tomo 2, exp. 6.

²⁸ AGN, Inquisición, Tomo 1, exp. 10a.

²⁹ AGN, Inquisición, Tomo 2, exp. 4.

³⁰ AGN, Inquisición, Tomo 30, exp. 6.

required to recite seventy Ave Marias and Pater Nosters and pay a fine of one-half of a tomin.

Besides the Lutherans and minor heretics, one other large area of heresy occupied Zumárraga's efforts in the era 1536 to 1540: the converted Jews who were discovered practicing their old rites. They are the subject of the next chapter.

required to receive seventy-five cents and later lessened

and pay a fine of one-half of a dollar.

Besides the limitations and minor penalties, one other

large area of Jewish opposition to the effort in the

era 1895 to 1940: the converted Jews who were discovered

practicing their old faith. They are the subject of the

next chapter.

CHAPTER VI

ZUMÁRRAGA AND THE JUDAIZANTES: 1536-1540

I. The Jews in Mexico, 1519-1536

Particularly during the reign of Ferdinand, emigration restrictions on the Jews and Judaizantes broke down.¹ Ferdinand and his successor, Charles V, attempted to restrict the migration of Judaizantes and other apostates to the third generation,² but their policy was a failure because, in the words of Haring, "the conversos or New Christians comprised the very class most apt to possess the capital required to develop the colonial trade."³

Illegal migration was the general rule during the first three decades of the sixteenth century. Traffic in forged passports became a lucrative business. Many Jews and others boarded the ships in the Canary Islands and with the use of generous bribes obtained passage to Mexico

¹ In 1509 the King allowed these groups to come to the New World for a limited time to engage in trade, but upon the payment of twenty thousand ducats into the royal treasury. Lea, The Inquisition in the Dependencies, 194; Medina, La Inquisición Primitiva, I, 29-30.

² See Chapter V, 149-150.

³ Haring, Trade and Navigation, 104.

MEXICO AND THE JEWISH QUESTION, 1821-1850

I. The Jews in Mexico, 1821-1850

Particularly during the years of Ferdinand, anti-Jewish restrictions on the Jews and Jewish centers broke down.¹ Ferdinand and his successors, Charles V, attempted to restrict the migration of Jewish centers and other associations to the third generation,² but their policy was a failure because, in the words of Kautsky, "the conversion of Jews to Christianity accompanied the very alienation of Jews from the capital required to develop the colonial trade."³ Illegal migration was the general rule during the first three decades of the sixteenth century. Traffic in forged passports became a lucrative business. Many Jews and others boarded the ships in the Canary Islands and with the use of generous bribes obtained passage to Mexico.

¹ In 1509 the King allowed Jews to come to the New World for a limited time to engage in trade, but upon the payment of twenty thousand ducats into the royal treasury. See, The Jewry in the Colonies, 194; Medina, La Emigración Española, I, 127-30.

² See Chapter V, 142-150.

³ Kautsky, Trade and Navigation, 104.

or the Isthmus. They usually changed their names or hispanicized them. The result of these developments led to an influx of conversos and others almost immediately after the conquest of Mexico. Jews came with Cortés and Pánfilo de Narváez, and with subsequent colonizers in the 1520's. There was a sizeable Jewish community in Mexico by 1536, and despite the Inquisition the colony continued to grow throughout the sixteenth century.

Although there is some evidence that the Friar-Inquisitors of the 1520's imposed capital punishment on the natives, we find that the converted Jews were the first to receive the formal sentence of burning at the stake. The burnings have been shrouded in mystery and the only concrete accounts of them come from testimony taken some forty years later.⁴ These cases occurred in 1528 during the Inquisitorial ministry of Fray Vicente de Santa María. Three Judaizantes, Hernando Alonso, Gonzalo de Morales and Diego de Ocaña, were tried and two of them were burned in that same year. The third was reconciled and escaped serious punishment

⁴ These documents, which I shall call the "Testimonies on Sanbenitos," were published by Alfonso Toro in Los Judíos en la Nueva España (México, 1932), 20-32. In 1574 one of the senior inquisitors on the Tribunal launched an investigation because certain of the old procesos had disappeared and the sanbenitos of the relajados and reconciliados had not been placed in the Cathedral. The witnesses were all seventy or eighty years of age, but their recollections of the burnings of 1528 were consistent.

because he had influence in high places.

Hernando Alonso,⁵ one of the relajados, was a native of the Condado de Niebla in Spain. He had come to Mexico from Cuba with Pánfilo de Narváez in 1520 and he had joined Cortés after Narváez' mission failed. He was around sixty years old at the time and was married to Beatriz de Ordaz, the sister of the conquistador Diego de Ordaz. He remarried twice.

Hernando Alonso was an iron-smith and carpenter by trade and he proved a useful companion to Cortés, whom he had known in Cuba since 1516. He was with Cortés during la Noche Triste and he helped Martín López build the brigantines on Lake Texcoco which the Conqueror used in his reconquest of Tenochtitlán.⁶ After the subjugation of the Aztecs Alonso was rewarded with grants of land and encomiendas in Actopan. He became an important personage in Mexican affairs of the 1520's. His military career was distinguished by his part in the final siege of Mexico City and his campaigns against Garay in Pánuco with Gonzalo de Sandoval. He participated in the turbulent events of

⁵ The only research on the auto of 1528 was done by G. R. G. Conway, "Hernando Alonso, a Jewish Conquistador with Cortés in Mexico," Publications of the American Jewish Historical Society, XXI (1928), 9-31. Much of the following material is taken from this monograph.

⁶ For this enterprise, see C. Harvey Gardiner, Naval Power in the Conquest of Mexico (Austin, 1956), especially 121-128.

because he had information that the
Hernandez family, who were the
five of the Condado de Santa Fe, New Mexico
Mexico from Cuba after the revolution in 1933 and
joined Cortés after the revolution in 1933 and
around sixty years after the revolution in 1933 and
this de Cortés, the father of the Cortés family
Cortés. He remained in the

Hernandez family, who were the
trade and he proved a useful person in the
had known in Cuba since 1933. He was known
in the family and he was known in the family
times on Lake Texaco and the Cortés family
consent of the Cortés family.
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3 The only person in the Cortés family
G. R. Cortés, who was the Cortés family
with Cortés in the Cortés family. The Cortés
Historical Society. The Cortés family
material is taken from the Cortés family.
4 For this case, the Cortés family
power in the Cortés family. The Cortés family
191-192.

1525 and 1526 in Mexico and was present when Luis Ponce de León arrived to take the Cortés residencia. He remained a moderate supporter of Cortés but always felt that he had not received his fair share of the conquest spoils.⁷ According to Conway,⁸ Alonso's name appears (with frequency) in the Libros de Cabildo of the Mexico City municipal body between March 15, 1524, and March 9, 1528, and he was a trusted citizen and meat merchant. Apparently he grew beef and mutton at Actopan and furnished the viceregal capital's needs.⁹ He was said to be a close friend of Alonso de Estrada, the acting governor of New Spain (1527-1528). In the six months between March and the fall of 1528, he fell from favor and was tried before the Holy Office then under the control of Fray Vicente de Santa María.

The "Testimony on Sanbenitos" revealed that both Hernando Alonso and Gonzalo de Morales were relaxed to the secular arm in late 1528. Both had been proven guilty of Jewish practices which were, to say the least, scandalous.

⁷ Alonso and Diego de Ocaña had testified in a suit between Juan Tirado and Cortés that lasted from 1526 to 1529. According to Conway, op. cit., 12, the full evidence given by Alonso is contained in a fragment of an unpublished manuscript in the archive of the Hospital of Jesus.

⁸ Conway, op. cit., 14.

⁹ For the contractual procedures in which Alonso must have engaged, see William H. Dusenberry, "The Regulation of Meat Supply in Sixteenth-Century Mexico City," Hispanic American Historical Review, XXVIII (1948), 38-52.

1523 and 1525 in the ...
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According to Fray Vicente de las Casas they were forced to march in penitential garb to Tlatelolco, where they were burned in the presence of Cortés' representatives, Licenciado Altamirano and Governor Estrada.

Alonso had initially been charged with performing a Jewish ceremony in which a child had been rebaptized. At first he pleaded ignorance of the rebaptism but later, under the threat of torture, he confessed that this act had been done in mockery of the sacrament of baptism. Alonso, one Palma, and others had taken an infant two years of age in Port Royal in Santo Domingo and had placed it in a basin and poured wine over its head, and the wine that ran down the body of the child and what dripped from its penis was gathered into a cup and drunk. While this was taking place they sang certain Jewish songs.¹⁰ Similarly, according to the Law of Moses, Alonso forbade his wife Isabel de Aguilar to attend church during her menstrual period.

The charges against Gonzalo de Morales were also serious. He was accused of concubinage and of flogging a crucifix which he and his sister placed on a door latch. The sister was burned in Santo Domingo by Bishop Manso, but not before she had inculpated her brother. Morales was

¹⁰ Medina, La Inquisición Primitiva, I, 122, mentions this case. There is a confusion as to whether the fluid was water, wine, or something else.

proven guilty of another crucifix incident with the same Palma who had mocked the sacrament of baptism with Alonso. They had urinated on the crucifix and then Morales flogged it, after which Palma "...le ponía dos pies arriba y la cabeza baja y el dicho Morales decía como merece." It was ascertained that Morales had a brother in Guatemala who had been reconciled by the Mexican Inquisitors for saying, among other things, "que Dios tenía hijo." Morales had confessed when taken to the torture chamber and ordered to disrobe.

It appeared from the testimonies in 1574 that both Alonso and Morales had confessed and asked for mercy. Subsequent officials, including President Sebastián Ramírez de Fuenleal, had remarked upon the harshness of the sentence and inquired the reason for not granting mercy. He was told, as was the Licenciado Bonilla in 1574, that the confessions had come too late for the heretics to be reconciled. There remains some doubt as to whether Alonso and Morales had due process of law in these convictions. Perhaps these burnings led to the dismissal of Santa María as Commissary of the Holy Office in Mexico.

The third Judaizante was Diego de Ocaña, a scribe and a resident of Sevilla. He had arrived in Santo Domingo in June of 1525, and was licensed by the cabildo to exercise his profession there and in Mexico. He was a violent foe of Cortés; he wrote a series of letters to the Casa

proves guilty of another crime, including with the same
Palma who had needed the services of Palma with him.
They had visited on the grounds and when Palma died
it, after which Palma was buried in the same place.
Experts have found that Palma's body was buried in the same
ascertained that Palma was buried in the same place and
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other things, "the fact that Palma was buried in the same
when taken to the same place and buried in the same place.
It appeared from the fact that in 1875 that both
Alonso and Palma had been buried in the same place.
segment officials, including the fact that Palma was buried
de Palma, had remained with the fact that Palma was buried
and indicated the reason for not giving money to the
told, as was the fact that Palma was buried in 1874, that the com-
mission had come too late for the reason to be recorded.
There remains some doubt as to whether Alonso and Palma
had the means of law in these convictions. Palma's case
burning led to the fact that Palma was buried in the same
of the Holy Office in Mexico.
The third individual was Palma, a native
and a resident of Mexico. He had arrived in Mexico
in June of 1873, and was identified by the fact that he was
also his profession there and in Mexico. He was a violent
for of Palma; he wrote a letter of Palma to the same

de Contratación in Sevilla in which he denounced the Conqueror's greed and dishonesty in his administration of New Spain.¹¹

Ocaña's crimes against the Faith were not given in detail in the "Testimonies on Sanbenitos." We are informed that he killed chickens "por el espinazo," that he ate meat on Fridays, "y los demás días tiburón y otros pescados, al modo judaico." Other than his eating habits, we are merely told that he performed Jewish ceremonies and followed the Law of Moses. Ocaña was in the cell next to Gonzalo de Morales but he was allowed to communicate with no one. Morales confessed that Ocaña either talked to himself or to the wall and said: "A ti te digo, pared, que no confieses, porque los testigos son muertos," words which Morales heard perfectly.

That there were other charges more serious against Diego de Ocaña is evident. We learn that he was able to escape the death penalty only upon the intervention of the secretary of Gonzalo de Salazar, the Treasury official, and that even then he lost his properties, was banished from Mexico, and had to wear the sanbenito for six months, along

¹¹ Conway cites these letters in DII (42 vols., Madrid, 1864-1884), XIII, 348-356 and 393-406. Ocaña's will is published in La Vida Colonial, Vol. VII of the Publicaciones del Archivo General de la Nación (México, 1923), 1-8.

de Contrabando en Sevilla en 1811. He denunciado la Com-
plicitad de un tal don Juan de la Cruz en la Administracion de
Nueva España. II

Don Juan de la Cruz's orders against the British were not given in
detail in the "Testimonio en Contrabando." He also informed
that he killed children "for of espionaje," that he ate
meat on Fridays, "y los dias de ayuno y otros mandados,
al modo indiano." Other than his eating habits, we are
merely told that he performed certain ceremonies and followed
the law of Moses. Don Juan was in the cell next to Don Juan
de Morales but he was allowed to converse with no one.
Don Juan confessed that Don Juan de Morales talked to himself or to
the wall and said: "A ti te digo, hombre, que no confieses,
porque los testigos son muertos," words which Don Juan de Morales heard
perfectly.

That there were other charges more serious against
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escape the death penalty only upon the intervention of the
secretary of Don Juan de Salazar, the treasury official,
and that even then he lost his properties, was banished from
Mexico, and had to wear the habandero for six months, along

11. Govey cites these letters in BIL (Vol. 10, Madrid,
1884-1885), III, 208-209 and 211-212. Don Juan's name is
published in la Vida Colonial, Vol. VII of the Espinosa-
Alvarado del Archivo General de la Nación (Mexico, 1885), I-8.

with the corroza. Ocaña had a wife and a son named Hernán Xuáres, who, seeing his father in the penitential garb, declared that he was not Ocaña's son but a servant in his house. The father later disinherited the son for this denial. Bernal Díaz del Castillo informs us that Ocaña was able to secure a license to return to New Spain and that he married a woman from Castilla.¹² Medina indicates that he returned to Mexico and lived many years.¹³

II. Zumárraga and the Judaizantes: Gonzalo Gómez, 1536

Apostolic Inquisitor Zumárraga set out to deal with the Judaizantes immediately after he organized his tribunal. On September 19, 1536, Cristóbal de Valderrama of Mexico City denounced Gonzalo Gómez of Michoacán as a reconciliado from Spain who persisted in observing the Jewish Sabbath and working on Sundays and saints' days.¹⁴ He was also accused of baptizing a dying Indian and laughing while he did it.¹⁵

¹² Bernal Díaz del Castillo, Historia Verdadera de la Conquista de la Nueva España (2 vols., México, 1904), II, 353, 397.

¹³ Medina, La Inquisición Primitiva, I, 124n.

¹⁴ AGN, Inquisición, Tomo 2, exp. 2.

¹⁵ Valderrama said that the Christian witnesses to the baptism were scandalized when Gómez proceeded to say "Yo te bautizo en el nombre del Padre y del Hijo y del Espíritu Santo."

with the coroner. Gómez had a wife and a son named Fernando, who, seeing his father in the penitentiary, decided that he was not Gómez's son but a servant in his house. The latter later disclaimed the son for this reason. General Díaz del Castillo informed us that Gómez was able to secure a passport to return to New Spain and that he married a woman from Castilla. He further indicated that he returned to Mexico and lived many years.

II. Testimony and the Judgment: General Díaz, 1932

Agustín López, Inspector General, told us that with the judgment immediately after he organized his tribunal. On September 19, 1932, Cristóbal de Valdivia of Mexico City denounced General Díaz of Michoacán as a rascal and from Spain who persisted in observing the Jewish Sabbath and working on Sundays and public days. He was also accused of beating a dying Indian and laughing while he did it.

12. General Díaz del Castillo, Inspector General de la
Comandancia de la Nueva España (2 vols., Mexico, 1932),
2:37.

13. México, la Insurrección, I, 1932.

14. AGN, Insurrección, Tomo 2, exp. 2.

15. Valdivia told that the Mexican witnesses to the beating were scandalized when Gómez proceeded to say "to be beaten on the hands of the Padre y del Hijo y del Espíritu Santo."

Zumárraga's trial of Gonzalo Gómez gives us a clear expression of Jewish practices in Mexico. After the testimonies had been taken, the Fiscal made his accusations. He indicted Gómez on thirteen counts of heresy:

1) that he and other Spaniards had baptized a dying Indian, saying that the sacrament meant nothing and that it was a joke;

2) that he had said, while looking at various religious paintings of Judgment Day, hell and purgatory, that such things were wishful thinking;

3) that he had said he would not go to mass, nor did he care to see God during all of his life;

4) that he had taken a Cross down from a patio of a farm that he owned, placed it on the roof of a straw hut, and hung strings of chili peppers on the Cross to dry;

5) that on Good Friday he had broken the arms from three Crosses on the same farm;

6) that when a pilgrim asked for directions, he told him to go in the same direction that a stick that used to be a Cross was pointing--this he said as a joke;

7) that he had a building on his ranch which the clergy had used for mass, but at times when the priests were not around Gómez allowed it to be used by the Indians and Spaniards as a rendezvous for fornication. He encouraged friends to bring their concubines there, and the

Sanabria's wife of General Gomez gave me a clear explanation of how the people in Mexico, after the revolution had been taken, the people made his revolution. He indicated there was a further course of history:

1) that he and other revolutionaries had organized a party in Mexico, saying that the government meant nothing and that it was a joke;

2) that he had said while looking at various religious paintings of Judgment Day, Hell and Purgatory, that such things were without meaning;

3) that he had said he would not go to mass, nor did he care to see God during all of his life;

4) that he had taken a cross down from a statue of a Virgin that he named, placed it on the roof of a house and hung strings of white paper on the cross to dry;

5) that on Good Friday he had thrown the crucifixion three crosses on the same day;

6) that when a picture asked for directions, he told him to go in the same direction that a Virgin that used to be a Virgin was pointing--this he said was a joke;

7) that he had a picture of the Virgin which the clergy had used for mass, but at home when the picture was not around Gomez allowed it to be used by the Indians and Spaniards as a reminder for their devotion. He encouraged friends to bring their children there, and then

place was very dirty and infested with fleas;

8) that when discussing images with a friend, he had said that he must hurry home to burn a crucifix which he had broken;

9) that en route to Mexico City on horseback, he had raised his eyes to heaven and renounced his belief in God;

10) that he persistently made his Indians and other servants work on the Sabbath and holy days;

11) that it was his habit to observe the Jewish Sabbath. When he traveled he secured lodgings on Fridays, rested on Saturdays, and resumed his journey on Sundays;

12) that he refused to go to confession, blasphemed, and tried to pervert the beliefs of others;

13) that he was a converso whose parents and relatives had been reconciliados in Spain, and as such he had come to Mexico illegally.

The Fiscal demanded the full sanctions for Gonzalo Gómez as a Judaizante.

The Mexican Judaizante of whom Gonzalo Gómez was a prototype was seldom convicted solely for practicing Jewish rites. He was ordinarily a person who showed great disrespect and contempt for Christianity by word and deed and often by example, especially in sexual practices. He frequently tried to undermine the faith of others and of the

place was very dirty and infested with flies;

8) Next when discussing images with a friend, he

had said that he must hurry home to burn a crucifix which

he had broken;

9) That on route to Mexico City on horseback, he

had raised his eyes to heaven and pronounced his belief in

God;

10) That he personally made his Indians and other

servants work on the Sabbath and holy days;

11) That it was his habit to observe the Jewish Sab-

bath. When he traveled he secured lodgings on Fridays,

rested on Saturdays, and resumed his journey on Sundays;

12) That he refused to go to confession, blasphemed,

and tried to pervert the beliefs of others;

13) That he was a converso whose parents and relatives

had been reconverted in Spain, and as such he had come to

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The fiscal demanded the full sentences for Gonzalo

Gomez as a Judaizer.

The Mexican Justices of whom Gonzalo Gomez was a

prototype was seldom convicted solely for practicing Jewish

rites. He was ordinarily a person who showed great dis-

respect and contempt for Christianity by word and deed and

often by example, especially in sexual practices. He fre-

quently tried to undermine the faith of others and of his

native population. For these reasons he was considered to be more dangerous than other heretics.

Although Gómez contended to the last that the above charges had been fabricated by his enemies, Zumárraga could not be swayed to leniency. He commanded Gonzalo to present himself at the Cathedral of Mexico, barefoot and with a candle in his hand. On his knees Gómez had to recite ". . . cinco Ave Marías consuelo por Nuestra Señora a las plagas que Nuestro Redentor recibió en el árbol de la Cruz por salvar el humano linage" and also the rosary five times so that God would pardon his sins. Zumárraga also sentenced him to an indeterminate reclusion in a monastery to meditate upon his sins and fined him the stringent sum of four hundred pesos de oro de minas. He was admonished not to continue his observance of Saturdays or his blasphemies under penalty of relaxation.

