CONSTRUCTING ‘RACE’: THE CATHOLIC CHURCH AND THE EVOLUTION OF RACIAL CATEGORIES AND GENDER IN COLONIAL MEXICO, 1521-1700

A Dissertation

Presented to

The Faculty of the Department

of History

University of Houston

In Partial Fulfillment

Of the Requirements for the Degree of

Doctor of Philosophy

By

Alexandria E. Castillo

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ABSTRACT

This dissertation examines the role of the Catholic Church in defining racial categories and construction of the social order during and after the Spanish conquest of Mexico, then New Spain. The Catholic Church, at both the institutional and local levels, was vital to Spanish colonization and exercised power equal to the colonial state within the Americas. Therefore, its interests, specifically in connection to internal and external "threats," effected New Spain society considerably. The growth of Protestantism, the Crown's attempts to suppress Church influence in the colonies, and the power struggle between the secular and regular orders put the Spanish Catholic Church on the defensive. Its traditional roles and influence in Spanish society not only needed protecting, but reinforcing. As per tradition, the Church acted as cultural center once established in New Spain. However, the complex demographic challenged traditional parameters of social inclusion and exclusion which caused clergymen to revisit and refine conceptions of race and gender. In this way, the establishment of the colonial church was not a simple transfer of the institution from Spain to the Americas, but a *translation* of older traditions according to colonial circumstances. This dissertation analyzes contact points between the Church and subalterns and the discourses and concepts that informed clerical practices. Specifically, it examines institutional level debates on subaltern piety, tools for religious conversion (priest evangelization manuals and sermons), priests' roles in the racial classification of their parishioners, and the intersection of race and gender in the lives of subaltern nuns and lay religious women. Both the Spanish Crown and the Church were deeply invested in the perpetuation of Spanish hegemony and the evolution of concepts like race and gender were key developments in this process. By assessing race from the views of both the Spanish church and subalterns, and emphasizing the role of the local parish priests, this dissertation explores this development from a new perspective.

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Introduction

The word "translate" means to "express the sense of words or text in another language," "convert or be converted into another form or medium," or to "move from one place or condition to another."[1] However, this dramatically simplifies the task for researchers of old language documents, no matter the language. The actual process is far more art than exact science, and as most can attest, can be easily misinterpreted, nuances can be lost in the different historical contexts of the subject and the researcher, and thus remain inherently "imperfect." I realize now that when I first conceptualized my dissertation, I had quite naively pictured the sixteenth century Mexican church as a "transfer" of the institution from one place (Spain) to another (Mexico). However, with more research I realized that in many ways it was more of a "translation," and therefore, exposed to misinterpretation and determined by its historical context.

Most historians agree that the colonial Spanish Church was unique—similar to but still different from its European contemporaries—not only in a religious sense due to the interchange between Christian, native, African spirituality, but also because of the political process of colonization and church functions in that process. Church responses to colonial circumstances were also influenced by broader changes both within and outside of the Spanish empire, which threatened traditional religious and political power. I have found that church responses to these "threats" built on ideas with much deeper roots, and can be uncovered through an extended periodization of Spanish religious identity and church reform. Therefore, three interrelated themes frame my analysis: "threat" marks key external

and internal influences in Spanish history both before and during colonization of the Americas, “translation” recognizes both the continuity and differences between the peninsular and colonial church and their related societies, while the “extended periodization” traces these developments over time.

The Spanish Church had experienced a series of external challenges to its religious authority both prior to and during colonization and put the entire institution on the defensive; the figureheads down to the lower-ranking priests would have been cognizant of these “threats” and eager to prevent new ones from forming. Royal infringement on church power in Iberia was extended in the Americas, while the privileges of the Mendicant Orders in the colonies far exceeded their powers in Spain. However, the Protestant Reformation established an alternative source of religious authority which forced Catholics to reevaluate traditional theology and practice, as well as their identities as Christians. For Spaniards, it reinforced cultural memories of social stratification by religion. The distinction between Christian and heretic and Spanish and non-Spanish was important in the Americas, however, determining the parameters of social inclusion and exclusion became much more complicated as colonial Spaniards mixed with different racial groups. Therefore, concepts like race and gender were a different kind of “threat,” but from within society. As Spaniards attempted to recreate their culture within the Americas, they turned to Christian teachings and other sources of knowledge. Cultural centers like the Church were then tasked with adapting Spanish Catholic traditions to the new circumstances. Racial differences and gender nonconformity threatened to undermine colonial Spanish hegemony, which was established religiously, as well as politically and socioeconomically.