III. Zumárraga's Campaign against the Jews, 1539

Zumárraga's most celebrated Judaizante case proved to be that of Francisco Millán, a Mexico City saloon-keeper. The denunciation came on December 3, 1538, when Juan Garzón of Mexico City indicated that María, a Moorish slave of Millán, had told him of an incident that convinced him that Francisco had reverted to Judaism.¹⁶ María had

¹⁶ AGN, Inquisición, Tomo 30, exp. 8.

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discovered her master flogging an image of the Virgin Mary and demanding that it give him money. When questioned, María could describe no Jewish ceremonies that her master performed. It was fairly clear that although Millán might be a Judaizante, María was motivated by a slave's hate of the master, especially since it was learned that he had forced himself upon her with carnal intent.

Throughout December of 1538 and January of 1539 the accused desperately tried to conceal the fact that he was the son of conversos who had been tried and penanced by the Spanish Inquisition. His first testimony revealed that he was an orphan and that he had no recollections of his parents. He indicated that he had traveled throughout Spain and Portugal as a merchant but that he had never fled to Lisbon to escape the jurisdiction of the Inquisition, as charged. He feigned ignorance of the meaning of the term *relajado*. He was not even sure that he was a baptized Catholic, but he indicated that if this were the case, he would like to receive the sacrament at the first opportunity. He denied flogging an image of the Virgin Mary and demanding that it provide him with money. He related that his wife and three sons lived in Xerez de la Frontera in Spain and that they were practicing Catholics. Zumárraga was not convinced of the sincerity of the defendant, and he ordered the embargo of Millán's properties until the truth could

be ascertained.

On December 27, 1539, Francisco Millán came before Zumárraga to indicate that he had been deceived by the Devil into giving false testimony and that he wished to rectify the matter. He admitted, by stages, his parentage, using the information given him by a mythical friend in Lisbon who had ostensibly known his mother and father. He confirmed their Jewish faith and the fact that they had been tried as Judaizantes. He admitted flogging the image and two crucifixes in his home because of the Devil's deceit. For the same reason he had eaten meat on Fridays.

In order to draw the attention of Zumárraga and his staff away from himself, he resorted to the time-honored device of incriminating others and named a dozen or more conversos who, he said, were living in the viceregal capital and practicing the old religion. Among these were people who had given evidence against him: Juan Garzón, Francisca de Herrera, and others.

After prompting from the Fiscal and the Nuncio of the Holy Office, Millán confessed that he considered himself to be a Jew and that he had lived according to the Law of Moses in Portugal. He confirmed his contriteness over his past life and asked mercy and penance from Zumárraga. He told the Inquisitor that he would publicly abjure all his heresies and that he would give the names of many Jews

from Xerez de la Frontera in Mexico City.

Among those denounced were the entire family of the tailor Alvaro Mateos; an Antón Carmona who had been penanced in Sevilla; a Francisco Martín who was a fugitive from the Sevilla tribunal; Alvar Pérez, a converso from Xerez; a wine merchant, Francisco Serrano; a silversmith, Juan Ruiz; a certain teacher called Redondo; a reconciliado by the name of García de Morón; and countless others. While there may have been some Judaizantes among these people, it was obvious that Millán was letting his imagination run rampant.¹⁷

In order to ascertain the truth and because Millán had certainly showed himself to be a person who trifled with the truth, Zumárraga determined on February 26, 1539, to subject the accused to torture. Juan Rebollo, Zumárraga's provisor, was ordered to supervise the torture, and he recommended to Millán that he avoid the anguish by giving a complete and true confession. Francisco was stripped and placed upon the rack. With successive tightening of the cords he refused to alter his previous testimony concerning himself or the Jewish colony in Mexico City.

On February 28, 1539, Zumárraga signed the petition that Millán receive the sacrament of baptism because he

¹⁷ For investigations of many of these individuals and others, see below, pages 188-191.

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IV For ...
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had demonstrated his sincere desire to turn from his life of Judaism. Zumárraga maintained, however, that this conversion did not exempt the accused from punishment for his crimes against the Faith. Sentence was passed on this same day.

On March 2, 1539, Millán was conducted from the Inquisition jail to the Cathedral with a candle in his hands, and on his knees he publicly abjured, detested and retracted all of his errors and his Jewish past. He was condemned to wear the sanbenito and coroza until the Inquisitors of the Sevilla Tribunal should allow him to do away with these garments. He was banished perpetually from New Spain and the Indies and was charged to leave on the next sailing from Veracruz. All of his properties in Mexico were confiscated by the Holy Office. He was to remain in confinement in his home until passage to Sevilla could be arranged.

Millán's penance was observed by the most illustrious personages in Mexico City. Viceroy Mendoza, the Marqués del Valle de Oaxaca, Hernando Cortés, the Bishops of Oaxaca and Michoacán, and the Oidores of the Audiencia all witnessed the abjurations. Although Millán possessed moderate wealth, the Holy Office netted little from the estate in the long run, for the next two years were filled with lawsuits by Millán's creditors to recover their just

had demonstrated his sincere desire to turn from his life of lawlessness. However, that this conversion did not exempt the accused from punishment for his crimes against the State. Sentence was passed on this same day.

On March 2, 1933, Miller was escorted from the institution jail to the Galveston with a candle in his hands, and on his knees he publicly apologized, begged and requested all of his errors and the Lord's forgiveness. He was condemned to wear the esophageal and coronal until the indignities of the Evillia Tribunal should allow him to do away with these garments. He was punished separately from the other and the ladies and was charged to leave on the next sailing from Veracruz. All of his properties in Mexico were confiscated by the Holy Office. He was to remain in confinement in the house until passage to Sevilla could be arranged.

Miller's sentence was observed by the most illustrious personages in Mexico City. Victor Mendez, the Marquis del Valle de Oaxaca, Fernando Gomez, the Marquis of Oaxaca and Michoacan, and the Officers of the Ambassadors all witnessed the apportionment. Although Miller possessed moderate wealth, the Holy Office noted little from the estate in the long run, for the next two years were filled with lawlessness by Miller's associates to report that they

debts.

Francisco Millán, like the Lutheran Juan Nizardo, did not leave Mexico. In July of 1539 he was reported to have visited the mines of Tasco as a beggar. He wore the sanbenito, but under his other clothes and not over them as canon law prescribed. He then moved to the Zultepeque area to visit old friends and beg from them. As late as August of 1539 he was seen in Toluca begging at the mines nearby and on the city streets. The proceso does not inform us that Millán ever fulfilled the sentence of exile.

Immediately after Millán accused them of being Judaizantes, the tailor Alvaro Mateos and his wife Beatriz Gómez were brought before Zumárraga for trial.¹⁸ On the whole the evidence against these two was nebulous. They were accused of being Jews, but the accusation was never proven. Millán claimed that he had known the tailor's mother in Xerez and that Alvaro's father had exhorted Millán to be a good Jew.

Apparently Mateos and Beatriz never went to church, although they professed to be practicing Catholics. They always went out of their way to avoid passing the church

¹⁸ AGN, Inquisición, Tomo 30, exp. 9 and 9b.

State.

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to have visited the place of the
the accident, but rather the fact that
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the mine.

IN WITNESS WHEREOF, I have hereunto set my hand and seal at the City of New York, this 10th day of June, 1906.

buildings. Their methods of preparing food and their dietary habits smacked of Judaism. One witness testified that he had visited the couple at home and that they were in the fruit arbor preparing certain meats according to Jewish practice.¹⁹ There was also scattered evidence that Mateos had engaged in the traditional Jewish disrespect and ridicule of Christianity, and that on one occasion he had contended that Zumárraga did not understand what he was saying in the sermons he preached.

In view of the questionable denunciation of Mateos and Beatriz by Millán and the lack of clear-cut testimony and evidence, Zumárraga finally decided that the Fiscal, Canego, had been unable to offer sufficient proof that this couple were Judaizantes. He therefore absolved them of any crime against the Faith, although they were admonished to lead more exemplary Christian lives in the future.

The Millán trial and his denunciations of other alleged Judaizantes in Mexico City prompted the Holy Office to launch an extensive investigation. Zumárraga framed a general interrogatory and testimonies were taken from

19 " . . . y su muger estaba despelizcando cierta carne en un lebrillo que le parecio a este que declara que le estaba espulgando e piztando las landrecillas de la dicha Carne e que se afirma que es verdad que le estaba quitando las landrecillas a forma de Judío. . . ."

some dozen people. The witness was required to state his name and birthplace. He was asked his marital status and how long he had been in Mexico. Then the interrogatory moved to the business at hand: was he a New Christian or the son of a New Christian? Was he of a converso family? Had he been reconciled or relaxed or had his parents? Was he a fugitive from the Spanish Inquisition? Did he know anyone in Mexico who fitted the above descriptions?

Testimonies of seven of the individuals mentioned by Millán are extant. García de Morón,²⁰ Anton Cercado,²¹ Francisco Serrano,²² García Hernández,²³ Beatriz Hernández,²⁴ Juan Ruiz, platero,²⁵ and Rodrigo de Soria²⁶ all testified and convinced the Holy Office of their limpieza de sangre. In the course of the investigation eight other persons were denounced: Juan de Salamanca,²⁷ Antón de Heredia,²⁸

²⁰ AGN, Inquisición, Tomo 40, exp. 3 bis. F.

²¹ AGN, Inquisición, Tomo 40, exp. 3 bis. D.

²² AGN, Inquisición, Tomo 1a, exp. 21.

²³ AGN, Inquisición, Tomo 1, exp. 18.

²⁴ AGN, Inquisición, Tomo 1, exp. 19.

²⁵ AGN, Inquisición, Tomo 1a, exp. 22.

²⁶ AGN, Inquisición, Tomo 1a, exp. 20.

²⁷ AGN, Inquisición, Tomo 125, exp. 1.

²⁸ AGN, Inquisición, Tomo 40, exp. 3 bis. E.

Manuel Borallo, Juan Rodríguez and Diego Machuca,²⁹ one Alonso de Avila who was accused of having a crucifix under his desk and resting his feet upon it,³⁰ and Juan de Baeza.³¹ Only Baeza was tried. Juan de Baeza exhibited the usual Jewish loathing of Catholicism but combined it with proselytizing. His most scandalous crime was the circumcision of various Indian children with his fingernails. On May 14, 1540, Zumárraga fined him twenty pesos de oro de minas and the costs of the trial, an extremely lenient sentence in view of his nefarious activities.

In the case of the Judaizantes as well as the Indian idolaters and sorcerers, Zumárraga's Inquisition failed. The Jewish community continued to grow in Mexico City, Pachuca and Nuevo León, and the conversos discreetly practiced the old rites in private. It was not until the last two decades of the sixteenth century that the Tribunal of the Holy Office made a concerted effort to eradicate the

²⁹ AGM, Inquisición, Tomo 22, exp. 9.

³⁰ AGM, Inquisición, Tomo 1a, exp. 23 bis. This is an averiguación. No other mention was made of the incident.

³¹ AGM, Inquisición, Tomo 125, exp. 5 and 7. In this and the above bibliographical references, I have given the Tomo and expediente as they are defined in the Catálogo. In many of these cases the numbers do not conform to the actual documents, although the documents cited may be found in the general area cited.

Judaizantes.³² Again their efforts resulted in failure, perhaps because the converted Jew had evolved a hardness and a cunning with which the Holy Office could not cope.

³² This campaign centered around the Carvajal family from Nuevo León. Its ramifications were much wider in that the Tribunal hoped to use the example of the Carvajal burnings to restrain the other Mexican Judaizantes. Not all of the Carvajal trials have been published. See Alfonso Toro, Los Judíos en la Nueva España, 209-372; his two volumes on La Familia Carvajal (México, 1944) are the definitive study. Also useful is Pablo Martínez del Río, Alumbrado (México, 1937), but his classification of Luis Carvajal as an iluminist is open to serious doubt.

33
perhaps because the government has not yet
and a running with which the law is not clear.

34 This campaign was also aimed at
from New York. The government has
the Tribunal hoped to be able to
burnings to restrain the other nations.
All of the Central American nations
from 1900. The United States has
two volumes on the subject of
definitive study. The United States
Albuquerque (New Mexico, 1900).
University of New Mexico is now in the

CHAPTER VII

THE PROBLEM OF BLASPHEMY AND THE ENFORCEMENT OF MORALITY

I. The Nature of Blasphemy

Henry C. Lea has defined blasphemy as "an imprecation derogatory or insulting to the Divinity."¹ The Levitical Codes prescribed death for the offense, but canon law and civil law by the end of the fifteenth century had mitigated the punishment to scourging and cutting out the tongue. Neither ecclesiastical nor civil authorities ever developed a clear rule on what constituted simple blasphemy and heretical blasphemy. The Spanish Renaissance inquisitor Nicolas Eymeric had made this uneasy distinction. To Eymeric blasphemy was non-heretical when the imprecation reviled God or the Virgin or expressed ingratitude to them, and he contended this was no concern of the Inquisition. On the other hand, heretical blasphemy entailed some denial of the Articles of the Faith.²

¹ Lea, The Spanish Inquisition, IV, 328. Lea's chapter on blasphemy is found in pages 328-335. Very valuable is John W. Melody, "Blasphemy," The Catholic Encyclopedia (New York, 1910), II, 595-596.

² Lea, The Spanish Inquisition, IV, 328. Eymeric's Manual de Inquisidores was printed in 1587, although it was written in Aragon in 1376. Prior to the printing, copied manuals were in use.

In the Spanish Inquisition words uttered in anger while emotionally distraught were generally considered to be blasphemy and not heresy. Apparently only the worst cases were tried, and frequently denunciation was not required if the blasphemer had not denied an Article of the Faith. Lea contended that blasphemy was a trait of the Spanish character:

The Spaniard was choleric, and not especially nice in his choice of words when moved by wrath; gambling was an almost universal passion and, in all lands and ages, nothing has been more provocative of ejaculations and expletives than the vicissitudes of cards and dice.³

Lea indicated that although these expletives might have been irreverent and indecent, they were not necessarily heretical:

There was a class of these, which seem to have been in the mouth of everyone, ineradicable by the most severe legislation, such as "Mal grado haya Dios" (May it spite God), "Pese a Dios" (May God regret), "Reniego a Dios" (I renounce God), "Descreo de Dios" (I disbelieve in God) etc., for which Ferdinand and Isabella in their laws of 1492 and 1502 provided penalties ranging from a month's imprisonment for a first offense to piercing the tongue for a third. . .⁴

In Spain the Inquisition concerned itself less and less with blasphemy as the sixteenth century advanced, per-

³ Lea, The Spanish Inquisition, IV, 330.

⁴ Ibid., 331. While Lea's translation of "Pese a Dios" as "May God regret" or "May God repent" is academically correct, colloquially it had a stronger meaning, such as "To hell with God" or "God damn" or "God gives me a pain." See supra, 171.

In the Spanish... while emotionally... he blasphemy and... cases were tried, and... during it the blasphemy... Faith. Les caracter...

Spanish character... The Spanish was... in his... being was... land and... of... tudes of...

Les indicated that... irreverent and... They...

There was a... been in the... the most severe... have been... (May God... God), "... etc., for which... laws of... from a... to placing...

In Spain the... less with blasphemy as...

3 Les, The Spanish... 4 1910... as "May God... correct, colloquial... hell with God... 1911.

haps because of a growing popular reverence, but most likely from a growing disinclination to denounce those guilty.

In Mexico this was not the case. To be sure, only grave offenders were tried, but there were hundreds of denunciations. In addition there was no clear distinction between heresy and blasphemy.

II. Blasphemy among the Mexican Conquistadores: 1520-1528

We know that both civil and religious authorities were greatly concerned with the problem of blasphemy in Mexico from the earliest days of the conquest. Cortés had issued ordinances against this crime in 1520.⁵ The Second Edict issued by the obscure inquisitors of 1523 had been

⁵ These were published in Escritos Suelos de Hernán Cortés (México, 1871), 16-17. The original ordinances are found in AGN, Hospital de Jesús, Leg. 271, exp. 11: "Item: por quanto de los reniegos é blasfemias Dios Nuestro Señor es mucho deservido, y es la mayor ofensa que á su Santísimo Nombre se puede hacer, y por eso permite en las gentes recios y duros castigos; y no basta que seamos tan malos que por los inmensos beneficios que de cada día dél recibimos no le demos gracias, mas decimos mal y blasfemamos de su Santo Nombre; y por evitar tan aborrecible uso y pecado, mando que ninguna persona, de cualquiera condicion que sea, no sea osado de decir no creo en Dios, ni pese, ni reniego, ni del cielo, ni no ha poder en Dios; y que lo mismo se entienda de Nuestra Señora y de todos los otros santos, sopena que demas de ser ejecutadas las penas establicidas por las leyes del reino contra los blasfemos, la persona que en lo susodicho incurriere, pague quince castellanos de oro, la tercera parte para la primera cofradía de Nuestra Señora que en estas partes se hiciere, y la otra tercera parte para el fisco de su majestad, y la otra tercera parte para el juez que sentenciare."

directed against all persons who by word or deed did things that seemed sinful.⁶

Upon his appointment as Commissary of the Holy Office in 1526, the Dominican Fray Domingo de Betanzos devoted his entire inquisitorial efforts against blasphemy among the colonists. There were nineteen trials conducted by Betanzos in 1527.⁷ For the most part simple spi-

⁶ AGM, Inquisición, Tomo I, exp. 3. I have previously related that this Edict has disappeared from the Mexican Archive.

⁷ These cases, along with the Jews of 1528 and several other heretics, will be the subject of a short monograph by this author to be entitled "The First Decade of the Mexican Inquisition." Since they fall into the pre-Zumárraga period, it was felt that they were not essential to this study.

The blasphemers were as follows:

- Diego Núñez, AGM, Inquisición, Tomo I, exp. 7.
- Juan Bello, exp. 8.
- Gil Gonzalez Benavides, exp. 9.
- Juan Rodríguez de Villafuerte, exp. 9a.
- Cristóbal Diaz, exp. 9 c.
- B. Quemado, exp. 9d.
- Alonso de Espinosa, exp. 9e.
- Rodrigo Rengel, exp. 10.
- Francisco Gonzalez, exp. 10b.
- Francisco Núñez, exp. 10d.
- Diego García, exp. 10c.
- Gregorio de Monjarás, exp. 10e.
- Alonso de Carrión, exp. 10f.
- Bernaldo de Luna, AGM, Inquisición, Tomo Ia, exp. 14.
- Juan de Cuevas, exp. 15.
- Alonso de Coriallana, exp. 16.
- Lucas Gallego, exp. 17.

Hernando García Sarmiento, AGM, Inquisición, Tomo 14, exp. 2a.

41, 50, 85

ritual penances were meted out as punishment along with reasonably stiff fines. The most serious case was that of Rodrigo Rengel, an old conquistador of more than eighty years of age, who was convicted of being a horrifying blasphemer.

After extensive testimonies the Fiscal indicted Rengel on twenty-nine counts of blasphemy and scandalous statements. Most of these statements were uttered in anger or in time of ill health. He had repeated the usual blasphemies: No creo en Dios, Descreo de Dios, Reniego de Dios, Mal grado haya Dios, Pese a Dios, No tiene poder Dios, and other maldichos.

Other statements blasphemous and indecent horrified the Inquisitors. When ill, the old man had said that God did not have power to cure individuals or cleanse their sins. Frequently from his bed he had spat upon certain images because God had not given him relief from pain. When well he was an inveterate gambler. Gambling caused his expletives to flow like the wine he drank. He often announced that he had the Devil as his master and called upon him for aid with the cards and dice because God could not help him to win. He frequently sang songs into which he incorporated his blasphemies and obscenities, spitting towards heaven and threatening God. He was abusive to those who tried to restrain him. He did disgusting things with

ritual practices were noted as being
reasonably well known. The most common
of Rodrigo Bengel, an old man, was
years of age, who was convicted of
blasphemy.

After extensive testimony, the
Bengel on twenty-nine counts of blasphemy and
statements. Most of these statements were
or in time of his death. He was
phenomena: No one in Días, Días, Días, Días,
Mal Graciano Días, Días, Días, Días, Días,
other witnesses.

Other statements blasphemy and
the judges. When the law was
did not have power to own
sins. Frequently from his
images because God had not
well he was an inveterate
pictives to flow like the
that he had the Devil in his
for aid with the cards and
him to win. He frequently
ported his blasphemy and
heaven and threatening God.
tried to restrain him.

crucifixes.

In addition there were statements which would have been deemed heresy had it not been for his age and ill health and general cantankerousness. He had opined that the Indians should be allowed to practice their idolatries because he saw little harm in them. He had blasphemed against the Holy Mother and Saint Anne, the grandmother of Christ. He had doubted the virginity of the Virgin and had referred to her as a puta (whore). That Joseph had taken carnal access with Mary was obvious, he had said. Indeed, he had often expressed his own doubts about the sacrament of marriage. There were evidences of cruelties, if not sexual perversion, in Rengel's relations with his slaves and others.⁸

Sebastian de Arriaga, the Fiscal, demanded that Rengel be punished to the full extent of the law and added that he felt that the old reprobate should be burned. The defendant's reply to Arriaga was that of a humble man. He indicated that he had never been able to control his

⁸ "Yten: Digo que el dicho Rengel es hombre cruel y sin piedad y se deleita en hacer crueldades sin causa y razon por que muchas vezes por su deleite y pasatiempo haze desnudar a los muchachos y muchachas Judios Esclaves y esclavas y los haze muy cruelmente e azotar y pingar en su presencia teniendo esto por pasatiempo. . . como hombre enemigo de la naturaleza humana y de las criaturas criadas a imagen y semajansa de Dios."

temper and that he was spasmodically gravely ill with headaches and the like.⁹ He confessed and asked for mercy, but not until he had recapitulated the story of his services in the conquest as Cortés' campmaster and had affirmed his limpieza of the lineage of cristianos viejos.

Motolinía, who acted as Commissary in Betanzos' absence, imposed a fairly harsh sentence especially from the financial standpoint. His attendance was required at mass with a candle in his hand and he was then remanded to a monastery for a five-month incarceration to meditate upon his sins and do penance and pious works. He was ordered to provide food for five poor people for an indeterminate time and he was fined five hundred pesos de oro de minas to be used for the following pious works: a marco de oro (eight ounces) was to be given to the Monastery of Santo Domingo in Mexico City to purchase a silver chalice and to carry on pious works; the church at Veracruz was to receive ten marcos de oro and a silver chalice; ten pesos each were to be given to the Cofradías de Nuestra Señora de los Angeles y Nuestra Señora de la Cruz; the remainder of the five hundred pesos was to go to the Monastery of Santa Clara for the use of the poor and the orphans.

⁹ The tone of the proceso indicates that Rengel was suffering from the ravages of syphilis, although the specific word is not employed.

temper and that he was anxious to see the
headaches and the like. He was not
but not until he had been examined
vices in the conquest of the Indians and the
affirmed his timidity of the Indians of the
Motolinia, who acted as interpreter in the
essence, imposed a fairly heavy burden upon the
the financial standpoint. The Indians were
mass with a candle in his hand and he was
a monastery for a five-month period to the
upon his sins and do penance and then work
dered to provide food for five years and to
minute time and he was found to be a very
mins to be used for the building of the
oro (eight ounces) was to be given to the
Santo Domingo in Mexico with the intention
and to carry on penance work. The Indians
to receive ten pesos for the work and a
pesos each were to be given to the
Señora de los Angeles. The Indians were
remainder of the five hundred pesos was to be
tery of Santa Clara for the use of the poor and the

2 The tone of the document is such that it is
suffering from the ravages of time and the
of the word is not employed.

Finally, Rengel was ordered to use his Indians to complete a hermitage under construction near Tacuba and to give to the Franciscan monastery in Mexico City three dozen tables to be used in its various activities.

The Rengel sentence was signed by Motolinía, September 3, 1527. Only one blasphemer, Diego de Morales, was tried in 1528 by Fray Vicente de Santa María, who assumed the office of Commissary in that year.¹⁰ The Morales trial was the last blasphemer before the Holy Office until 1536 and the Zumárraga campaign against blasphemy.

III. Zumárraga and the Blasphemers: 1536-1540

The Apostolic Inquisitor was a diligent foe of the blasphemer and particularly second and third offenders. The Zumárraga period yielded some fifty-six cases, by far the most prevalent crime.¹¹ Approximately one third of these were self-denunciations.

In point of chronology, the first case was that of Juan Franco, the "Limpier," whose trial began in February and ended in November of 1536. Franco denounced himself as a gambler who often, in the heat of the game, uttered

¹⁰ AGM, Inquisición, Tomo 1, exp. 11.

¹¹ The majority of these trials are found in AGM, Inquisición, Tomo 14. The remainder are scattered throughout the ramo.

Finally, Hengel was ordered to the
a barracks under construction in
the Francisco Massaro in 1928. It was
to be used in the various activities.

The Hengel barracks was situated in
bar 3, 1927. Only one barracks was
erected in 1928 by the Government. The barracks
the office of the Commander in Chief. The barracks
was the last barracks built and was
and the barracks commander was a Captain.

III. Barracks and the Administration

The barracks were situated in the
barracks and barracks were built in
The barracks period started some time in 1928
the most prevalent type. The barracks
these were self-administered.

In point of organization, the barracks
of Juan Franco, the barracks were built in 1928
and ended in November of 1930. The barracks were
as a barracks was often, in the barracks were built.

10 AGM, Enclosed, 1928, 1929, 1930

11 The majority of these barracks were built in 1928
Enclosed, 1928, 1929, 1930. The barracks were built in
the same.

such oaths as "Por vida de Dios" and "Pese a los Santos" and "Voto a Dios" (Confound God). His contrition moved Zumárraga to lenience, but nevertheless he was fined thirty pesos de oro de minas after doing spiritual penance. He was required to recite the Penitential Psalms if he could read and the rosary of Our Lady if he could not read. This sentence was passed on November 9, 1536.¹²

September 22, 1536, saw the initiation of a blasphemy trial involving Marín Cortés¹³ who had by auto-denuncia testified that he habitually said "Peze a Dios e no creo en Dios y descreo de Dios y como Dios es verdad e como Dios es Trino. . . y por la Virginidad de Nuestra Señora." He swore his contrition and threw himself upon Zumárraga's mercy. Because he read in the first page of the denuncia that the accused had traveled and lived in Guatemala and Honduras, Don Alfonso Toro jumped to the conclusion that the defendant was Martín Cortés, son of Don Fernando.¹⁴ A careful reading of the testimonies revealed that Marín was the son of Jorge Cortés and Leonor Marín of Murcia in Spain. In this testimony Cortés admitted having been jailed

¹² AGM, Inquisición, Tomo 38, exp. 1 bis.

¹³ AGM, Inquisición, Tomo 14, exp. 16.

¹⁴ Toro, Los Judíos en la Nueva España, prólogo. The son of Cortés to whom Toro refers could have been no more than a child in 1536.

in Campeche by the Adelantado Montejo for alleged blasphemies but denied the veracity of the charge, contending that Montejo had a personal animosity toward him. Gagged and barefoot with the traditional candle in his hand, Marín Cortés did penance in the Cathedral of Mexico City. Since he was a person of little means there was no fine.

The gambler Alonso de Carrión was denounced to Zumárraga by Cristóbal de Buenaventura as a habitual blasphemer and one who had declared publicly "No creo en Dios si me puedes hacer mas mal," and had raised his eyes saying "Descreo en ti y de quien te pario."¹⁵ It developed in Carrión's testimony that he had been tried in 1527 by Domingo de Betanzos for the same charge.¹⁶ As a second offender he had no other choice but to plead for mercy. He was lucky to have convinced the Inquisitor of his contrition. The sentence was pronounced on October 14, 1536, and included the following: Carrión was to appear at mass barefoot and hatless, gagged and with a candle, and was to stand during the ceremonies. After he had consumed the sacrament of the Eucharist he was to recite Pater Nosters and Ave Marias until the people dispersed.

A negro by name of Alonso Garavito was sentenced in

¹⁵ AGM, Inquisición, Tomo 14, exp. 3.

¹⁶ AGM, Inquisición, Tomo 1, exp. 16.

in Campeche by the defendant Montejó for alleged blas-
 phemies and denied the veracity of the charge, contending
 that Montejó had a personal animosity toward him. Gagged
 and paraloed with the traditional candle in his hand,
 Martín Cortés did penance in the Cathedral of Mexico City.
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 Sumariaga by Cristóbal de Buenaventura as a habitual blas-
 phemer and one who had declared publicly "No cruz en Dios
 si no padece hacer mas mal," and had raised his eyes saying
 "Descreo en ti y de quien te pario." It developed in
 Garión's testimony that he had been tried in 1587 by
 Domingo de Betancor for the same charge.¹⁵ As a second of-
 fender he had no other choice but to plead for mercy. He
 was lucky to have convinced the inquisitor of his contri-
 tion. The sentence was pronounced on October 14, 1590,
 and included the following: Garión was to appear at mass
 paraloed and hatless, gagged and with a candle, and was
 to stand during the ceremonies. After he had consumed the
 sacrament of the Eucharist he was to recite Peter Weyler's
 and Ave Marias until the people dispersed.
 A negro by name of Alonso Garvito was sentenced in

¹⁵ AGN, Inquisición, Tomo 14, exp. 3.

¹⁶ AGN, Inquisición, Tomo 1, exp. 16.

late 1536 because of certain blasphemies uttered during ball games, usually in exhortation of his teammates or by shouting "Por vida de Dios."¹⁷ His initial reply to the charges was a denial, but upon being informed of the penalties for perjury, he confessed and was fined ten pesos de oro de minas.

Juan Fernández del Castillo, a scribe, was a nefarious person. He had been tried by Betanzos in 1527 for encouraging the natives to practice idolatry,¹⁸ and on September 12, 1536, he was denounced as a blasphemer.¹⁹ The traditional "peses" and "reniegos" brought Fernández a fine of twenty pesos de oro de minas and public humiliations in church. It is odd that the sentence was not stiffer.

Women, but usually lower class ones, were frequently tried for blasphemy. A short but somewhat unusual case was that of María de Espinosa, who in a moment of anger was reported as declaring that she renounced the Crisma (Chrism).²⁰ Her sentence was to stand without a shawl or shoes, gagged, during mass and to take the Holy Eucharist,

¹⁷ AGM, Inquisición, Tomo 14, exp. 12 bis.

¹⁸ AGM, Inquisición, Tomo 40, exp. 3 bis. A.

¹⁹ AGM, Inquisición, Tomo 14, exp. 14.

²⁰ AGM, Inquisición, Tomo 14, exp. 17 bis. Chrism is consecrated oil used in the sacraments of baptism, confirmation and ordination.

late 1935 because of the fact that the ball games, usually an indication of the state of the country, were being played in the streets. The fact that the ball games were being played in the streets was a sign that the country was in a state of peace. The fact that the ball games were being played in the streets was a sign that the country was in a state of peace.

It is also true that the country was in a state of peace. The fact that the country was in a state of peace was a sign that the country was in a state of peace. The fact that the country was in a state of peace was a sign that the country was in a state of peace. The fact that the country was in a state of peace was a sign that the country was in a state of peace.

was that of the fact that the country was in a state of peace. The fact that the country was in a state of peace was a sign that the country was in a state of peace. The fact that the country was in a state of peace was a sign that the country was in a state of peace.

- 17 AGM, Indianapolis, June 14, 1935.
- 18 AGM, Indianapolis, June 15, 1935.
- 19 AGM, Indianapolis, June 16, 1935.
- 20 AGM, Indianapolis, June 17, 1935.

consecrated oil used in the consecration of the altar, and the consecration of the altar.

kneeling, after which she was required to recite various devotionals.

Zumárraga tried eight blasphemers in 1537, but none of these cases was unique. The confusion between blasphemy and heresy was never alleviated in the decades of the 1530's and the 1540's.²¹ The year 1538 brought thirteen of these cases, but again the charges were routine. In March of that year, García González, a mule driver, was sentenced for saying "pese a Dios y descreo de Dios y de sus Santos y . . . reniego del Cielo y de la tierra y de cuantos en el Cielo. . ."²² He was fined some twenty pesos de oro de minas and made to perform the customary spiritual penances.

The tailor, Juan de Villate appeared before Zumárraga on May 2, 1539, as a blasphemer and a heretic.²³ The final disposition of the case was blasphemy. Villate had severely chastised his wife for praying to an image of the Virgin Mary. In a fit of rage he had beaten the woman and instructed her not to pray to God but to the Devil. The tailor was sentenced on May 22. A fine of ten pesos de

²¹ In Chapter V I have included certain of the heretical blasphemers who seemed to be definite heretics. It is admitted that the distinction is often nebulous.

²² AGM, Inquisición, Tomo 2, exp. 5.

²³ AGM, Inquisición, Tomo 2, exp. 9.

knocking, after which another...
devotional.

...
of these cases was unique. ...
and heresy was never ...
1530's and the 1540's ...
of these cases, ...
March of that year, ...
sentenced for saying ...
and Santos y ...
cantos en el ...
de oro de ...
penances.

The father, ...
traces on May 2, 1539, as a ...
The final disposition of the ...
had severely chastised his wife ...
the Virgin Mary. In a ...
and instructed her not to ...
The father was ...

21 In Chapter V I have ...
cal blasphemers who ...
admitted that the ...

22 AGN, ...
23 AGN, ...

oro de minas was made payable to the Treasurer of the Holy Office, but an additional one peso de oro común was required to be given as alms to the Hospital de las Bubas in Mexico City. He was to present the receipt for the gift to the Holy Office and to recite the rosary of Our Lady five times in penance.

December of 1540 produced a case of some interest because the blasphemy involved a member of Zumárraga's household staff, his female baker.²⁴ While fighting with Manuel Fernández both the woman and Fernández said "Voto a Dios" and Fernández insulted the person of the Bishop. The woman escaped punishment, but Fernández was required to recite the Ave Maria and the Pater Noster five times each and to make a pilgrimage barefoot to the church at Tlatelolco in penance, and at the same time to pay the costs of the trial.

The Flemming from Zultepeque, Jacob de Cayzer, who had testified against Juan Banberniguen, was processed for blasphemy in April of 1540.²⁵ To be on the safe side, the Apostolic Inquisitor made sure that Cayzer held none of the views of his compatriot. The case resulted in a simple blasphemy charge. Cayzer was prone to say "Juro a

²⁴ AGN, Inquisición, Tomo 14, exp. 37.

²⁵ AGN, Inquisición, Tomo 14, exp. 36.

one of the most important of the
Office, but in addition to this
desired to be given a place in the
in Mexico City. The office was
left to the City Office and the
lady five times in volume.

President of the United States
because the President of the United States
household of the President of the United States
National Geographic Society, the President of the United States
Dios" and the President of the United States
The woman seemed surprised, but she did not say anything
to people and she did not say anything
even and to the President of the United States
President of the United States, and the President of the United States
center of the city.

The President of the United States
who had travelled around the world and
for himself in the United States and
the Apostolic International Association
of the views of the President of the United States
single blasphemy charge.

25
26

Dios" and he had used abusive language when Pedro de Medinilla, the Alguacil of the Holy Office, took him into custody. Since his offense was slight, the sentence was merely spiritual penance.

Zumárraga tried his last two blasphemers in January of 1541. Both Juan de Avila²⁶ and Alonso Bueno²⁷ had denounced themselves of the usual expletives such as "Por vida de Dios" and "Pese." Only light fines were levied against the defendants.

Zumárraga's campaign against blasphemy was moderately successful during his ministry as Apostolic Inquisitor. The more serious trials probably resulted in some restraint on the part of those who would blaspheme. To assume, however, that blasphemy was eradicated by the Zumárraga Inquisition would be a mistake, for the records show a voluminous amount of prosecutions in succeeding years. It is interesting to note that Indians very rarely blasphemed. The sixteenth century recorded only one Indian blasphemer, Melchor of Santiago de Guatemala.²⁸

²⁶ AGN, Inquisición, Tomo 14, exp. 39.

²⁷ AGN, Inquisición, Tomo 14, exp. 40.

²⁸ AGN, Inquisición, Tomo 16, exp. 11.

IV. The Problem of Bigamy and Sex Morality

Care was taken in the early days of the conquest to send to Mexico only clergymen and laymen of unquestioned moral standards and purpose. The major concern of the Crown and the Church was to present good examples of Christians to the Indians. Despite this idealistic policy, many reprobates and foreigners penetrated the kingdom of New Spain. The Holy Office was reasonably diligent in ferreting them out and punishing them as examples of bad Christianity. Especially in the area of carnal relations did serious problems arise.

The conquest enterprise was a military venture and as such excluded family colonization in the early years. As the decade of the 1520's came to a close, the Crown began to place added emphasis on family colonization in Mexico. In theory miscegenation was discouraged, but since the wives were left in Spain, a mestizo population, arising out of illicit relations for the most part, resulted. In order to correct this deplorable situation and to prevent the sins of bigamy and concubinage among the colonists, Charles V decreed in 1530 that married men could not emigrate to the New World without their wives. Encomenderos to retain their rights had to bring their wives to Mexico within a specified time limit. Merchants could spend three

IV. THE HISTORY OF THE AMERICAN WEST

One was taken in the early days of the conquest to send to Mexico only a few men and women of unimpaired moral character and purpose. The rest of the country of the Great and the United was to be a great field of Christianization to the Indians. Despite the realistic policy, many repudiated and converted themselves to the religion of New Spain. The Holy Office was necessarily aligned in favoring them out and maintaining them as examples of good Christianity. Especially in the area of sexual relations and sacred problems arose.

The conquest enterprise was a military venture and as such excluded family considerations in the early years. As the legends of the 15th's came to a close, the Great began to place added emphasis on family organization in Mexico. In family organization was discouraged, but also the waves were left in Spain, a realistic population, and one of illicit relations for the most part, resulted. In order to correct this behavior the Indians had to prevent the sale of virgin and concubinage among the colonies. Charles V decreed in 1550 that married men could not emigrate to the New World without their wives. Encouraged to retain their rights and to bring their wives to Mexico within a specified time limit. Marriages could stand three

years in the New World but had to return to Spain for their spouses at the end of that time or face deportation penalties.²⁹ The gap between the law and actual practice was enormous. Bigamy, concubinage and prostitution were inevitable.

Bigamy and concubinage were both civil and religious crimes, but due to the Church's monopoly in administering the sacrament of matrimony the Holy Office of the Inquisition assumed jurisdiction over these and related crimes. The Friar-Inquisitors and later Zumárraga experienced real difficulties in inculcating the precept of monogamy among the Aztecs. Polygamy had been one of the bases of social organization in pre-conquest Mexico and was a specific privilege of the Aztec nobility. Wives were regarded as wealth and even used as a medium of exchange. The example of licentious conquistadores and clergymen did much to vitiate the teachings of the friars:

The absurdity, however, of trying to suppress concubinage among the Indians in view of the growing multitude of half-breed children running about must have impressed the Council, and it instructed Bishop Zumárraga, who had charge of the moral policing of the colony, to refrain from fining the Indians a mark (eight ounces) of silver for keeping mistresses. He must, of course, continue in

²⁹ See the *Recopilación*, Book IX, title 26, laws 28 and 29 for these and other provisions on emigration designed to protect the institution of holy matrimony.

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...Bismarck ...
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...signed to protect the ...

his efforts to reform them, but poco a poco.³⁰

Trials for bigamy among the colonists of Mexico occupied a large portion of the time of the Mexican Holy Office. Between 1536 and 1541 Apostolic Inquisitor Zumárraga tried some twenty individuals of all walks of life for being married two or three times or more.³¹ The trials were all more or less on the same pattern. As a rule the punishments were exceedingly stringent and designed to warn others of the penalties prescribed for breaking the marriage vows.

Both men and women were processed for bigamy by Zumárraga and no distinction was made in prescribing the punishment. Usually as stiff a fine as the culprit could afford was levied, along with one hundred lashes or a prison term, or both. Without exception the bigamist was required to return to the legitimate spouse. It was a costly and time-consuming thing to prove that one's wife had died in Spain and that the second marriage was therefore legal. This was one of the devices used with frequency by the guilty to stall for time or to divert suspicion from their culpability.

³⁰ Lesley B. Simpson, The Encomienda in New Spain, 116. This is a citation based upon a letter from the Queen to Zumárraga of June 26, 1536, reproduced in Puga, op. cit., I, 384-385.

³¹ Many of these cases are found in AGN, Inquisición, Tomos 22, 23.