The first chapters consider important external "threats" to Church power, and serve as the premise for later chapters which explore the construction of race and gender in New Spain, conceptualized as internal "threats." As illustrated by María Elena Martínez, Spanish perceptions of society were highly influenced by religion and medieval relations between Christians, Jews, and Muslims.[2] Spaniards built on these traditions during American colonization to incorporate notions of race and construct a racial hierarchy. My dissertation goes beyond this interpretation to understand the relationship between notions of piety and notions of race in colonial Mexican society. I argue that non-Spanish denigrated status was in part justified through notions of piety assigned to each group, and both Spaniards and non-Spaniards used piety to bolster their own statuses. In this way, notions of race were shaped by religion, but religion was equally shaped by notions of race.

There are many examples of both regular and secular clerics' opposition to the subjugation of the natives, African slavery, and the denigrated status of *castas,* or mixed-races. However, we cannot ignore underlying contradictions. While legitimate mestizos were generally allowed to advance in the ecclesiastic hierarchy, indigenous Mesoamericans, Afro-Mexicans, *mulatos,* and other castas were not allowed to enter the secular priesthood, and only racially "pure" Spanish women were allowed take the black veil, or become professed nuns. Historians have considered many possible reasons behind these contradictions, with many either validating or vilifying ecclesiastic actions. Also, while these studies have produced increasingly sophisticated analyses of colonial society, most interpretations have been clouded by modern conceptions, such as the separation of church and state and distinctions between laymen and clergy.

To understand the role of the Catholic Church in the organization of the social order in New Spain, specifically in regards to race and gender, I approach the colonial church from a different perspective from other historians. While many scholars have discussed the role of the Catholic Church in colonial society, they have neither explored the church's role in the creation of said society nor fully delineated the ideologies and discursive concepts that influenced its actions. First and foremost, we cannot underestimate religions' influence in societal interactions, especially in a society like colonial New Spain which was predicated on honor and status; both were constructed in part by perceptions of Christian piety. Therefore, the dissertation adds to the recent revitalization of religion in studies of Latin America history. These scholars have illustrated how religion influences individuals' decisions, identity, and is a core aspect of human understanding.[3]

Modern notions of the legal separation between church and state were not as clear in the medieval and early modern periods. The lines between divine law and civil law were often blurred in both theory and practice; law was a mixture of civil and canon law, and ecclesiastic and civil jurisdictions often overlapped. Second, the church did maintain cultural mores and traditions, but we cannot conceptualize it as operating separate from, or above, lay society. As historians like William Christian have illustrated, the dialectic between popular and high religion was multidirectional, and everything from official doctrine to popular practices were influenced by the context in which they operated.[4] William B. Taylor has illustrated how both the episcopate and local priests contributed to the construction of Christian values and practices in colonial society. I argue that while the fundamental principles of Christianity and Holy Scripture are constant, the ways in which clergymen interpreted and acted on these concepts were influenced by their specific circumstances.

Approaching the colonial church from this perspective helps to account for seemingly glaring contradictions between religious theory and practice.