Sexual perversion of all kinds was under the jurisdiction of the Mexican Holy Office, although civil authorities could take cognizance of the crime also.³² Homosexuality, and particularly sodomy, was of prime concern to the Inquisition and the procesos leave no detail of the crime to the reader's imagination.³³

Incest was peculiarly prevalent among the native populations because in pre-conquest times it had been a perfectly acceptable practice. Caciques continued to demand their privileges among their subjects after the Spaniards came. Incestual relations within the families of conquistadores were very unusual. However, carnal relations between Spaniards and mother and daughter of other families was a fairly common occurrence.³⁴

³² Lea's chapter (The Spanish Inquisition, IV, 561-370) on unnatural crimes is valuable for background materials. The civil jurisdiction over homosexuality in Mexico of the first half of the sixteenth century can best be examined in France V. Scholes and Eleanor B. Adams, Proceso contra Tzintzicha Tangaxoan el Caltzontzin formado por Nuño de Guzmán, Año de 1530 (México, 1952).

³³ Of these trials the most interesting concerns two sailors who were brothers, Cebrian and Antonio Lipares. AGN, Inquisición, Tomo 212, exp. 11. The crime occurred at sea between Santo Domingo and Veracruz and hence fell under Zumárraga's jurisdiction.

³⁴ AGN, Inquisición, Tomo 212, exp. 2 relates the most important of these cases: Diego Díaz por tener acceso carnal con madre y hija. AGN, Inquisición, Tomo 36, exp. 6 contains the trial of Martín Xuchimitl, an Indian accused of having four sisters as concubines. The denunciation is in hieroglyphics.

V. Special Problems in the Enforcement of Morality

The high moral standards which Church and State prescribed for spiritual conquistadores often broke down. These deviant priests were a debilitating force in the Christianization process:

However, there were religious as well as military adventurers who flocked to the New World, men who looked on an ecclesiastical career in America merely as an opportunity to gratify the desire for a life of ease and self-indulgence. Priests and friars, men of mediocre lights who had little prospect of success or distinction in the old country, came out to the colonies to seek their fortune.³⁵

With this type of psychology described by Haring, it is not surprising that we have accounts of priests leaving their habits and living in sin. Some of the clergy had concubines, gambled and threw riotous parties. Others became thieves and developed other licentious habits. To correct this situation Charles V issued a cédula of 1530 which empowered the Casa de Contratación to license all clerics going to the Indies.³⁶

The licensing process was not entirely adequate in controlling the emigration of questionable clerics to Mexico. On May 1, 1543, the Crown found it necessary to

³⁵ Haring, The Spanish Empire, 206.

³⁶ Medina, La Inquisición Primitiva, I, 40.

V. Spanish Problem in the Northwest of Mexico

The high moral standards which Gurnea and State
 prosecuted for ethical conduct have often broken down.
 These have not proved to be a satisfactory factor in the
 Central American situation.

However, there were other factors as well as military
 advantages and losses to the New World, men
 who looked on as accomplished success in America
 were not so successful in Europe. The desire
 for a life of ease and well-being was not
 and there, and it was not until the late 18th
 century of success in education in the old
 country, came out to the colonies to seek their
 fortune.

With this type of personnel, described by Gurnea, it is not
 surprising that we have seen a lot of objects leaving their
 native land and going to live in the New World. Some of the clergy had con-
 science, ambition and there were others. Others became
 thieves and bandits, others became successful in business. In business
 this situation changed in 1763 when the British took Florida from the
 Spaniards. The Spaniards had to leave all their
 goods in the hands of the British.

The licensing process was not entirely adequate in
 controlling the emigration of Spanish subjects to
 Mexico. On May 1, 1821, the Spanish found it necessary to

33 Notes, The Spanish Problem, 1901.

34 Notes, in Spanish Problem, 1901.

issue another cédula prescribing the procedure to be followed in dealing with Mexican priests who had left their habits for the world.³⁷ The most notorious cleric tried by Zumárraga was Father Diego Díaz, the one-time parish priest at Ocuituco. Díaz had come to Mexico with Cortés in 1530 and launched a career that was scandalous. He appeared three times before the Inquisition and his crimes shocked the entire hierarchy of the Mexican Church.³⁸

Father Díaz was first tried by Zumárraga in 1540 because it was proven that he had recruited two witnesses to denounce the Cacique of Ocuituco for idolatry.³⁹ It had been his intention to allow the Cacique to bribe him to withdraw the witnesses. After this plan failed for reasons which we do not know, Father Díaz was tried for perjury by Zumárraga when the plot was made known. Although we do not have a record of Díaz' sentence in 1540, we know that he went to jail until 1542. While incarcerated he was sued in 1542 by his wine merchant, Juan Ruiz, because he would

³⁷ This cédula was reproduced by Genaro García in El Clero de México durante la Dominación Española, 94-95.

³⁸ For some mysterious reason all three of the Díaz procesos are fragmentary. They are found in AGN, Inquisición, Tomo 37, exp. 3 bis (1540); AGN, Inquisición, Tomo 42, exp. 21 (1542); AGN, Inquisición, Tomo 68, exp. 1 (1542-1543). They are published by the Archivo General de la Nación in Procesos de Indios, 221-258.

³⁹ For a discussion of this trial see Chapter III, pages 118-123.

not pay his bill. From the testimonies we must conclude that he had an unquenchable thirst, as the bill was phenomenal.

Although it seems inconceivable, Díaz again presided as parish priest in Ocultuco from 1542 to 1548. It was learned that for six years he had been making immoral proposals to women during the confessional and he was tried as a solicitante.⁴⁰ Since the evidence was conclusive, we must assume that he was convicted, but we have no record of the sentence. Beyond a doubt there were many clerics as licentious as Díaz, but their biographies are not to be found in the Inquisition archives.⁴¹ On the whole Haring's vindication of the clergy must be accepted:

If we wish to judge the clergy fairly we cannot separate it from its environment. Given the men with whom it had to deal, it perhaps did its best to prevent them from being worse and did all that could be reasonably demanded of it.⁴²

⁴⁰ Lea, The Spanish Inquisition, IV, 95-134, gives full treatment to the solicitantes.

⁴¹ In 1537 Father Sebastian Fragoso was tried for leaving his clerical habit and living with a concubine, saying that she was his wife. AGN, Inquisición, Tomo 34, exp. 2. In 1540 Father Alonso Ruiz de Arévalo was investigated in Pánuco for living with a married woman. AGN, Inquisición, Tomo 34, exp. 5.

⁴² Haring, The Spanish Empire, 208.

not pay the bill. That he had an answer to this was
phenomenal.

Although it seems a little strange, it is
aided as far as it is possible to do so.
was learned that the man in question was
proposals to women. It was also learned
as a result of this. The man in question
must assume that he was a very good man.
the sentence. It was also learned that
the sentence was a very good one. It was
found in the investigation that the man
violation of the law. It was also learned

If we wish to know the truth about the man
appears to be a very good man. It was
will show us that the man in question
best to know the truth about the man in
that case. It was also learned that the man

40. The man in question was a very good man.
All together, the man in question was a very
41. In 1937, the man in question was a very
leaving his office. It was also learned
that the man in question was a very good man.
42. The man in question was a very good man.
43. The man in question was a very good man.

CHAPTER VIII

SORCERY AND SUPERSTITION IN MEXICO: 1536-1543¹

I. Introduction

Sorcery and the occult arts had been a concern of the Spanish inquisitors from medieval times. No clear-cut policy against these offenses emerged until the Renaissance period; however, there was a general feeling of toleration of these activities unless the law was broken. Eymeric and his followers, taking the lead of theologians at the University of Paris, altered the viewpoint on sorcery at the turn of the fifteenth century. It was then assumed that soothsayers, curers, and practitioners of black magic (nigromante) had accrued their powers by entering into a pact with the Devil. Such an act was inferential heresy, and the Inquisition assumed jurisdiction over the problem.²

Witchcraft was regarded as a crime different from sorcery. Lea tells us the Inquisitors were convinced that

¹ Sorcery and superstition in Mexico may be studied from the following sources: Julio Jiménez Rueda, Herejías y Supersticiones en la Nueva España (México, 1946); Alfonso Caso, op. cit.; and the works of Sahagún and Motolinía.

² For the general nature of sorcery and witchcraft, see Lea, The Spanish Inquisition, IV, 179-225.

I. Introduction

Security and the economy are two of the most important factors in the development of a nation. The economy is the lifeblood of a nation, and security is the foundation upon which it is built. In the past, the two have often been at odds, but in the modern world, they are inseparable. This paper will discuss the relationship between security and the economy, and the role of the government in maintaining both.

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2. For the purpose of this paper, the term "economy" is defined as the system of production, distribution, and consumption of goods and services. The term "security" is defined as the state of being free from danger or threat.

the "witch has abandoned Christianity, has renounced her baptism, has worshipped Satan as her God, has surrendered herself to him, body and soul, and exists only to be his instrument in working the evil to her fellow-creatures, which he cannot accomplish without a human agent."³ The witch-madness of the fifteenth to eighteenth centuries was predicated upon this belief.

In Mexico of the conquest era, that is, from 1519 to 1550, sorcery and superstition must be dealt with in a dual manner, Indian and Spanish. Indian superstition and wizardry had a different purpose, namely, the pacification of the gods and the direction of the forces of nature for man's benefit.⁴ The peninsular sorcerer and magician was essentially a nefarious person and capitalized upon the ignorance and credulousness of his subjects, and his actions were surreptitious. The Mexican Inquisition proceeded against both of these groups with equal fervor. Sentences were harsh, but as a rule the use of torture was not pre-

³ Lea, The Spanish Inquisition, 206.

⁴ Besides Caso, Sahagún and Motolinía, an extremely valuable encyclopedic reference on Indian sorceries and superstitions is Jacinto de la Serna, Pedro Ponce, Fray Pedro de Feria, Hernando Ruiz de Alarcón, Pedro Sánchez de Aguilar and Gonzalo de Basalobre, Tratado de las Idolatrías, Supersticiones, Dioses, Ritos, Hechicerías y otras Costumbres Gentílicas de las Razas Aborígenes de México (2 vols., México, c.1954). These treatises were written in the sixteenth and seventeenth centuries. They deal with the fusion of European and Mexican superstitions on some levels.

scribed to elicit the confession.

II. Zumárraga and Sorcery and Superstition among the Colonists

Since Indian superstition has been discussed in a previous chapter, I shall limit this section to trials of Europeans by Zumárraga's Holy Office for the crimes of sorcery and related offenses. Zumárraga's special interest had always been in this particular area since his 1527 commission from Charles V to investigate witchcraft in the Pamplona region. We are told of this task by Mendieta⁵ but the most recent biographer of Zumárraga concludes that the bishop-to-be could not have done more than initiate the proceedings in Biscay before he was called away to his post in Mexico.⁶

The Mexican Inquisition Archive records only one denunciation for sorcery prior to the Zumárraga period,⁷ but when the Apostolic Inquisitor assumed his office, a large part of his efforts were directed against sorcery and superstition. Of the twenty cases tried between 1536

⁵ Gerónimo de Mendieta, Historia Eclesiástica Indiana (México, 1870), 629, 636, 644, as cited by Lea, The Spanish Inquisition, IV, 215.

⁶ Larrínaga, op. cit., 63-66.

⁷ 1528, Denuncia de una hechicera por Benito de Bejel. AGN, Inquisición, Tomo 1, exp. 12.

referred to as the "Cotton Club"

II. THE COTTON CLUB

The Cotton Club was a famous night club in Harlem, New York, which was famous for its entertainment of white celebrities and dancers. It was founded in 1931 by Duke Ellington and his orchestra. The club was known for its high standards of entertainment and its exclusive atmosphere. It was a place where the best of the Harlem Renaissance could be seen and heard. The club was a success from the beginning and it remained one of the most popular night clubs in Harlem for many years. It was a place where the best of the Harlem Renaissance could be seen and heard. The club was a success from the beginning and it remained one of the most popular night clubs in Harlem for many years.

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and 1543, fifteen of the defendants were women. It would seem that female activities, especially midwifery and other pseudo-medical functions, lent themselves to the occult.

We do not have the complete record of Zumárraga's first sorcery trial, that of Elvira Jiménez, a female cowherder.⁸ Elvira had performed acts of adivination in Puerto Rico by cutting off the wings and legs of live chickens and using the blood while she made incantations. She had been tried in San Juan and had suffered public humiliations, including a burro ride through the streets while wearing penitential garb. In Mexico she had instructed one Brígida García, a widow, in certain sorceries to be used in procuring another husband. Brígida was to light a small candle between one and two o'clock in the morning and recite a prayer given her by Elvira. After doing several vuelatas around the candle, she was instructed to wait for it to fall from its holder, and according to the direction in which it fell and into which hand it fell, Brígida would receive her desired spouse. The vaquera admitted her reputation as a sorcerer to Zumárraga and confirmed the instructions given to the widow García. The remainder of the proceso of the cowgirl sorceress is

⁸ AGN, Inquisición, Tomo 40, exp. 1.

and 1843, fifteen of the children were women. It would seem that female activities, especially midwifery and other pseudo-medical functions, lent themselves to the occult.

We do not have the complete record of Brindley's first recovery trial, that of Elvira Linder, a female cowherd.⁸ Elvira had performed acts of divination in Puerto Rico by cutting out the skins and legs of live chickens and using the blood while the birds incubated. She had been tried in San Juan and had attracted public attention, including a number of newspaper articles while wearing presidential garb. In Mexico she had instructed one Brigida Garcia, a widow, in certain practices to be used in procuring another husband. Brigida was to light a small candle between one and two o'clock in the morning and recite a prayer given her by Elvira. After doing several vueltas around the candle, she was instructed to wait for it to fall from the holder, and according to the direction in which it fell, and into which hand it fell, Brigida would receive her destined spouse. The testimonies admitted her reputation as a sorcerer to Brindley and confirmed the instructions given to the widow Garcia. The remainder of the process of the cowherd's recovery is

⁸ AM, Insular, Tomo 40, pag. 1.

missing.

On August 9, 1536, Zumárraga initiated a proceso against Juan Franco, a jeweler who participated in certain rites with his Indians in order to foretell the events of the future.⁹ Franco's wife testified that she had seen the lapidary talking to the Devil, who appeared at times the color of blue and at other times gray and black. Franco's medium was an Indian slave named Beatriz in whose occult powers he fervently believed, and who was also his concubine. Franco was also accused of being a Jew because of his dietary habits and the fact that he was circumcised.¹⁰ Almost a year of investigations took place before the Fiscal Cervanes made his accusations on August 3, 1537. Juan Franco was indicted on twelve counts, not all of them for sorcery, the crime for which he was convicted. The charges were as follows:

1) Franco with Beatriz as his medium had performed sorceries to ascertain whether the turquoise mines of Xauh-tepec would yield great profits and whether the recently arrived Viceroy Mendoza would make grants of land to the citizens. The entrails of chickens had been used in this

⁹ AGN, Inquisición, Tomo 38, exp. 1.

¹⁰ Franco contended that the operation was performed by a barber in Española to alleviate the effects of venereal disease which he contracted from an Indian woman there.

ceremony. When away from home exercising his profession, Franco performed similar rites to determine what his wife was doing.

2) Through Beatriz, Franco was able to tell his companions what was transpiring in their homes even though they were far away. The process took some four hours.

3) Franco had been associated with Jews in Spain and in the Indies and he had adopted their religious observances.

4) Franco was outspoken in his contention that Hernando Alonso, the Jew whom Santa Maria burnt in 1528, had been unjustly condemned. Franco insisted, perhaps with justice, that Alonso should have been reconciled.

5) It was charged that the defendant had given the Indians some chickens to sacrifice to the Devil in order to find out the true worth of the turquoise mine mentioned above.

6) Franco had publicly defended another relaxed Jew, one Montero, saying that if he were burned, Franco himself merited burning because they both believed alike.

7) Franco was charged with using potions to make the Devil appear as described in the testimony by his wife.

8) It was alleged that the lapidary ordered his food prepared according to the Mosaic Law, although he contended that he prepared the food in that manner merely

ceremony. The first of these was the
franco franco, which was held in the
was done.

2) Through the...
organization that was first...
they were the...
3) The first...
and in the...
activities.

4) Franco was...
made...
been...
justice, the...
5) It was...
Indian...
to find...
above.

6) Franco...
for, one...
himself...
7) Franco...
the Devil...
8) It was...
food...
founded...

because he liked it.

9) Franco was accused of selling idols and charms to the Indians which he claimed were merely dolls.

10) He was charged with long-standing concubinage with Beatriz, although each year keepers of concubines were excommunicated.

11) He had frequently taken various glands of animals from the butcher shop to be used in Jewish ceremonies.¹¹

12) Many times Franco had asked his sister-in-law to perform sorceries, apparently to check on the veracity of his other mediums.

Cervanes demanded that Juan Franco be punished as a sorcerer and purveyor of superstition to Indians and Spaniards alike, and that he was doubly guilty of being a new Christian and a circuncidado. Although the defendant claimed that witnesses against him were motivated by hate, Apostolic Inquisitor Zumárraga was convinced of the lapidary's guilt. Sentence was passed on November 9, 1537, and was surprisingly lenient. The convicted was required to make the usual humiliating appearance at mass and to recite the Penitential Psalms, consume the Eucharist while kneeling, and pay a fine of twenty pesos de oro de minas. Beatriz was to appear with Franco and was required to wear

¹¹ ". . . que ha sacado muchas veces la landrecilla del Carnero por ceremonia judaica."

because he likes it.

9) Process was stopped at the time of the

to the Indians which he did not want to do.

10) He was charged with the same

with the same, although some of the

were known to him.

11) He had the same

from his father and to the

12) He had the same

to perform the same, apparently

his own will.

13) He had the same

a person and the same

with him, and that he was

14) He had the same

15) He had the same

16) He had the same

17) He had the same

18) He had the same

19) He had the same

20) He had the same

21) He had the same

22) He had the same

23) He had the same

24) He had the same

25) He had the same

the coroza and recite Ave Marias so that God would pardon her sins.

In the first week of September, 1536, Zumárraga moved against five lower class negro women of Mexico City for sorcery and superstitious practices.¹² The first was the slave Marta who belonged to Pedro Pérez and who had performed sorceries in the home of the Treasurer Juan Alfonso de Sosa by using the ears of rabbits and the claws of chickens. Marta also dispensed potions and incantations to those who would procure a husband.¹³ In the course of her testimonies, Marta inculpated four other women, who belonged to her social circle and who performed sorceries. They all relied upon the potions and aphrodisiacs of Antón, an Indian from the environs of Mexico City. These were employed to promote love and marriage and to induce masters to set their female slaves free or to bestow upon them various gifts. The midwife of the group, Isabel Morales, performed incantations while delivering children, and further to insure successful delivery called

¹² AGN, Inquisición, Tomo 38, exp. 2. This is a composite proceso of the five trials and is extremely difficult to analyze because the pages are bound without any order.

¹³ One of these husband-seekers was later tried separately by Zumárraga. The case of María Barcena is found in AGN, Inquisición, Tomo 38, exp. 5.

upon God and the Virgin in the same orations.¹⁴ Isabel also performed certain illegal surgeries on the recently delivered mothers.

The slave Marta was severely punished by Zumárraga. After spiritual penance in the Cathedral, she was ridden, bound and gagged, through the streets of Mexico City, wearing the *coroza* and stripped to the waist, and was given two hundred lashes in the old San Juan market. A town crier proclaimed her crime as an example to other superstitious people. The slave Margarita Pérez, incriminated by Marta, was convicted of using Antón's aphrodisiacs in her master's food and sprinkling them in the bed where they had carnal relations. Because she was able to convince the Inquisitor of her ignorance and complete repentance, Margarita was absolved by Zumárraga after doing spiritual penance. María, the slave of the merchant Diego, had also used Antón's potions on her master in order to secure better treatment and, if possible, her freedom. María's punishment was identical with that of Margarita Pérez. The two hundred lashes must have been very painful.

María de Espinosa, the slave of the merchant Andrés de Espinosa, proved to be the ringleader of this group

14 " . . . dize las palabras siguientes: En el Nombre del Padre y del Hijo y del Espiritu Santo Santa María pario un hijo no mas este vivio y vivira para siempre jamas asi como esto es verdaderamente y verdad asi le quite toda fatiga y todo mal. . . "

of sorcerers. She had introduced the use of the potions and had used them on her master to insure that he treated her well and that he slept with no other woman. It was alleged that she had practiced alchemy of a sort in that she created jewels and gave them to the other women in return for their help in soliciting additional clients. After an extensive interrogatory of numerous witnesses, Zumárraga on June 28, 1537, prescribed that after ceremonies of spiritual penance had been performed in the Cathedral of Mexico, María de Espinosa should be taken to Veracruz and exiled perpetually from New Spain and the Indies.

Isabel Morales, the partera, was convicted of performing illegal surgeries on her patients and eliciting the aid of the Devil with her incantations. She was incarcerated in a monastery for an indeterminate period and charged never again to return to her occult practices. The Indian Antón, who had provided the powders used by these women, was ridden through the streets of the viceroyal capital and given two hundred lashes in the market place. Viceroy Mendoza and the oidores of the Audiencia witnessed the spiritual penance and the flogging of Antón.

The sorceress María de Armenta was tried before Zumárraga's Holy Office in October of 1536, and because of recurrent superstitious practices she was processed again

of her own. She had information of the use of the poison
and had used them on her husband for some time. It was
her will and that she kept it with her. It was
alleged that she had purchased a quantity of it in the
and erected for her and gave it to the other women in
return for their help in carrying out the plan.
After an extensive investigation of numerous witnesses,
including on June 22, 1937, it was determined that after cer-
tain of the alleged persons had been reported in the
of Mexico, that the persons should be taken to
Veracruz and killed personally. It was found that the
Indians.

Isabel Morales, the mother, was convicted of per-
forming illegal operations on her husband and assisting
the act of the said wife in the same manner. She was
convicted in a conspiracy for an intention to commit and
charged with the act of the said wife in the same manner.
The Indian wife, who had received the poison used by
these women, was taken through the streets of the city
and given two hundred dollars in the same
place. Victor Morales and the mother of the Indians
witnessed the killing of the Indians of the
The persons found to be guilty were tried before
the court in the month of 1937, and found guilty
of the same crime and were given the same punishment.

the following year.¹⁵ María availed herself of the services of an aged Indian curandera to enhance her powers of love-making. The surgery process was delicate and need not detain us, except to remark that her art finally got her denounced to the Holy Office for having carnal relations with the two Ríos brothers. María confessed her errors to Zumárraga and waived all defense. She was forced to wear the coroza during mass and served a prison term that was to be shortened according to her penitence and good behavior. Having earned her freedom a year later, María was unable to adjust to monogamy or simple recourse to prayer to solve her problems, with the result that she again appeared before the Inquisition and was banished perpetually from New Spain. The Armenta case ended Zumárraga's activities against the sorcerers for the year 1536.

It was not until July of 1537 that Zumárraga resumed his campaign against sorcery. María de Bárcena, the wife of the tailor Medina, was brought to trial because she had participated in occult rites to restore her ruptured husband's potency and then additional sorceries to assure that Medina would confine his carnal activities to herself, his wife.¹⁶ Zumárraga showed understanding in

¹⁵ AGN, Inquisición, Tomo 38, exp. 3.

¹⁶ AGN, Inquisición, Tomo 38, exp. 5.

this case, for he prescribed spiritual penance and a light fine of twenty pesos de oro de minas.

When María de Bárcena's trial was completed, the Apostolic Inquisitor initiated proceedings against three other women who had performed sorceries connected with bewitching men of their choice. María Marroquina, Leonor de Saravia, and Francisca, the negro slave of Luis Marín, had methods in common in practicing their art.¹⁷ They used mixtures of their menstrual blood in preparing stews for their lovers and also used blood-wine mixtures as a beverage. Frequently locks of hair were used in the bewitching ceremonies. It was ascertained by Zumárraga that the evidence against Marroquina was hearsay, and she was absolved. We do not know the fate of Leonor de Saravia, but we have the sentence against the negro slave: spiritual penance, public humiliation, and one hundred lashes.

Zumárraga's last case against a woman sorcerer was that of Esperanza Valenciana, initiated in May of 1539.¹⁸ This woman had been a resident of the Island of Tenerife after coming to the New World from her native Valencia. In Tenerife she had learned certain incanta-

¹⁷ AGN, Inquisición, Tomo 38, exp. 6.

¹⁸ AGN, Inquisición, Tomo 40, exp. 4.

tions which she used to invoke the aid of the Devil in bringing men, including clergymen, to her bed, and in foretelling the future. She had esoteric scrawlings on pieces of paper which contained the invocations. She used her powers to aid other women in having affairs with men of their choice or in securing husbands. It was said that those who availed themselves of her services would have good luck in business and in love. After the Fiscal had proved his accusations, Zumárraga passed sentence on October 8, 1539. Esperanza Valenciana abjured her sorceries in the Cathedral and was confined in a private inn for thirty days. Each day she did penance for her sins and recited rosaries and Ave Marias. She was warned upon her release that recurrent sorceries would mean relaxation to the secular arm.

Besides Juan Franco and the Indian Antón, two other men, both of them illustrious, were tried for sorcery and superstition by Zumárraga. Dr. Cristóbal Méndez was tried for quackery in 1538 and the cleric Pedro Ruiz Calderón was processed as a practitioner of black magic in 1540. These two cases are of unusual interest and merit special treatment in the pages that follow.

those which are used to remove the evil in
 bringing men, including clergymen, to the bad, and in
 forestalling the future. The last sentence concerning on
 pieces of paper which contained the instructions. The word
 her power to aid other women in having affairs with men
 of their choice or in meeting husbands. It was said that
 those who availed themselves of her services would have
 good luck in business and in love. After the trial had
 proved the accusations, the judge passed sentence on Sep-
 ter 6, 1830. The sentence was that she should be confined
 in the Cathedral and was confined in a private lunatic
 thirty days. Each day she was paid for her time and
 received presents and was well treated. She was named when her
 release that treatment should be given to her.

Before John Brown and the Italian Legion, two other
 men, both of whom were illiterate, were tried for robbery and
 execution by hanging. The Cathedral was
 tried for robbery in 1830 and the other two men were
 California was pronounced as a practitioner of black magic
 in 1840. These two cases are of unusual interest and
 merit special treatment in the pages that follow.

III. The Attack on Quackery: the Trial of
Cristóbal Méndez, 1538¹⁹

Cristóbal Méndez was a medical doctor who was denounced on November 15, 1538, for sorcery. He had encouraged his patients to have silver and gold medallions made and to wear them when the sun entered certain phases of its orbit. These medallions when worn around the neck were reputed to have great curative powers, especially in curing the sickness of the kidneys. Apparently many of the principal figures in Mexico City were clients of Dr. Méndez.

Testimony of Dr. Méndez revealed that he was learned in astrology and used this knowledge in prescribing the medals which he said not only promoted good health, but good fortune as well. He attributed this wisdom to the writings of Dr. Arnaldo de Villanueva, whose books he had read in the library of the Cathedral of Mexico.

Testimonies of Dr. Méndez' clients revealed that they gave him pure and refined gold to use in making the medallions. The implication was that Méndez and the platero, one Francisco de Toledo, pocketed much of the gold and used baser metals in the manufacture of the charms.

¹⁹ AGN, Inquisición, Tomo 40, exp. 3.

Méndez was reported to have told close friends that the whole matter of the medallions was a fraud and a joke. His contention that laws of astrology, and not God, were the forces that determined man's plight got him into trouble with Zumárraga's Inquisition. Méndez insisted that he had not intended to offend God or the Church by his activities, and he asked the mercy of the Holy Office in dealing with his offense. It is unfortunate that the conclusion of the proceso is no longer extant. Dr. Méndez' fate must remain a mystery.

IV. The Trial of Pedro Ruiz Calderón for Black Magic, 1540²⁰

This trial for necromancy was by far Zumárraga's most important sorcery case and in the total picture ranked with the Alemán Lutheran trial and the Don Carlos case.

Bachiller Pedro Ruiz Calderón was a sacerdote de misa who had recently arrived from Spain in the New World. He had, by word and deed, publicly announced that he had a command of black magic and that with his powers he was able to ascertain where buried treasure of the pre-conquest period was hidden. Many prominent conquerors, including Gil González de Benavides, and perhaps Cortés, had dis-

²⁰ AGN, Inquisición, Tomo 40, exp. 5.

Méndez was reported to have told a few friends that the
whole matter of the rebellion was a fraud and a hoax.
It is contended that lack of enthusiasm, and not God, was
the factor that determined the failure of the rebellion.
Méndez insisted that he had been intended to offend by the Government
his activities, and he asked the money of the Holy Office
in dealing with his affairs. It is unfortunate that the
conclusion of the process is no longer exact. It is
best, late was perhaps a mistake.

IV. The trial of Mendez and his associates for
the rebellion, 1912-1913

This trial for conspiracy was by far Mendez's
most important court case and in the trial Mendez was
with the Alaska Superior Court and the San Carlos Court.
Méndez's trial for conspiracy was a landmark in
Alaska who had previously served time in the San Carlos
He had, by word and deed, publicly announced that he had
a command of black magic and that he was a sorcerer and
able to assist in the furtherance of the anti-American
period was hidden. Many prominent conspirators, including
all González de Huerfano, and perhaps others, had been

cussed the problem with Ruiz Calderón, and some of them had availed themselves of his services. In some cases he had been able to deliver the goods, and rumor had it that his powers were phenomenal.

Ruiz Calderón practiced other occult arts. It was thought that he could make himself invisible when he desired, and that he could transport himself, or others, through time and space, to Spain or Santo Domingo, and return them home within the space of a few hours. During a luncheon he had dispatched one person some four hundred leagues to gather fresh fruits. He was adept in the science of alchemy because he could change baser substances into silver and gold, and vice versa. In Spain and France he had practiced the art of casting out devils from the insane or otherwise infirm. He was a student of astrology, gave readings to his companions, and contended that the stars and the Devil guided man's destiny. He had the ability to look at a woman and cause her to be forever lost to her husband and completely in his own power. He had taken women freely and lived with them for periods of time in Europe. He blasphemed with the usual "Pese a Dios."

Ruiz Calderón relied upon his training in necromancy in Europe and had an extensive library from which he drew his incantations and spells. In one book he was reputed to have the signature of the Prince of Devils,

...and the ... of the ...
...had ... of the ...
...he had been able to deliver the ... and ...
...that his ... were ...
...and ...
...though ... he ...
...and that he ...
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...after ... with the ... of a few ...
...a ... he had ... the ...
...to ... the ...
...of ... he ...
...silver and gold, and ...
...had ... the ...
...some ... he was a ...
...have ... the ...
...stars and the ...
...ability to look at a ...
...lost to her husband and ...
...had ...
...time in ...
...her ...
...money in ...
...he drew his ...
...reputed to have the ...

which he had secured in Italy when he descended into hell. This signature endowed Ruiz with great supernatural powers. In order to escape the sanctions of the law and the Church, this priest impersonated a teacher of science, licensed by the Pope, with the variation that he was frequently a papal legate or an inquisitor.

Zumárraga's Mexican Inquisition had rather full details on Pedro Ruiz Calderón when the trial was initiated in January of 1540. His own testimony coupled with Zumárraga's investigations presents a fascinating picture of the Bachiller Ruiz Calderón's biography and travels. He was a native of Guadalcanal in Castilla and came from a family of cristianos viejos. He had received the degree of Bachiller in theology at the University of Alcalá and had become a sacerdote de misa. His own testimony gives the details of his clerical career:

Preguntado quien le ordeno y donde y que tanto tiempo ha Dijo que de primera Corona le ordeno Don Juan de Tapia de Lissas con . . . del Arzobispo de Toledo y examinado y aprobado quien era de linaje de este que declara y que por el titulo pareciera el tiempo que ha e que de grados se ordeno en Roma y de Epistola y Evangelio le ordeno el Arzobispo de Mecina en Cicilia y de sacerdote le ordeno Cesar de Monteleon Teniente del Arzobispo de Melite en la Ciudad de Calabria que estas ordenes Sacras recibio literas Dimisorias del Papa.

The Inquisition proceso gives full details on Ruiz Calderón's alleged education in the science of black magic. In the Levant he had studied, he said, among the wizards,

which he had secured in Italy and was intended to be sold.
This signature entered into the list of the signatures.
In order to escape the suspicion of the Pope and the Council,
this priest transferred the signature to the list of the signatures
by the Pope, with the intention that the signature should be
papal legate or an intermediary.

Summarizing the facts, the following facts will be
tells on Pedro Ruiz Caldera, who was born in the town of
January of 1847. His own testimony, given in the investigation
investigation presents a picture of a man who was a
Ruiz Caldera's biography and the facts of his life.
Guadalajara in Castilla and was born in the town of
viejos. He had received the degree of Bachelor in
at the University of Alcalá and was a member of the
class. His own testimony gives the facts of his career.

career:

Preguntado quien le ordenó que se fuera a la
tiempo en la que se dio el primer examen de
Juan de los Rios de la casa con el primer examen de
falso y examinado y examinado y examinado y examinado
de este que declara y declara y declara y declara
el tiempo que ha estado en la casa de los Rios de la casa
y de Madrid y Madrid y Madrid y Madrid y Madrid y Madrid
de Medina en Castilla y de Medina en Castilla y de Medina en Castilla
de Montañón Teniente del Teniente del Teniente del Teniente del
la Ciudad de Calatayud y de Calatayud y de Calatayud y de Calatayud
ciclo literario Primario de Calatayud.

The induction process was a full induction process.
Calderon's alleged education in the town of Calatayud.
In the event he had studied in the town of Calatayud.

learning his lessons in Chaldean, Hebrew and Greek. In addition, he learned another esoteric language, a tongue used only by the cult of Black Magicians. Ruiz Calderón possessed books written in this secret cipher.

A very important phase of his education, according to what he told others, took place in Italy. There he had assisted the Viceroy of Naples in uncovering hidden treasures by the use of necromancy, and he had been handsomely rewarded. It was after his Naples service that he received a papal license to take four other men and explore a cave which extended three thousand leagues below the surface of the earth. Ruiz Calderón related that he remained in this cave for three years after his companions had perished. Then he told of his descent into hell to learn the secrets of the science of alchemy. It was said that he brought back certain books with him from the underworld, including the signature of the Prince of Devils. In Germany he had continued his apprenticeship as a magician and had learned more about alchemy. Among the books which he acquired in central Europe was a notebook of Arnaldo de Villanueva, the same authority that Dr. Méndez had used in his medallion experiments.

In Paris a master magician had taught him supernatural medicine and the method of casting out devils from the sick and insane. He had used this knowledge in Sevilla to cure

learning his lessons in London, Paris and Rome. In addition, he learned another secret language, a language used only by the cult of Black Magicians. This Caldeira possessed books written in this secret cipher.

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In Paris a master magician had taught him supernatural medicine and the method of casting out devils from the sick and insane. He had used this knowledge in Naples to cure

one Reinaldo Villafranca and to cast out eight hundred thousand devils from a maiden there. He had also learned to make himself invisible, a trick which he found useful when caught in flagrante delicto with other men's wives.

Apparently Bachiller Pedro had spread these tales with unabashed modesty. When the suspicious or the devout indicated that he was committing crimes against the Faith, Ruiz Calderón indicated that he had papal license to exercise his art and that Zumárraga had given approval to his practices.

When it came time for the interrogation of the defendant, his manner became meek. He had to deny that he was a practitioner of black magic and that he had a papal license. He altered the story of his devil-casting career. Now he asserted that he was merely a spectator while another bachiller actually performed the rites.

Ruiz Calderón was forced to reveal the location of his library and Zumárraga ordered the books confiscated. The books were inventoried and included some interesting items. There were the usual doctrinas, breviaries and the like. The library included an archive of letters written in a mysterious cipher. Books of Albertus Magnus, Dominican sermons, manuals of chanting, the lamentations of Jeremiah, and various philosophical treatises rounded out the collection.

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The most interesting part of Ruiz Calderón's library concerned his books on sorcery. There was a book of Dr. Arnaldo de Villanueva on the methods to be used in ascertaining the location of buried treasure. Ruiz Calderón had various treatises on healing, and one which prescribed the method of casting out devils from the sick and infirm.

It was disappointing to the Inquisition that the book containing the signature of the Prince of Devils was not found among the Bachiller's library.

Since his case was ridiculously weak, Pedro Ruiz Calderón decided to confess and throw himself upon the mercy of Zumárraga. He pleaded deception by the Devil in his past career as a magician. Since his incarceration and owing to the dampness of his cell, he had apparently developed some kind of pulmonary ailment, and his ulcer was causing him great discomfort. He asked that he be given a "healthful" penance in Castilla.

It would appear that the Apostolic Inquisitor was unusually lenient with this sorcerer, in the light of the stiffer sentences meted out to Andrés Alemán and Don Carlos of Texcoco. On April 4, 1540, the Bachiller was forced to be present in the Cathedral and hear his errors read publicly, after which he abjured them individually. The oidores of the Audiencia were witnesses to the abjuration ceremony. Later that same day Zumárraga pronounced sentence.

The most interesting part of the report
brary concerned his books on anatomy. Dr. Aranda de Villanueva on the subject of anatomy
ascertaining the location of the various organs. This provided
had various questions on anatomy, and the report provided
the method of casting and drawing the organs. This was
It was disapproved in the report. The report
book containing the diagrams of the organs of the body was
not found among the books of the library.
Since this case was not a medical case, the
Cabrera decided to consult with the medical authorities
and the report was not a medical report. The report was
his case cannot be a medical case. The report was
owing to the absence of the report, the report was
veloped some kind of preliminary diagnosis. The report was
causing his great discomfort. The report was
"medical" because in general.
It would appear that the report was not a medical report
unusually faintly written and the report was not a medical report
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be present in the Cathedral. The report was not a medical report
likely, after which he appeared. The report was not a medical report
sides of the Cathedral. The report was not a medical report
ceremony. Later that same day the report was not a medical report.

Ruiz Calderón was prohibited from saying mass for a period of two years and was sentenced to banishment in Castilla, where the Archbishop of Toledo was to reexamine his case and provide suitable penance. The confiscated books were sent to the Archbishop for his scrutiny. Apparently Ruiz Calderón was taken immediately to the hospital after the sentencing, because the next day, April 5, 1540, he was visited there by the Inquisition Notary, Miguel López de Legazpi, and others.

From the events related in the closing paragraphs of the proceso we learn that Pedro Ruiz Calderón was still recounting his exploits as a practitioner of black magic. He told of other books of great value which he possessed and which contained incantations and other devices that could be utilized in the recovery of buried treasure. His parting tale was about an incident in Sevilla when the Devil appeared to him in the confessional and he actually confessed Satan! Unfortunately we have no record of the career of the sacerdote de misa after he fulfilled his exile in Spain.

V. Conclusions on Zumárraga and the Sorcerers

Although Don Fray Juan de Zumárraga moved with great zeal against sorcery and superstition in New Spain during his ministry as Apostolic Inquisitor, it is to be doubted

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V. Conclusions on Zurbarán and the Sorcerers

Although Don Fray Juan de Zurbarán moved with great zeal against sorcery and superstition in New Spain during his ministry as Apostolic Inquisitor, it is to be doubted

that common superstitions were eradicated. In fact, the occult probably became more secretive and its practitioners more careful of those who would denounce them. Perhaps some progress in curtailing major sorceries of the type described in the Méndez and Ruiz Calderón trials was made, but the female sorceresses continued to cast their spells, as they still do in modern Mexico.

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CHAPTER IX

ZUMÁRRAGA'S SPECIAL JURISDICTIONS AS INQUISITOR

Besides prosecuting persons who deviated from orthodoxy, Zumárraga's Holy Office of the Inquisition carried on certain trials of an administrative nature. It also made investigations of and administered the properties of those who came under its censure. It is the purpose of this chapter to investigate these special areas of activity of the early Mexican Inquisition.

I. Investigatory Functions

The Zumárraga period, as known through the documents, showed a great interest in the affairs of the area to the north and east of the bishopric, especially the district of Pánuco. Zumárraga ordered frequent investigations of the orthodoxy of the inhabitants of Pánuco in the decade of the 1530's. The Inquisitor's concern with Pánuco perhaps might be explained by his enmity for Nuño de Guzmán, who was governor of the area from 1527 to 1536, although he served in the dual capacity of President of the First Audiencia from 1528 to 1530.

The Holy Office in Mexico City showed less of an

CHAPTER IX

SUMMARY OF SPECIAL INVESTIGATION

Besides prosecuting matters...

theology, Sumner's Holy Office...

on certain trials of an administrative...

made investigations of and administered...

those who came under its control...

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the early Mexican population...

I. Investigatory Functions

The Sumner's period, as...

showed a great interest in the...

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of Pánuco. Sumner's...

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might be explained by his...

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served in the dual capacity...

distant from 1925 to 1930.

The Holy Office in...

interest in the areas to the west than it did in Pánuco. While Zumárraga dispatched visitors to Matlatlán and other Indian villages, the far west had little or no supervision in matters of the Faith. The crimes of the Cacique of Iguala indicated this situation.¹ On the other hand, Tasco and its environs were closely scrutinized at intervals to insure that the foreign colony there was keeping within the bounds of orthodoxy.