Much of the work done on the colonial Catholic Church has largely fallen into two groups: studies on subaltern conversion or studies on Church-State relations. The former group is divided into two schools of thought. The earlier school was led by Robert Ricard who argued that the conversion of the native populations under the regular orders had been a complete success, terming the Spanish conquest of the Americas as a "spiritual conquest."[5] Many years later, scholars like Jorge Klor de Alva, Nancy Farriss, Inga Clendinnen, Louise M. Burkhart, and David Tavárez challenge the notion of complete conversion.[6] This second school demonstrated that native conversion was actually a long, fragmented process dependent on negotiations between converter and convertee. For example, Farriss shows that Spanish and native religions occupied the same theological plane, and therefore the arrival of Christianity was less of a religious replacement than a set of horizontal, mutual exchanges across three comparable levels: the official, corporate, and the private sphere.

Due to their extensive writing and close contact with the native populations, much of the work done on the colonial church as an institution has largely focused on the regular orders. It has been only recently that more scholars have taken inspiration from John Frederick Schwaller and William B. Taylor and undertaken serious study of the secular clergy.[7] My research on the episcopal hierarchy and the role of the secular clergy adds to this literature. I argue that the secular church was charged with implementing and promulgating traditional Spanish culture and Christian mores, therefore an examination of the secular clergy is important to understand the construction of proscribed social standards.

There also exists a historiographical distinction between research on Latin American indigenous groups and research on the African Diaspora in Latin America. Many historians examine one or the other, with few attempting to fully integrate both groups into their discussion or theoretical framework. Work on African connections to the colonial Spanish Church falls into two categories: how the Catholic Church affected the lives of slaves and freedmen and the relationship between Catholicism and African religions. Representing the first category, Herman Bennett's work on Afro-Mexican marriage emphasizes a continuous and meaningful relationship between Afro-Mexicans and the Catholic Church, arguing that church membership gave slaves and freedmen a higher degree of agency.[8] Nicole Von Germeten's research on African *cofradías*, or Catholic lay brotherhoods, also argues that these institutions served African autonomy.[9] Representing the second category, Joan Cameron Bristol's work on Afro-Mexican witchcraft shows how Afro-Mexicans utilized knowledge of both traditional African and Catholic rituals to construct an alternative system of power.[10] Bristol argues that, while these individuals were ultimately subjugated to Hispanic cultural norms, witchcraft and curing rituals represented a way to subvert Spanish authority when aimed at masters and employers.

Those who have attempted to bridge the historiographical gap between scholarship on Spanish American natives and Africans have largely been concerned with their economic interactions and where both groups fell within the racial order. For example, Matthew Restall, in his work on Africans in colonial Yucatan, illustrates that Afro-Yucatecans played interstitial roles between Spaniards and Mayas.[11] According to Restall, Maya were traditionally understood to be "the other" to both Spaniards and Africans making Afro-Yucatecans both inside and outside both Spanish and native societies. There have been even

fewer works that explore how the three races interacted within a religious space. Laura A. Lewis's research on Inquisition witchcraft trials illustrates that witchcraft served as a site for multiracial contact.[12] While witchcraft, both abusive and curative, was seen as an Indian practice, Afro-Mexicans, both free and enslaved, and mestizos served the role of intermediaries between the dominant Spanish group and subordinate indigenous peoples. Considering interactions between the Church and each non-Spanish group, Indians, Africans and Afro-Mexicans, and castas, my analysis focuses on how clerics perceived subaltern conversion and how subaltern groups may have internalized these ideas. I argue that Christian practices, specifically the Holy Sacraments, can also be conceptualized as racial spaces. Parishioners were not only racially classified during sacraments like marriage and baptism, but the administration of certain sacraments such as the Eucharist were influenced by colonial notions of race.

Chapter Organization

Certain threats to the power of the Catholic Church at the time of discovery impacted its actions in the Americas. One of these threats was the extension of royal patronage rights over the church in both Spain and the Americas, which is the focus of Chapter One. Pope Julius II would ultimately grant the Spanish kings universal patronage over the American Church in 1508. Many historians have emphasized the differences between Iberian Church-Crown relations and the papal grants of patronage during the early years of discovery. However, a closer look at medieval and early modern interactions between the church and the monarchy illustrate that this was not the case. The relationship between the secular church and the Crown was shaped over centuries of Reconquest and papal involvement, and

the Iberian church had had centuries of experience with royal interference in church affairs, as well as ways to circumvent it. Through an examination of contemporary legal codes and papal decrees, I argue that the monarchy's control over the American church was not entirely novel, but followed a pattern begun during the medieval period. Therefore, much of Chapter One focuses on the evolution of church-state relations during the Reconquest period. It then explores how this relationship was impacted by the discovery of the New World. While the crown could legally present candidates, it rarely did so for lower benefices, whose appointments were left to local cathedral chapters. Therefore, I argue that while in theory the state had control over the American church, in practice the church maintained a considerably degree of autonomy.