The Pánuco investigations of 1539 and 1540 yielded heresy and blasphemy cases of the usual character. In 1539 Zumárraga's inquiry concerned the heretical blasphemies of Alonso de Paz, an escribano, who used expletives concerning the Virgin and the sacraments when he conducted auctions or when he bargained with clients over the fees he was to charge for writing letters and other legal documents.² Paz was imprisoned but he escaped to the northwest country, where the Holy Office lost his trail.

The following year Zumárraga found it necessary to send his archdeacon, Juan Infante de Barrios, to Pánuco as his delegate to deal with several causes of the Faith which had been reported to Mexico City. Barrios actually

¹ This case has been fully examined in Chapter III of this dissertation, pages 129-131.

² AGN, Inquisición, Tomo 30, exp. 9 bis.

interest in the case to the...
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other Indian villages, the...
vision in matters of the...
of Iguala indicated that...
Jasso and the witnesses were...
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The...
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Paz was...
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The following...

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which had been reported to...

1 This case has been...
of this investigation, pages 183-184.
S 104, 105, 106, 107, 108, 109, 110.

conducted trials and passed sentences in San Esteban. He concerned himself mainly with the activities of one Gonzalo Bernal who had been denounced to Zumárraga as a heretic, a sorcerer and a blasphemer. We do not have the record of the sentence.

Juan Infante de Barrios was instructed to investigate other deviations from orthodoxy which had been reported to the Mexico City Holy Office. The parish priest at San Esteban, Alonso Ruiz de Arévalo, had been accused of having concubines and illegitimate children. Arévalo was also suspect for certain irregularities in selling the bull of the Cruzada and pocketing the proceeds from this lucrative enterprise.³

Besides his interest in Arévalo's conduct, Zumárraga wished an investigation of a Carmelite friar whose sexual practices had been brought to his attention. It was also part of Barrios' instructions to investigate the prevalence of idolatry and superstition among the Totonac Indians and other tribes of the coastal area. It is unfortunate that the Barrios visitation of Pánuco and his activities as Zumárraga's Commissary of the Holy Office are not treated in more detail in the Inquisition Archives.

In addition to investigatory functions like those

³ AGN, Inquisición, Tomo 34, exp. 5.

conducted trials and passed sentences in San Esteban. The concerned himself mainly with the activities of one Gonzalo Bernal who had been denounced to Luján as a heretic, a sorcerer and a blasphemist. We do not have the record of the sentence.

Juan Infante de Barrios was entrusted to investigate other deviations from orthodoxy which had been reported to the Mexico City Holy Office. The parish priest at San Esteban, Alonso Ruiz de Arce, had been accused of having conspired and illegitimate children. Arce was also suspect for certain irregularities in selling the bull of the Gravado and pocketing the proceeds from this lucrative enterprise.

Besides his interest in Arce's conduct, Luján wished an investigation of a Capuchin friar whose sexual practices had been brought to his attention. It was also part of Barrios' instructions to investigate the prevalence of idolatry and superstition among the Totonac Indians and other tribes of the coastal area. It is unfortunate that the Barrios visitation of 1680 and his activities as Barrios' a Commissioner of the Holy Office are not treated in more detail in the Mexican Archives.

In addition to investigatory functions like those

described in Pánuco, Zumárraga's Holy Office performed many other investigatory services of a more perfunctory type. Several of these are preserved in the documents. *Limpiezas de sangre* of important officials or of those who fell under his jurisdiction were compiled by Zumárraga. Very frequently he had to ascertain whether spouses still lived in Spain when he tried alleged bigamists. These investigations and many more were part of the Holy Office's daily functions.

II. Cases of an Administrative Nature

Several trials occurred during the Zumárraga era which had a direct connection with the actual functioning of the Holy Office. Perhaps the most interesting of these concerned the two trumpeters, Antón Moreno and Cristóbal de Barrera, who were tried because they refused to play for the opening of Zumárraga's tribunal and the procession which it made from the Hospital of Jesus to the Palacio de la Inquisición.³ The trial was initiated on June 8, 1536, just three days after the Apostolic Inquisitor assumed his post. The two defendants had refused to play for the processional because Zumárraga would not give them advance payment. They were arrested but allowed to go free upon

³ AGN, Inquisición, Tomo 42, exp. 3.

the posting of fifty pesos de oro de minas bail.

During the course of the trial it became apparent that the trumpeters' fears that they would not be paid were fairly well grounded. It was apparently Zumárraga's feeling that they should have donated their services. They replied that they could not eat air! The Bishop of Oaxaca, Don Juan López de Zárate, who acted as Fiscal in this case, appeared before Zumárraga on June 12 and informed the Apostolic Inquisitor that Cristóbal de Barrera had threatened to reveal certain information about Zumárraga which would cause him great harm. Indeed, Barrera threatened to take the story to Viceroy Mendoza, along with a charge that Zumárraga had exceeded his powers in trying to force the musicians to perform free. Barrera indicated that he was a person of above average intelligence when he contended that Zumárraga had no jurisdiction over his person in the first place, because he was a subject of the Bishopric of Tlaxcala and Zumárraga's commission gave him power to try only residents of his own bishopric. Barrera indicated that he intended to carry the matter to the King if Mendoza failed to intervene in the matter.

The intriguing reference to harmful evidence which Barrera had against the Apostolic Inquisitor created quite a stir during the trial, but when Mendoza interrogated him it became clear that the trumpeter was resorting to bravado.

the posting of fifty pesos to the...
 During the course of the...
 that the...
 were fairly well...
 feeling that they...
 They replied that...
 Oaxaca, Don Juan...
 this case, appeared...
 the Apostolic...
 threatened to reveal...
 which would cause...
 tended to take the...
 charge that...
 to force the...
 that he was a...
 he contended that...
 person in the...
 the Bishopric of...
 his power to...
 Barre indicated...
 the King of...
 The...
 Barre had...
 a stir during...
 it became clear...

Both men asked the mercy of the Holy Office in the end and were penanced and fined in order to protect the dignity of the Tribunal. Each offender was required to give six pounds of white wax to the Cathedral of Mexico City, and Barrera, because of his attack on the Apostolic Inquisitor, was fined fifty pesos de oro de minas, the amount of his bail. Barrera complained bitterly of the injustice done him, but Mendoza upheld Zumárraga's sentence.

An interesting but confusing jurisdictional dispute arose between the Holy Office of Zumárraga in the Bishopric of Mexico and the Bishop of Tlaxcala, Don Julián Garcés, in July and August of 1536.⁴ The Canon and Vicar General of the church of Puebla de los Angeles, Don Francisco de Leyva, was the person who precipitated the dispute. On July 17, 1536, five of the regidores of the Cabildo of Puebla, through their scribe, Andrés de Herrera, addressed a curious letter of inquiry to Zumárraga in Mexico City. They related that Francisco de Leyva had read a letter in church the day before which had said that Zumárraga had assumed the office of Inquisitor General of all New Spain. All persons who knew of any deviations from orthodoxy were ordered to report them to Leyva. The Canon and Provisor Leyva indicated that this epistle had come from Zumárraga

⁴ AGN, Inquisición, Tomo 40, exp. 5-III.

Both men asked the...
were perceived and...
the Tribunal. Each of...
pounds of white wax...
Barrera, because of...
tor, was lined with...
his belt. Barrera...
done him, but...
An interesting...
arose between the...
of Mexico and the...
in July and August...
of the church of...
Leves, was the...
July 17, 1936, the...
Pueblo, through...
a curious letter...
They related that...
church the day before...
assumed the office...
All persons who knew...
ordered to report...
Leves indicated...

in Mexico City.

The regidores had requested Leyva to show them the letter after services, and he had refused. They therefore communicated with the Holy Office in Mexico City to learn the details of Zumárraga's instructions and to inform him that they wished that he would appoint some other delegate in Puebla, because they considered Leyva ". . . por hombre de poco secreto y sería dar ocasion a que algunos dejasen de ir a decir ante el algunas cosas si supiesen por este temor."

Even though he had no authority in Puebla, Zumárraga determined to investigate this situation in order to ascertain if Leyva were usurping his powers or was merely ignorant of the fact that his authority extended only throughout the Bishopric of Mexico. The proceso leaves some doubt that there was such a letter dispatched to Leyva.

When questioned, Leyva was sincere in contending that he was ignorant of the fact that Zumárraga was merely Inquisitor of the Bishopric of Mexico and not of the entire Viceroyalty. Leyva insisted that he had received such a letter from Zumárraga's staff and that the letter was in the possession of the sacristan of the church at Puebla. He convinced the Apostolic Inquisitor that his only motive in reading the letter to his congregation was promoting purity of the Faith. Zumárraga determined to let

in Mexico City.

The telephone had been used to call the
letter after services, and as the
communicated with the staff of the
the details of the investigation and to inform
that they wished that the whole episode should be
in Puebla, because they considered it was not
de poco secreto y se le da a conocer a la
de la a decir nada al elemento social y político
temer."

Even though he had a reputation as a
traza determined to have the whole episode
ascertain if there were anything in the
ignorant of the fact that the episode was
throughout the elements of the
doubt that there was something in the
When questioned, he was asked if he
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the Viscountess. He was asked if he
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was in the possession of the
Puebla. He convinced the
only motive in writing the letter was
promoting unity of the

the matter rest. Leyva was instructed that all causes of the Faith were to be referred to Bishop Garcés, who was empowered to deal with them as ecclesiastical judge ordinary. Because the proceso is fragmentary, we have no record of Bishop Garcés' views on this interesting case.

October of 1536 saw another administrative trial before Zumárraga's Holy Office. Nicolás Salinas, the lieutenant of the Alguacil of the Holy Office, was tried for violation of the right of sanctuary when he took Francisco Ramírez from the Cathedral of Mexico by force. Ramírez had pleaded with Salinas to respect sanctuary, but Salinas had said before the assembled congregation that he would take Jesus Christ out of the church if he were paid for it. Several witnesses verified this story. Again we must be content to speculate upon Nicolás Salinas' fate because we do not have the conclusion of the proceso.⁵

As we saw so clearly in a previous chapter, friars and inquisitors were forced to rely upon the services of Indian interpreters. The interpreter system was looked upon by the Holy Office as a sacred trust. Especially in Inquisition trials were competent and honest interpreters a necessity. The trial of Diego, an interpreter for Zumárraga's Holy Office, for dereliction in his duties occurred

⁵ AGN, Inquisición, Tomo 42, exp. 6.

the matter rest. I have been instructed that all cases of the kind were to be referred to Bishop Jarrold, who was empowered to deal with them as ecclesiastical judge ordinary. Because the process is fragmentary, we have no record of Bishop Jarrold's views on this interesting case.

October of 1885 saw another administrative trial before Jarrold's Holy Office. A priest, called Salinas, the lieutenant of the Alameda of the Holy Office, was tried for violation of the right of sanctuary when he took Francisco Ramirez from the Cathedral of Mexico by force. Ramirez had pleaded with Salinas to respect sanctuary, but Salinas had said before the assembled congregation that he would take Jesus Christ out of the church if he were paid for it. Several witnesses verified this story. Again we must be content to speculate upon Bishop Salinas' fate because we do not have the conclusion of the process.

As we saw so clearly in a previous chapter, trials and inquisitors were forced to rely upon the services of Indian interpreters. The interpreter system was looked upon by the Holy Office as a sacred trust. Especially in inquisition trials were competent and honest interpreters a necessity. The trial of 1885, an inquisitor for Ramirez's Holy Office, for corruption in his duties occurred

in September of 1536. He had maliciously given wrong instructions to the Indians of Atzacapozalco and Tenayuca when their baptisms and confirmations took place. Testimonies of the natives revealed that he had misinterpreted the significance of the holy oil and the chrism in these ceremonies. Fray Pedro de Gante made the investigation of Diego's crime and recommended that the Indian be brought to trial. If he was penanced we are ignorant of the fact, for the proceso ends at the información stage.⁶

Protection of church properties and prosecution of desecraters was another administrative function of the Holy Office. On August 11, 1536, Anton Pérez, a mule skinner, was denounced for having stolen stones and other portable materials from the Cathedral of Mexico City. The evidence was conclusive and Pérez was severely punished. Zumárraga required him to undergo spiritual penance and public humiliation, after which he received one hundred lashes.⁷

III. The Apprehension of Fugitives from the Spanish Inquisition

The reo prófugo was a constant concern of Zumárraga's Holy Office. The New World was a haven for those who had

⁶ AGM, Inquisición, Tomo 40, exp. 5-III. This fragment is published in the Boletín del Archivo General de la Nación, XVI (1945), 37-40.

⁷ AGM, Inquisición, Tomo 42, exp. 7.

escaped the wrath of the Spanish Inquisition. The escape route was usually via Portugal or the Canary Islands, where passage could be obtained by illegal means. It was a duty of the New World Inquisitions to ferret these people out and see that they received their just punishments.

Frequently individuals were denounced as reos pró-fugos unjustly. When such a denunciation came, the person in question had to offer documentary or other proof of his innocence. Often this was no easy task, as we shall see in the trial of the merchant Jorge González,⁸ who was denounced as a fugitive from the Spanish Inquisition on August 14, 1536, by Cristóbal de Cisneros on extremely nebulous information. Nevertheless, Zumárraga ordered the merchant's arrest and the trial proceeded. González' testimony revealed that he had been arrested by the Inquisition in Zafra in Spain and was taken to Llérena for questioning in connection with a widespread campaign against Jews and other heretics.

Jorge González insisted that he had been liberated after only a few days, but he was unable to present any official documents to substantiate his liberation. He was married but his wife had remained in Spain, and González was not sure that she had any such proof either. Zumárraga

⁸ AGM, Inquisición, Tomo 42, exp. 7.

escaped the wrath of the Spanish Inquisition. The escape route was usually via Portugal or the Canary Islands, where passage could be obtained by illegal means. It was a duty of the New World legislations to punish these people and see that they received their just punishment. Frequently individuals were denounced as recalcitrant fugos unjustly. When such a denunciation came, the person in question had to offer documents or other proof of his innocence. Often this was no easy task, as we shall see in the trial of the merchant Jorge Gonzalez, who was denounced as a fugitive from the Spanish Inquisition on August 15, 1530, by Cristobal de Cisneros, an extremely zealous inquisitor. Nevertheless, Gonzalez was ordered to remain in Mexico and the trial proceeded. Gonzalez' testimony revealed that he had been arrested by the Inquisition in Seville in Spain and was taken to Mexico for questioning in connection with a widespread campaign against Jews and other heretics. Jorge Gonzalez insisted that he had been liberated after only a few days, but he was unable to present any official documents to substantiate his liberation. He was married but his wife had remained in Spain, and Gonzalez was not sure that she had any such proof either.

commanded the defendant to present within two years a certificate of his release from the Inquisition jail in Spain upon pain of a fine of two thousand castellanos if he failed to do so.

González did not wait for the proof to come from Spain. With the consent of Zumárraga an interrogatory was framed, and some dozen residents of the area of González' home were called in to testify. The results of these testimonies vindicated González. It appeared that there were wholesale arrests during this inquisitorial campaign and that Jorge González had merely been a victim of circumstances. Zumárraga accepted this finding as authentic and gave González a clean bill of health.

A fugitive from the episcopal Inquisition of Nombre de Dios in Panamá was tried by Zumárraga in September of 1536. Gonzalo de Ecija, a merchant, and his wife were denounced by another merchant, Francisco de Estrada, of fleeing from the sentence of the ecclesiastical judge ordinary in Panamá.⁹ It developed later that Ecija had been tried in Sevilla and that his properties had been confiscated. Whether he fled to Panamá to escape sentence is obscure, but within a short period of time he was processed there by Bishop Fernando de Luque, the partner of Francisco Pizarro

⁹ AGN, Inquisición, Tomo 42, exp. 9.

commanded the ...
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in the Peruvian conquest enterprise. Ecija contended that he had been branded a heretic by the Teniente in Nombre de Dios because Ecija had beaten him in various games of chance. He had fled to Santo Domingo before doing the spiritual penance Luque had prescribed and paying the fine leveled against him.

Zumárraga condemned Gonzalo de Ecija to pay a fine of twenty-five pesos de oro, half of which was to go to the building fund of the church at Nombre de Dios and the other half to the poor ones of the hospital there. In addition Ecija was required to pay for mass to be said in Nombre de Dios on three succeeding Fridays. Other spiritual penances rounded out his sentence.

IV. The Punishment of Critics of the Holy Office

The Inquisitors felt that one of the rights of the Holy Office was to protect itself from criticism which would detract from its dignity and influence. As a consequence of this conviction, Zumárraga and his colleagues among the episcopal inquisitors set out to punish those who would attack the validity of the mission of the Holy Office or its activities. Numerous cases initiated by Zumárraga in Mexico City and by Zárate in Oaxaca against critics of the Holy Office are contained in the Inquisition Archive in Mexico City. Generally the cases arose when citizens, and

in the Mexican Congress. He had been branded a heretic by the Pope in Rome de-
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levied against him.
Zambraga condemned Gonzalo de Rojas to pay a fine
of twenty-five pesos de oro, half of which was to go to
the building fund of the church of Santo Domingo de los Rios and the
other half to the poor ones of the hospital there. In addi-
tion Rojas was required to pay for mass to be said in honor
of Dios on three succeeding Fridays. Other spiritual penances
were imposed on his sentence.

IV. The Establishment of the Holy Office

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the Holy Office are contained in the Inquisition Archives in
Mexico City. Generally the cases arose when citizens, and

often priests, protested the arrest and trial of friends whom they believed to be completely orthodox. Such was the case with Pedro Cervero, an apothecary, who contended that friends ought not to denounce each other to the Holy Office,¹⁰ and the Antequera, Oaxaca, priest, Pero Muñoz, who questioned the Holy Office's jurisdiction over a member of his parish.¹¹ In the Muñoz affair, his friends Marcos de Paredes and Gonzalo Martín¹² also became involved as partisans of their pastor, and were tried by the Oaxaca Holy Office. Sentences were never very harsh. Usually such fines were meted out as giving alms to monastic houses or supplying wax or consecrated oil for various churches and other religious establishments. In this way the dignity of the Holy Office was preserved.

V. The Sequestration and Recovery of Property and other Fiscal Functions of Zumárraga's Holy Office

Because the Holy Office administered the properties of those who underwent trial before its judges, a treasurer and bookkeeping staff had to be employed. Immediately upon the arrest of a suspect, his property was placed under an

¹⁰ AGM, Inquisición, Tomo 42, exp. 8.

¹¹ AGM, Inquisición, Tomo 42, exp. 14.

¹² AGM, Inquisición, Tomo 42, exp. 15 and 16.

often priests, protested the arrest and trial of friends whom they believed to be completely innocent. Such was the case with Pedro Corveto, an apparently, who contacted his friends ought not to denounce each other to the Holy Office, and the Antequera, Oaxaca, priest, who questioned the Holy Office's jurisdiction over a member of his parish.¹¹ In the minor cases, his friends feared he would be arrested and Gonzalo Martinez was involved as parish priest of their pastor, and were tried by the Oaxaca Holy Office. Sentences were never very harsh. Usually such fines were meted out as giving alms to charitable houses or supplying wax or consecrated oil for various churches and other religious establishments. In this way the dignity of the Holy Office was preserved.

V. The Denunciation and Recovery of Property and other Fiscal Functions of the Holy Office

Because the Holy Office administered the properties of those who underwent trial before the judges, a treasurer and bookkeeping staff had to be employed. Immediately upon the arrest of a suspect, his property was placed under an

¹⁰ AGN, Inquisición, Tomo 12, exp. 2.

¹¹ AGN, Inquisición, Tomo 12, exp. 14.

¹² AGN, Inquisición, Tomo 12, exp. 12 and 16.

embargo and an extensive inventory of his possessions was prepared. In cases of major heresy, when the defendant was redonced or was relaxed to the secular arm, the properties were confiscated by Zumárraga as part of the sentence.

The treasurer of the Holy Office was empowered to collect all debts owed to the defendant and to pay out of his funds all legal debts which he had incurred prior to the embargo. When debts or other obligations were of a questionable nature, frequent lawsuits took place, the records of which were usually placed in the Inquisition trial proceedings. From these records the researcher finds fascinating data not included in actual trial documents.

Confiscated properties were placed in a type of escrow for an indeterminate period of time and then auctioned off by a pregonero commissioned by the Holy Office. In this interim properties were frequently recovered by the convicted or his family in view of particular circumstances. For example, Andrés Alemán, after various machinations in Sevilla where he was in exile, was able to recover some of his properties and pay certain debts, perhaps fabricated ones, out of the monies which Zumárraga's treasurer had in trust. Alemán's wife, Catalina de Caxas, was able by suit to recover that part of the properties which had been her

dowry when she married Alemán.

embargo and an extensive inventory of his possessions was prepared. In cases of major piracy, when the defendant was reconciled or was related to the accuser, the parties were contacted by Zambrano as part of the sentence.