The centuries-long reclamation of the Iberian Peninsula from Muslim rule, or Reconquista, and its impact on the Spanish conquest of the Americas has been well-studied. Scholars have illustrated how generations of warfare and recolonization efforts set the stage for colonization of the Americas. However, few have focused on the *religious* legacies of the Reconquest in Spanish culture. The Reconquista established a mythicized image of the conqueror that when placed within the framework of a religious crusade created a Christian identity that was in many ways reaffirmed through the subjugation of non-Christians. In the early sixteenth century, Catholicism faced a new and growing threat, the Protestant Reformation, and Spanish civil and religious officials were eager to prevent the political upheavals associated with it. I argue that the religious legacies of the Reconquest and the subsequent rise of Protestantism influenced Church actions in the Americas. Therefore, Chapter Two begins by exploring how prelates and secular officials discussed this threat and the measures they took to combat it in Spain, specifically analyzing the theological

differences between Martin Luther and Erasmus, as well as the Catholic Church's response to both. It then moves to the Americas to illustrate how this issue manifested in the early colonial church by examining Inquisition trials of suspected Protestants in New Spain.

The Spanish American Church has been considered unique not only because of extended royal patronage, but because of the central role of the Mendicants, or regular orders. Franciscans, Dominicans, Augustinians, and others administered the initial evangelization of the natives after military conquest, and had been empowered by the pope with full episcopal powers. They were charged with establishing the church's presence in new Spanish settlements and native communities. Therefore, the regular orders quickly gained considerable power in the Spanish colonies, which challenged the authority of secular clergymen. This threat to episcopal authority is the focus of Chapter Three. I argue that the power struggle between the two religious institutions, as well as with civil authorities, highly influenced colonial society. I examine the origins and roles of the mendicant orders in Iberia, the important papal decrees which recognized mendicant authority, as well as instances when colonial loyalties were divided between the two religious institutions.

Early modern Spanish understandings of social difference and race were highly influenced by religion. Chapter Four builds from Chapter Two's discussion of Spanish relations between Christians and non-Christians, but considers how these concepts were influenced by incorporating new groups, such as natives, Africans and *castas*. A major topic for contemporaries was the debate over native capacity for Christian conversion. Therefore, this chapter considers how ecclesiastics thought about this issue and how these notions impacted colonial race relations in sixteenth and seventeenth century New Spain. As the colony expanded, racial classifications were important to social status, or *calidad*, and piety

was a key component. Therefore, instances of racial classification were important and ecclesiastics like parish priests played an integral role in defining colonial conceptions of race. For example, racial status was recorded during Christian sacraments, such as baptism and marriage, and these records, with priest testimonies, could be used later to prove an individual's racial status. Racialized notions of piety could also influence the religious observance of a particular group, as clergymen had different opinions of who should receive certain sacraments and who should not. Therefore, I examine debates over subaltern piety among high-ranking clerics, but also priest manuals used in the administration of the sacraments, and instances of racial classification in marriage petitions. Priests helped to define local notions of social and racial difference through important decisions like who could marry whom, what characterized a good Christian, or which individual could pass as Spanish.