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debt when she returned to

dowry when she married Alemán.¹³ Such activities entailed great administrative duties on the part of the treasurer and his staff.

Once the auctions had been held, the proceeds were used in various ways. Naturally, some of the money went for the salaries and administrative expenses of Inquisition officials. The rest of the money went for pious works. Zumárraga's Holy Office relied almost entirely on fines and confiscations for its operating budget. The defendant in causes of the Faith nearly always paid the cost of the trial unless he was exonerated. In the case of labor sentences against Indians, the labor was auctioned off to the highest bidder and the money sequestered as a fine. In the light of the meticulous records kept by the staff of Zumárraga's Inquisition, one must conclude that his administration of properties and fines was probably scrupulously honest. This is not surprising when one considers Zumárraga's character and devotion to his duties.

¹³ AGM, Inquisición, Tomo 42, exp. 11.

downy when she married Alameda. 13 When activities entitled

great administrative duties on the part of the treasurer

and his staff.

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of the meticulous records kept by the staff of Comandante's

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properties and fines was probably exceptionally honest.

This is not surprising when one considers Comandante's

character and devotion to his duties.

SUMMARY AND CONCLUSIONS

Until 1571 the Mexican Holy Office of the Inquisition was an episcopal institution rather than a formally established tribunal. Bishops exercised inquisitorial powers as ecclesiastical judges ordinary; where there were no resident bishops, monastic prelates became inquisitors under the authority of the bull known as Omnímoda. Both Juan de Zumárraga, the first Bishop and Archbishop of Mexico (1527-1548) and the Visitor General Francisco Tello de Sandoval (1544-1547) received appointments as Apostolic Inquisitors, but this special designation gave their activities no real distinction from episcopal inquisitorial activities. On the whole the episcopal Inquisition proved to be an unsatisfactory institution in the eyes of the Church and the King, and it was replaced by a Tribunal of the Holy Office of the Inquisition in Mexico City in 1571.

Zumárraga's Holy Office (1536-1543) reflected sixteenth-century Mexican society and its objectives. Early post-conquest Mexico was a survival of the Middle Ages; it was in effect the embodiment of Aquinas' Christian Aristotelian polity. Since both Church and State were based upon revealed dogma, the line between heresy and treason was a

SUMMARY AND CONCLUSIONS

Until 1971 the Holy Office of the Inquisition

was an episcopal institution rather than a formally established

tribunal. It was a purely judicial power

as ecclesiastical judges originally were not

resident bishops, monastic prelates or lay judges under

the authority of the pope known as legates. Both from the

beginning, the first bishop and archbishop of Mexico (1527-

1548) and the Visitor General (1548-1565) de Garza

(1544-1547) reserved appointment of episcopal judges

but this special designation gave them activities in real

distinction from episcopal judicial activities. In the

whole the episcopal jurisdiction was to be maintained

very distinct in the eyes of the Indians and the king

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Enríquez's Holy Office (1571-1573) reflected six-

teenth-century Mexican society and its activities. Early

post-conquest Mexico was a mixture of the Indian and the

was in effect the embodiment of a new, distinct state

policy. Since both Indian and Spaniard were based upon

revealed doctrine, the line between sacred and secular was a

tenuous one. Sixteenth-century Spanish society was gripped by the fear of losing its religious orthodoxy, and the Inquisition in Spain and America was the major defensive device upon which orthodoxy rested.

The aim of Zumárraga's Inquisition was therefore to preserve the Roman Catholic faith and dogma against all individuals who held heretical views or who were guilty of lack of respect for the Faith. The total effect of this institution upon Mexican society of the 1530's is difficult to judge. It is apparent from the trial documents analyzed in the foregoing pages that Zumárraga tried only flagrant offenders. In many cases the sentences he prescribed were lenient. However, major heretics received the same strictures as they did in Spain, perhaps more rigorous in some cases. As a general rule Zumárraga was notably derelict in punishing unorthodoxy among the clergy. The principle of equal justice could hardly be exemplified in Zumárraga's treatment of the necromancer, Pedro Ruiz Calderón, or the solicitante, Father Diego Díaz.

Zumárraga, like many sixteenth-century intellectuals, was a segmented thinker. Although he professed to be a Christian humanist and exhibited an affinity for the ideas of Erasmus, Zumárraga was bound by Thomistic orthodoxy. In reality sixteenth-century Mexico did not belong to the Renaissance but to Dante's World Empire. Scholars have

tenuous one. It is not a matter of course that the
by the test of history. It is not a matter of course that the
population in Spain is high. It is not a matter of course that the
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The aim of the nation is to preserve the nation. It is not a matter of course that the
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Renaissance but to the nation. It is not a matter of course that the nation is not a matter of course that the

greatly exaggerated the influence of Erasmus, More and other humanists in early post-conquest Mexico.

In his trials of Indians for idolatry and sorcery, Zumárraga encountered a situation where philosophical eclecticism and religious orthodoxy could not easily be reconciled. Erasmism had to give way to Thomism, and the traditional patterns of European culture, which the Christian humanist hoped to avoid, were superimposed on the native cultures. What occurred was a fusion of the two civilizations and indianismo remained just beneath the surface, especially in religion. As a lever between European and Indian cultures, the Indian Inquisition was little more than a haphazard device in the process of forced acculturation.

During the Zumárraga inquisitorial ministry the mendicant Orders, which were responsible for the instruction of the natives in the Faith, were handicapped by inadequate personnel. Many outstanding friars deplored the rudimentary nature of their teaching program. In view of this, Zumárraga's Indian Inquisition appears to have been a reprehensible phase of the spiritual conquest of Mexico. Although the Cacique Don Carlos of Texcoco was probably justly condemned as a heretical dogmatizer against not only the Church but all Spanish authority, one feels only pity for him in his last frantic efforts to avoid the stake.

greatly exaggerated the influence of Spanish, Portuguese, and other humanists in early post-conquest Mexico. In his trials of Indians for idolatry and sorcery,

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During the Zumárraga episcopate, the mendicant Orders, which were responsible for the instruction of the natives in the faith, were handicapped by inadequate personnel. Many outstanding friars departed the colony in view of the temporary nature of their teaching program. In view of this, Zumárraga's Indian population appears to have been a representative phase of the spiritual conquest of Mexico. Although the Cacique Don Carlos of Mexico was probably justly condemned as a heretical dominator against not only the Church but all Spanish authority, one feels only pity for him in his last frantic efforts to avoid the stake.

It would appear that the grace of God was tempered by the demand for societal vengeance in this phase of inquisitorial thinking. This was not humanism.

Besides his Indian Inquisition, three other major areas of heresy occupied the efforts of Zumárraga the Inquisitor: Lutheranism, Judaizing, and sorcery. Lutheranism never constituted a real threat to Mexican orthodoxy, although the term became almost a synonym for heresy. In spite of the numerous trials of Judaizantes between 1536 and 1540, the Jewish colony in Mexico continued to thrive until it suffered a severe setback in the late sixteenth century when the Tribunal tried the Carvajal family and other Jews. Because of his business acumen and a hardiness developed by centuries of persecution, the Mexican Jew was often able to circumvent Zumárraga's Inquisition.

Sorcery and the occult arts had apparently been a special interest of Zumárraga's since his part in the 1527 witchcraft trials in the Pamplona region of Spain. In Mexico he pursued the sorcerers with great zeal, and although he made some progress in prosecuting flagrant offenders, he was not able to eradicate common Spanish and Indian superstitious practices and beliefs.

The crime of blasphemy was the most prevalent tried by Zumárraga, and in the majority of cases his sentences were very light. In cases of minor heresy and sexual im-

It would appear that the general public was concerned by the

demand for social reform in this aspect of national

social thinking. This was not surprising.

Heather his Indian background, but other major

areas of activity occupied the efforts of the movement in the

past: industrial, agricultural, and economic, and political.

never constituted a real threat to the status of the

though the term became almost a synonym for reform. In

spite of the numerous kinds of social reforms between 1930

and 1940, the social reform movement continued to evolve

until it reflected a new social order in the late 1940s.

century when the reformer tried to establish family and other

laws. Because of his background and experience

developed by countries of the Americas, the Mexican reformer

often able to attain the reformer's objectives.

Reform and the social order were apparently based on

special interest of the reformer's social movement in the 1930s.

Whichever trials in the reformer's social movement in the 1930s.

Mexico he pursued the reformer's social movement, and although

he made some progress in prosecuting the reformer's social

was not able to eradicate the reformer's social movement.

stiffness practices and beliefs.

The crime of blasphemy in the social movement in the

by the reformer, and in the majority of cases in his reformer's

were very light. In cases of a reformer's social movement

morality he applied the full sanctions of the Holy Office: stiff fines, spiritual penances, public humiliation and floggings. Bigamy, simple fornication, concubinage, incest and homosexuality fell under his jurisdiction.

In addition to the above, Zumárraga's Holy Office carried on certain trials of an administrative nature. It investigated the orthodoxy of outlying areas of the diocese, and it administered the property of those who fell under its censure. Critics of the Holy Office, both laymen and clerics, were punished by Zumárraga in order to uphold the dignity of his office.

The historian of early sixteenth-century Mexico must place Zumárraga among the five leading figures of the era. Cortés and Nuño de Guzmán were the military conquerors; Zumárraga and Quiroga were the spiritual conquerors; and Viceroy Mendoza was the administrative stabilizer of the conquest. Zumárraga's activities as Apostolic Inquisitor and real founder of the Mexican Inquisition were comparable to those of Mendoza as founder of the viceregal system in the Spanish Empire in America.

morality be applied the only thing that
affairs, political, economic, and
flagging. Bigamy, alcohol, and
and homosexuality still exist in the
In addition to the above, the
carried on certain lines of
investigated the orthodoxy of
and it administered the property
its course. Critics of the
offerings, were punished by
dignity of his office.
The restoration of early
most place amongst the
era. Corbin and
vices; Sumner and
and Victor Henderson was
the conquest. Sumner's
after and real founder of
possible to those of
system in the

BIBLIOGRAPHY

I. Essay on Source Materials

The student of the Mexican Inquisition must gear his approach from the specific to the general. A detailed investigation of actual trials must precede any generalizations, if generalizations are to be valid. A mere scanning of indexes to bound volumes of documents in order to ascertain the names of defendants and the charges against them cannot result in deep knowledge of the Mexican Inquisition as an institution.

Work done in absentia through paid researchers nets the would-be author of the Mexican Inquisition topics very little. A personal examination of the documents is necessary, if for no other reason because of paleographical problems. It is with these comments as a background that I urge caution in the use of José Toribio Medina, La Primitiva Inquisición Americana (Santiago de Chile, 1914) and the sections of Joaquín García Icazbalceta's Bibliografía Mexicana del Siglo XVI, 1954, and his Obras (México, 1896-1899) that deal with the Mexican Inquisition. Especially in the case of García Icazbalceta, one should realize that there are errors of fact and interpretation and inadequate documentation.

I. Review of Source Materials

The student of the Mexican Revolution must first
his approach from the specific to the general. A detailed
investigation of actual trials must precede any generaliza-
tions, if generalizations are to be valid. A mere sifting
of indexes to point volumes of documents in order to ascer-
tain the names of defendants and the charges against them
cannot result in the kind of insight which is required as
an institution.
Work done in specific areas and researches with
the would-be author of the Mexican Revolution must be very
little. A personal examination of the documents is necessary,
if for no other reason because of the enormous amount of
it is with these documents as a researcher that I have chosen
in the use of José Martí's letters, in Revolutionary Letters
Americana (Sancti Spiritus de Chile, 1934) and the letters of
José Martí's letters to his friends, Revolutionary Letters
Stato XVI, 1934, and his Letters (Mexico, 1934-1935) which
deal with the Mexican Revolution. It is only in the case
of Martí's letters, one should realize that there are
errors of fact and interpretation and in some cases distortion.

Despite a Protestant bias, the works of Henry C. Lea remain the most solid presentation of the Spanish Inquisition. As a background to the New World Inquisitions they are invaluable. Lea's Inquisition in the Spanish Dependencies (New York, 1908) takes up the account at 1569, thereby avoiding the episcopal periods. Mariano Cuevas, Historia de la Iglesia en México (México, 1921) is an orthodox history which includes sections on the Mexican Inquisition. The works of Medina, Cuevas, Icazbalceta and Lea are the only secondary sources of any value that touch upon the Mexican Inquisition. Yolanda Mariel de Ibáñez, La Inquisición en México durante el Siglo XVI (México, 1945) is a survey based upon shallow research and too great a reliance on Medina and Cuevas.

Inquisition procesos in the AGN have been paginated and rearranged several times. Hence there is a possible confusion in citation, especially in folio references. Citations must be based upon the Catálogo de Inquisición checked by the actual Tomo location. The bibliography that follows has been arranged in terms of manuscript materials and printed materials. Unpublished doctoral dissertations have been included in the latter category for reasons of convenience.

Manuscript materials are catalogued here in archival style rather than in strict chronological or alphabetical

Introduction

Despite a long history of research, the field of...
has remained largely unexplored. The purpose of this...
discussion is to review the current state of knowledge...
they are involved. The following sections will discuss...
Background (1990, 1995) and (1998) have shown that...
thereby avoiding the common pitfalls of previous studies...
History of the field (1990, 1995) is an attempt to...
box history which focuses on the evolution of the...
tion. The work of (1990, 1995, 1998) and (1990) are the...
the only secondary sources of information on the...
Mexican population. (1990, 1995, 1998) and (1990) are...
Older studies (1990, 1995, 1998) and (1990) are...
survey based studies which have provided a...
on Mexico and Central America. (1990, 1995, 1998) and...
information on the...
and highlighted some of the...
conclusion in the...
tations made in...
checked by the...
study that...
materials and...
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style rather than in...

order. The date included in each reference refers to the year in which the trial was initiated.

II. Manuscript Materials from AGM, Ramo de Inquisición

Fragmento de una causa contra los Indios de Oquila por idólatras, 1540. Tomo 1, exp. 6.

Proceso contra Diego Núñez por blasfemo, 1527. Tomo 1, exp. 7.

Proceso contra Juan Bello por blasfemo, 1527. Tomo 1, exp. 8.

Proceso contra Gil González de Benavides por blasfemo, 1527. Tomo 1, exp. 9.

Proceso contra Juan Rodríguez de Villafuerte por blasfemo, 1527. Tomo 1, exp. 9a.

Proceso contra Juan Martín Berenjel por blasfemo, 1527. Tomo 1, exp. 9b.

Proceso contra Cristóbal Díaz por blasfemo, 1527. Tomo 1, exp. 9c.

Proceso contra Bernabe Quemado por blasfemo, 1527. Tomo 1, exp. 9d.

Proceso contra Alonso de Espinosa por blasfemo, 1527. Tomo 1, exp. 9e.

Proceso contra Rodrigo Rengel por blasfemo, 1527. Tomo 1, exp. 10.

Declaración de Gaspar de Plaza, ante el provisor Don Juan Rebollo, por haber escrito una carta sospechosa de herejía, 1539. Tomo 1, exp. 10a.

Proceso contra Francisco González por blasfemo, 1527. Tomo 1, exp. 10b.

Proceso contra Diego García por blasfemo, 1527. Tomo 1, exp. 10c.

Proceso contra Francisco Núñez por blasfemo, 1527. Tomo 1, exp. 10d.

order. The date included in the order is the year in which the trial was held.

II. Manuscript Materials from the Trial

Fragment of a manuscript from the trial, dated 1540, Tomo I, exp. 1.

Processo contra Diego Viana por homicidio, 1527, Tomo I, exp. 1.

Processo contra Juan Belio por homicidio, 1527, Tomo I, exp. 1.

Processo contra Gil González por homicidio, 1527, Tomo I, exp. 1.

Processo contra Juan Martínez de Valverde por homicidio, 1527, Tomo I, exp. 1.

Processo contra Juan Martínez de Valverde por homicidio, 1527, Tomo I, exp. 1.

Processo contra Cristóbal Díaz por homicidio, 1527, Tomo I, exp. 1.

Processo contra Bartolomé González por homicidio, 1527, Tomo I, exp. 1.

Processo contra Alonso de Barrios por homicidio, 1527, Tomo I, exp. 1.

Processo contra Rodrigo Rangel por homicidio, 1527, Tomo I, exp. 1.

Declaración de Gaspar de Pineda, ante el juez Juan Juan de Belio, por haber asesinado a Juan de Belio, 1530, Tomo I, exp. 1.

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Processo contra Diego García por homicidio, 1527, Tomo I, exp. 1.

Processo contra Francisco Gómez por homicidio, 1527, Tomo I, exp. 1.

- Proceso contra Gregorio de Monjarás por blasfemo, 1527.
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- Proceso contra Alonso de Carrión por blasfemo, 1527. Tomo 1,
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- Proceso contra Diego Morales por blasfemo, 1528. Tomo 1,
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- Proceso contra Francisco de Agreda por blasfemo, 1528.
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- Proceso del Santo Oficio de la Inquisición contra José de Cayzer por blasfemo y haber resistido a la justicia del Santo Oficio, 1540. Tomo 14, exp. 36.
- Proceso del Santo Oficio de la Inquisición contra Manuel Fernández por haber blasfemado estando riñiendo con María López, panadera del Obispo, 1540. Tomo 14, exp. 37.
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- Proceso del Santo Oficio de la Inquisición contra Francisco de Ojos por blasfemo, 1538. Tomo 14, exp. 45.
- Proceso del Santo Oficio de la Inquisición contra Alonso Cordero por bigamo, 1536. Tomo 22, exp. 1.
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- Proceso del Santo Oficio de la Inquisición y el Doctor Rafael de Cervanes, fiscal en su nombre contra Inés Hernández por bigamo, 1536. Tomo 22, exp. 3.
- Proceso del Santo Oficio de la Inquisición y el fiscal en su nombre contra Isabel Muñoz por haber sido acusada de bigamia, 1536. Tomo 22, exp. 4.
- Proceso del Santo Oficio de la Inquisición y el fiscal en su nombre contra Diego Cortés por bigamo, 1536. Tomo 22, exp. 5.
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- Proceso del Santo Oficio de la Inquisición contra Ana Pérez por casada dos veces, 1536. Tomo 22, exp. 8.

- Proceso del Santo Oficio de la Inquisición contra Alvar Pérez por casado dos veces y fragmentos de las causas formadas a Juana Ruiz por casada dos veces; a Juan Pérez por blasfemo; a Manuel Borullo por sospechoso de judaismo; a Juan Ruiz por las mismas sospechas; a Diego Machuca por la misma causa, 1537-1539. Tomo 22, exp. 9.
- Proceso del Santo Oficio de la Inquisición y el fiscal en su nombre contra Nicolas Chamorro por casado dos veces, 1537. Tomo 22, exp. 11.
- Proceso del Santo Oficio de la Inquisición contra Beatriz González por casada dos veces, 1538. Tomo 22, exp. 12.
- Proceso del Santo Oficio de la Inquisición contra Baltazar Gutiérrez por blasfemo, 1538. Tomo 22, exp. 14.
- Proceso de la Justicia en nombre del Santo Oficio contra Francisco de Coyoacán por casado dos veces, 1538. Tomo 23, exp. 1.
- Proceso del Santo Oficio de la Inquisición contra María de Vega acusada de bigamia, 1541. Tomo 23, exp. 2.
- Información contra Cristóbal quintero, casado dos veces, 1541. Tomo 23, exp. 2 bis.
- Formula para gobierno de Inquisición por Don Antonio de Mendoza, 1536. Tomo 30, exp. 0.
- Proceso del Santo Oficio de la Inquisición contra Juan Nizardo por no haberse querido confesar y haber roto una bula del Papa, 1536. Tomo 30, exp. 1.
- Proceso del Santo Oficio de la Inquisición contra Hernán Núñez por haber dicho que si junto a esta tierra hubiera Moros él se tornaría Moro, 1536. Tomo 30, exp. 2.
- Proceso del Santo Oficio de la Inquisición contra Maese Pedro de Sevilla por sospechoso de luterano, pues afirmó que los clerigos era mejor que fueran casados, 1537. Tomo 30, exp. 3.
- Proceso del Santo Oficio de la Inquisición contra Luis Here-dero por blasfemo, 1537. Tomo 30, exp. 4.
- Proceso del Santo Oficio de la Inquisición contra Pedro Her-

Proceso del Santo Oficio de la Inquisición contra el
 Párrafo por causas de los señores de las
 causas formadas a don Juan de los ríos
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Proceso de la Inquisición en nombre del Santo Oficio contra
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Información contra don Juan de los ríos, 1559. Tomo 22, exp. 2.

Forma para cobiarlo de indulto por don Antonio de los
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Proceso del Santo Oficio de la Inquisición contra don Juan de
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Proceso del Santo Oficio de la Inquisición contra don Juan de
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 exp. 2.

Proceso del Santo Oficio de la Inquisición contra don Juan de
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nández de Alvor por sospechoso de ser judío, 1538.
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Proceso del Santo Oficio de la Inquisición contra Francisco Millán por sospechoso de judaizante, 1539. Tomo 30, exp. 8.

Proceso del Santo Oficio de la Inquisición contra Cristóbal y Catalina su muger y contra Martín, hermano de Cristóbal por idólatras y ocultar ídolos, 1539.
Tomo 30, exp. 9.

Información levantada en la Villa de Santiesteban del Puerto, provincia de Pánuco, en comisión de Don Fray Juan de Zumárraga, 1539. Tomo 30, exp. 9 bis.

Proceso del Santo Oficio de la Inquisición contra Alvaro Mateos por judaizante, 1539. Tomo 30, exp. 9-a.

Proceso del Santo Oficio de la Inquisición contra Beatriz Gómez, muger de Mateos, por judaizante, 1539. Tomo 30, exp. 9-a.

Proceso criminal del Santo Oficio de la Inquisición contra Antonio de Cárdenas, por haber estado amancebado con una comrade suya, 1536. Tomo 34, exp. 1.

Proceso del Santo Oficio de la Inquisición y el Dr. Rafael de Cervanes, fiscal en su nombre contra Sebastian Fragoso, clérigo por haber dejado el habito clerical y haber andado mucho tiempo amancebado con una mujer diciendo que era su mujer legítima, 1537. Tomo 34, exp. 2.

Proceso del Santo Oficio de la Inquisición contra Lope de Sayavedra por amancebado con una prima hermana, 1538. Tomo 34, exp. 3.

Proceso del Santo Oficio de la Inquisición contra Francisco Lombardo por bigamia, 1540. Tomo 34, exp. 4.

Instrucción y Memoria de la que el Reverendísimo Señor

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Tomo 30, exp. 2.

Proceso del Santo Oficio de la Inquisición contra Cristóbal de la Rosa por haber vendido de Santa María, 1538.
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Proceso del Santo Oficio de la Inquisición contra Gonzalo de Castañeda por blasfemia, 1538. Tomo 30, exp. 7.

Proceso del Santo Oficio de la Inquisición contra Francisco Miller por sospechosos de judaizante, 1539. Tomo 30, exp. 8.

Proceso del Santo Oficio de la Inquisición contra Cristóbal y Catalina su mujer y contra Martín, hermano de Cristóbal por idolatría y otras herejías, 1539.
Tomo 30, exp. 9.

Información levantada en la Villa de Santisteban del Puerto, provincia de Tlaxcala, en comisión de Don Fray Juan de Zambrano, 1539. Tomo 30, exp. 9 bis.

Proceso del Santo Oficio de la Inquisición contra Alvaro Melos por judaizante, 1539. Tomo 30, exp. 9-a.

Proceso del Santo Oficio de la Inquisición contra Bartolomé de la Cruz, alias de Melos, por judaizante, 1539. Tomo 30, exp. 9-b.

Proceso criminal del Santo Oficio de la Inquisición contra Antonio de Cárdenas, por haber estado amancebado con una llamada suya, 1539. Tomo 30, exp. 10.

Proceso del Santo Oficio de la Inquisición y el Sr. Rafael de Cervantes, fiscal en su nombre contra Sebastián Frasco, alérgico por haber dado el asilo clerical y haber estado mucho tiempo amancebado con una mujer llamada que era su mujer legítima, 1539. Tomo 30, exp. 11.

Proceso del Santo Oficio de la Inquisición contra Diego de Sayavedra por amancebado con una criada llamada, 1539. Tomo 30, exp. 12.

Proceso del Santo Oficio de la Inquisición contra Francisco Lombardo por bigamia, 1539. Tomo 30, exp. 13.

Instrucción y Memoria de la que el Reverendísimo Señor

Maestro Juan Infante de Barrios y Arcediano de la Catedral de México había hacer (de orden del Señor Don Fray Juan de Zumárraga) en la Villa de Pánuco sobre la vida de Gonzalo Bernal, acusado de mal Cristiano, sobre si los indios de allí y de Santiago de los Valles continuaron en sus ritos e idolatrias y sacrificios, sobre la conducta de un padre Carmelita amancebado, sobre la cura de dicha Villa de Pánuco, Alonso Ruiz de Arévalo, que vivía con una muger casada, tenía un hijo de una criada, jugaba a los naipes y retenía bienes de la Bula de la Santa Cruzada, 1540. Tomo 34, exp. 5.

Proceso de la Justicia Eclesiástica contra Antonio Anguiano por amancebado, 1534. Tomo 36, exp. 1.

Proceso del Santo Oficio de la Inquisición y Dr. Rafael de Cervanes fiscal en su nombre contra Catalina de Espinal por bigamia, 1537. Tomo 36, exp. 2.

Información y Sentencia en el Proceso formado a María Muñoz por bigamia, 1537. Tomo 36, exp. 3.

Proceso del Santo Oficio de la Inquisición contra Bernaldo del Castillo por estar amancebado con muchas indias esclavas suyas, 1538. Tomo 36, exp. 4.

Proceso de la Justicia Eclesiástica contra María de Soto por bigamia, 1538. Tomo 36, exp. 5.

Proceso del Santo Oficio de la Inquisición contra Martín Xuchimitl, indio de Coyoacán por haber vivido amancebado con cuatro hermanas, 1539. Tomo 36, exp. 6.

Proceso del Santo Oficio de la Inquisición contra Tacatetl y Tanixtetl, indios de Tanacopán por idólatras y sacrificadores, 1536. Tomo 37, exp. 1.

Proceso del Santo Oficio de la Inquisición contra los indios de Atzacapozalco por idólatras, 1538. Tomo 37, exp. 1.

Proceso del Santo Oficio de la Inquisición contra Puxtecatl Tlaylotla por haber ocultar ídolos, 1539. Tomo 37, exp. 3.

Proceso del Santo Oficio de la Inquisición contra Diego Díaz, clérigo de Ocuituco por haber aconsejado a dos individuos que hicieran aparecer como idólatra al indio Cristóbal, 1540. Tomo 37, exp. 3 bis.

Mostró Juan Infante un libro de...
Catedral de México...
Don fray Juan de...
sobre la vida de...
Cristiano, sobre el...
tiempo de los...
luchas y...
cada...
Villal de...
con una...
juguete a los...
la casa...

Proceso de la Justicia...
por amancebado, 1534.

Proceso del Santo Oficio de la Inquisición...
Gervasio...
Español por... 1534.

Información y denuncia...
por bigamia, 1537.

Proceso del Santo Oficio de la Inquisición...
del Castillo por...
esclavas... 1538.

Proceso de la Justicia...
por bigamia, 1538.

Proceso del Santo Oficio de la Inquisición...
Nuestro...
cebado con... 1538.

Proceso del Santo Oficio de la Inquisición...
Tancitarí, indio de...
evangelizadora, 1538.

Proceso del Santo Oficio de la Inquisición...
de Atzacapotzaco por... 1538.

Proceso del Santo Oficio de la Inquisición...
Tlayotlán por... 1538.

Proceso del Santo Oficio de la Inquisición...
Blas, indígena de...
dos individuos que... 1538.

- Inventario de bienes de Martín Ucelo, 1536. Tomo 37, exp. 4.
- Proceso del Santo Oficio de la Inquisición, contra Tlilanci, indio de Izúcar por idólatra, 1539. Tomo 37, exp. 4 bis.
- Proceso del Santo Oficio de la Inquisición y Dr. Rafael de Cervanes en su nombre contra Juan Franco por hechicherías, 1536. Tomo 38, exp. 1.
- Proceso del Santo Oficio de la Inquisición contra Juan Franco, el cojo, por blasfemo, 1536. Tomo 38, exp. 1 bis.
- Proceso hecho por el Santo Oficio de la Inquisición y Dr. Rafael de Cervanes, Fiscal en su nombre contra María, esclava de Pedro Pérez, y contra la Moralla partera y María de Espinosa e María, esclava de Maestre Diego, e Margarita Pérez, y Antón, indio, por hechicerías, 1536. Tomo 38, exp. 2.
- Proceso del Santo Oficio de la Inquisición y el Fiscal en su nombre contra María de Armenta por hechicerías, 1536. Tomo 38, exp. 3.
- Proceso del Santo Oficio de la Inquisición contra Martín Ucelo (Ocelotl) por idólatra y hechicero, 1536. Tomo 38, exp. 4.
- Proceso del Santo Oficio de la Inquisición y el Dr. Rafael de Cervanes, fiscal en su nombre contra María de Bárcena por hechicerías, 1537. Tomo 38, exp. 5.
- Proceso del Santo Oficio de la Inquisición y el Dr. Rafael de Cervanes, Fiscal en su nombre contra María Marroquina, Leonor de Saravia y Francisca, negra esclava de Luis Marín por hechicerías, 1537. Tomo 38, exp. 6.
- Proceso del Santo Oficio de la Inquisición y el Dr. Rafael de Cervanes, Fiscal en su nombre contra Mixcoatl y Papalotl por hechicerías, 1537. Tomo 38, exp. 7.
- Proceso del Santo Oficio de la Inquisición contra María de León por maleficios y hechicerías, 1537. Tomo 38, exp. 8.
- Proceso de la Santa Inquisición y el Fiscal en su nombre

Inventario de bienes de Santa María, 1530. Tomo 37, exp. 1.

Proceso del Santo Oficio de la Inquisición contra Villanar, indio de labor por hechizos, 1530. Tomo 37, exp. 1 bis.

Proceso del Santo Oficio de la Inquisición y el Fiscal de Cervantes en su nombre contra Juan Franco por hechizos, 1530. Tomo 38, exp. 1.

Proceso del Santo Oficio de la Inquisición contra Juan Franco, el cojo, por hechizos, 1530. Tomo 38, exp. 1 bis.

Proceso hecho por el Santo Oficio de la Inquisición y el Fiscal de Cervantes, Fiscal en su nombre contra María, esclava de Pedro de la Torre, y contra la familia de Pedro y María de la Torre, esclava de Maestro Diego, e Margarita de la Torre, indio, por hechizos, 1530. Tomo 38, exp. 2.

Proceso del Santo Oficio de la Inquisición y el Fiscal en su nombre contra María de la Torre por hechizos, 1530. Tomo 38, exp. 3.

Proceso del Santo Oficio de la Inquisición contra Martín Uelo (Uello) por hechizos y hechizos, 1530. Tomo 38, exp. 4.

Proceso del Santo Oficio de la Inquisición y el Fiscal de Cervantes, Fiscal en su nombre contra María de la Torre por hechizos, 1530. Tomo 38, exp. 5.

Proceso del Santo Oficio de la Inquisición y el Fiscal de Cervantes, Fiscal en su nombre contra María de la Torre, leonesa de la Torre y Francisco, negro, esclava de Juan Martín por hechizos, 1530. Tomo 38, exp. 6.

Proceso del Santo Oficio de la Inquisición y el Fiscal de Cervantes, Fiscal en su nombre contra Micaela y Pascual por hechizos, 1530. Tomo 38, exp. 7.

Proceso del Santo Oficio de la Inquisición contra María de la Torre por hechizos y hechizos, 1530. Tomo 38, exp. 8.

Proceso de la Santa Inquisición y el Fiscal en su nombre

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Tomo 40, exp. 1.

Proceso del Santo Oficio de la Inquisición contra Diego Tacateca de Tlapanaloe por idólatra, 1538. Tomo 40, exp. 2.

Proceso del Santo Oficio de la Inquisición contra el Doctor Cristóbal Méndez por haber mandado hacer medallas o sigilos de oro que hechas cuando el sol entraba en lo principio de ciertos signos tienen entre otras virtudes la de curar el mal de riñones, 1538. Tomo 40, exp. 3.

Proceso del Santo Oficio de la Inquisición contra Francisco Cabezas por blasfemo, 1537. Tomo 40, exp. 3-b.

Proceso del Santo Oficio de la Inquisición contra Hernando de Orellana por blasfemo y haber dicho palabras injuriosas contra el Santo Oficio, 1537. Tomo 40, exp. 3-c.

Declaración de Juan Cercado por sospechoso de judío, 1539. Tomo 40, exp. 3-d.

Declaración de Antón de Heredia por sospechoso de judío converso, 1539. Tomo 40, exp. 3-e.

Declaración de García de Morón por sospechoso de judío, 1539. Tomo 40, exp. 3-f.

Proceso del Santo Oficio de la Inquisición contra Esperanza Valenciana por supersticiosa, 1539. Tomo 40, exp. 4.

Proceso del Fiscal del Santo Oficio de la Inquisición contra el Bachiller Pedro Ruiz Calderón por nigromante, 1540. Tomo 40, exp. 5.

Fragmento del Proceso del Santo Oficio de la Inquisición contra Diego sobre si había faltado o no su deber de interprete con los indios de Tenayuca, 1536. Tomo 40, exp. 5-II.

Proceso del Santo Oficio de la Inquisición contra Francisco de Leyva, Canónigo y Provisor de la Iglesia de Puebla de los Angeles, por haber leído el domingo 16 de Julio de 1536 en esta iglesia una carta de excomunión emplazando a todos los que tuvieran que

contra el Sr. Juan de los Rios, 1536.
Tomo 40, exp. 1.

Proceso del Santo Oficio de la Inquisición contra el Sr.
Juan de los Rios, 1536. Tomo 40, exp. 2.

Proceso del Santo Oficio de la Inquisición contra el Doctor
Juan de los Rios, 1536. Tomo 40, exp. 3.
En la Inquisición de esta época se ven en el
proceso del Santo Oficio de la Inquisición contra el Doctor
Juan de los Rios, 1536. Tomo 40, exp. 3.

Proceso del Santo Oficio de la Inquisición contra Francisco
Cabrera por herejía, 1536. Tomo 40, exp. 3-b.

Proceso del Santo Oficio de la Inquisición contra Fernando
de Ovando por herejía y haber dicho palabras
injuriosas contra el Santo Oficio, 1536. Tomo 40,
exp. 3-c.

Declaración de Juan de los Rios por sospechas de judío, 1536.
Tomo 40, exp. 3-d.

Declaración de Juan de los Rios por sospechas de judío
convertido, 1536. Tomo 40, exp. 3-e.

Declaración de Juan de los Rios por sospechas de judío,
1536. Tomo 40, exp. 3-f.

Proceso del Santo Oficio de la Inquisición contra Francisco
Valencia por herejía, 1536. Tomo 40,
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Proceso del Santo Oficio de la Inquisición contra
el Bachiller Pedro Luis Calderón por herejía,
1536. Tomo 40, exp. 5.

Fragmento del Proceso del Santo Oficio de la Inquisición
contra Juan de los Rios por sospechas de judío o no se debe
de intervenir con los datos de Tenayuca, 1536.
Tomo 40, exp. 5-ii.

Proceso del Santo Oficio de la Inquisición contra Francisco
de los Rios, 1536. Tomo 40, exp. 6.
En la Inquisición de esta época se ven en el
proceso del Santo Oficio de la Inquisición contra Francisco
de los Rios, 1536. Tomo 40, exp. 6.

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Proceso del Santo Oficio de la Inquisición contra Gregorio Gallego y Martín de Aranda por no haber guardado el secreto que se les recomendó, 1540. Tomo 40, exp. 6.

Denuncia hecha contra Don Juan, indio Cacique del pueblo de Iguala por amancebado y idólatra, 1540. Tomo 40, exp. 7.

Información contra el Cacique de Matlatlán, Don Juan, por idólatra y amancebado, 1539. Tomo 40, exp. 8.

Proceso del Santo Oficio de la Inquisición contra Juan Moreno y Cristóbal Barrera, trompetas, por haberse negado a tocar en el recibimiento de los podres de la Inquisición, 1536. Tomo 42, exp. 3.

Proceso del Fiscal del Santo Oficio de la Inquisición contra Antón Pérez por haber hurtado piedras de la fábrica de la Catedral, 1536. Tomo 42, exp. 5.

Información sumaria contra Nicolas Salinas, Teniente del Alguacil Mayor por haber sacado a Francisco Ramírez que se había refugiado en la Iglesia Mayor de México por cierta deuda que debía, 1536. Tomo 42, exp. 6.

Proceso del Santo Oficio de la Inquisición contra Jorge González reo prófugo de la Inquisición de Cuenca, 1536. Tomo 42, exp. 7.

Proceso del Santo Oficio de la Inquisición contra Pedro Cervero por ciertas palabras en contra la Inquisición, 1536. Tomo 42, exp. 8.

Proceso del Santo Oficio de la Inquisición contra Antonio Anguiano por bigamo, 1536. Tomo 42, exp. 8 bis.

Proceso del Santo Oficio de la Inquisición contra Gonzalo de Ecija, reo prófugo, 1536. Tomo 42, exp. 9.

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en la Ciudad de Sevilla, 1537. Tomo 42, exp. 10.

Juicio seguido ante el Reverendísimo y Muy Magnífico Señor Don Juan de Zárate, Obispo de Oaxaca, y Juez de los Bienes Confiscados del Santo Oficio de la Inquisición, por Catalina de Caxas, muger de Maese Andrés Alemán, para que de las cantidades secuestradas a su esposo se la entrega a ella la que llevó como dote cuando se casó, 1537. Tomo 42, exp. 11.

Proceso del Santo Oficio de la Inquisición contra Nuño Méndez por incestuoso, 1538. Tomo 42, exp. 13.

Proceso del Santo Oficio de la Inquisición contra Pero Muñoz, clérigo, por palabras contra el Santo Oficio, 1538. Tomo 42, exp. 14.

Proceso de la Inquisición contra Gonzalo Martín por no haber denunciado las palabras que oyó a Pero Muñoz, clérigo, 1538. Tomo 42, exp. 15.

Proceso de la Inquisición contra Marcos de Arévalo por haber impedido la ejecución del Santo Oficio, 1538. Tomo 42, exp. 16.

Proceso del Santo Oficio de la Inquisición contra Marcos y Francisco, indios, por haber hablado en contra de las doctrinas predicadas por las frailes, 1539. Tomo 42, exp. 17.

Proceso del Santo Oficio de la Inquisición contra Don Baltazar, cacique de Culoacán por idólatra y ocultar ídolos, 1539. Tomo 42, exp. 18.

Pleito seguido ante el Ilustrísimo Señor Don Fray Juan de Zumárraga en contra Diego Díaz, clérigo preso en la cárcel del episcopado, por acusación presentada por Juan Ruiz, mercader, a quien no le había pagado el vino que le compró, 1542. Tomo 42, exp. 21.

Proceso contra Diego Díaz, clérigo, por solicitante, 1542-1548. Tomo 68, exp. 1.

Proceso contra Juan de Salamanca por sospechoso de judío, 1539. Tomo 125, exp. 1.

Denuncia que hizo Juan Hurtado contra Juan Rodriguez de Bejarano por haber dicho muchas heregías, 1543.

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Proceso de la Inquisición contra el Doctor Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 11.

Proceso del Santo Oficio de la Inquisición contra Juan de Sotomayor, Obispo de Zamora, 1532, Tomo 2, exp. 12.

Proceso del Santo Oficio de la Inquisición contra Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 13.

Proceso de la Inquisición contra Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 14.

Proceso de la Inquisición contra Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 15.

Proceso del Santo Oficio de la Inquisición contra Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 16.

Proceso del Santo Oficio de la Inquisición contra Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 17.

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Proceso contra Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 19.

Proceso contra Juan de Sotomayor, Obispo de Zamora, y Juan de los Rios, Comisario de la Inquisición de Zamora, por el delito de herejía, 1532, Tomo 2, exp. 20.

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Proceso contra Juan de Baeza por sospechoso de judío, 1540. Tomo 125, exp. 5.

Proceso sumarísimo contra Alonso Delgado por proposiciones luteranas, 1537. Tomo 125, exp. 6.

Proceso contra Inés de Casas por hechicerías, 1537. Tomo 212, exp. 1.

Proceso contra Diego Díaz por tener aceso carnal con madre e hija, 1538. Tomo 212, exp. 2.

Información levantada contra Cebrian y Antonio Lipares, marineros por sodomía, 1542. Tomo 212, exp. 1.

Proceso contra Pedro, indio cacique del Pueblo de Totolapa y contra Antonio su hermano, por estar amancebados con una muger que fue manceba de su padre, y con una tía suya, por tener ídolos escondidos y idolatrizar, 1540. Tomo 212, exp. 7.

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