The fifth and final chapter considers how the church influenced colonial perceptions of gender. Female religious, whether Spanish or non-Spanish, faced a similar obstacle because their gender was thought to determine their piety. Gendered notions of piety had been constructed over centuries and, like other aspects of Christian thought, was shaped by specific periods of change. Indigenous nuns and *beatas*, or lay religious women, had to overcome an additional hurdle due to their race and the perception that it limited their religious understanding. African women faced similar hurdles, but they would not be officially allowed to profess during the colonial period. This chapter focuses on this dynamic from within and outside the convent, and on both sides of the Atlantic. Externally, female religious were subject to monitoring and edicts of male ecclesiastics. Internally, there existed another set of rules and standards under the abbess and professed nuns living within the

convent. By examining both perspectives, we can see how racial and gendered concepts were proliferated, augmented, and how they worked together within a religious space. The chapter then explores how these concepts effected the lives of indigenous and African female religious who worked in the convents as servants and those who lived outside of its walls as beatas through nuns hagiographies and collective biographies. It also examines how gendered notions of piety influenced clerical and lay perceptions of "unorthodox" spiritual practices by female "witches" and healers through Inquisition trial records. I argue that female witchcraft not only challenged patriarchal gender norms, but non-Spanish women were more likely to come under Inquisitorial suspicions because of prevailing racial stigmas.

The colonial Spanish Church was both similar to and different from its European contemporaries, as it balanced between older European traditions and new American circumstances. These developments were influenced by external changes experienced throughout Western Europe, such as the rise of royal power, the Mendicant Orders, and Protestantism, but also by internal changes unique to American colonization, such as evolving racial hierarchies and gender norms. Both types of "threats" had the potential to undermine traditional Spanish systems of power. However, Spanish Church responses to these various "threats" were influenced by centuries of experiences that had also shaped Spanish religious identity and church practice. Therefore, it is important to conceptualize the roles of the Spanish Church in colonial Mexico and elsewhere in the Americas as a "translation" rather than a simple "transfer" of institutions. This allows us to understand both the continuity and differences between the peninsular and colonial churches and their roles within their societies.

Chapter One:
The Threat of the State: Crown-Church Relations in Spain and New Spain

> "I order you to look into the bulls that were issued for the creation and provision of an archbishop and bishop in Española; in them there is not conceded to us the patronage of the said archbishop and bishop, nor of the *dignidades* and canons, prebends and benefices with cura and without cura, which ought to be erected in the said isle of Española. It is necessary that His Holiness concede the said patronage perpetually to me and the kings who succeed to the kingdoms of Castile and Aragon, since no mention was made of it in the mentioned bulls, as was the case of those (bulls) of the kingdom of Granada."[1]

Introduction

These instructions were sent by King Fernando, acting as regent after the death of Queen Isabel, to Francisco de Rojas, the Spanish ambassador to Rome in 1505. The King sent Embajador Rojas after Pope Julius II challenged royal patronage over the church in the Caribbean. Pope Julius II (1443-1513) had been less eager than his predecessor Alexander VI (1492-1503) to recognize the patronal rights of the Catholic Kings in their New World territories, however. While he sanctioned the foundation of an archbishopric and two bishoprics on the island of Española in November of 1504, the bull failed to mention royal presentation or royal claims to the tithe, which implied that any future revenues would belong to the prelates. Fernando followed his explicit instructions with three petitions to the pope listing his demands. He declared that he would not permit the erection of the new sees in America until royal patronage was recognized and the concessions of Alexander VI were confirmed. Eventually, Julius II capitulated to the king's requests and released his famous papal bull *Universalis ecclesiae* on July 28, 1508. The bull will be discussed later in the chapter, but it granted the Spanish kings *universal* patronage in the Indies.[2]

Historians have referenced this grant, as well as the previous bulls of Alexander VI in 1493 and 1501, to illustrate royal control over the Catholic Church in America. In order to emphasize the uniqueness of Spanish imperial expansion in the New World, many have emphasized that the *universal* patronage enjoyed by Spanish royals far superseded their control over peninsular churches.[3] However, Spanish church-state relations in the New World were not entirely novel. In truth, they built on established traditions and followed patterns begun centuries earlier.

Many histories of the colonial church have limited their consideration of peninsular church-state relations to the immediate time period, which can distort the traditional connection between Iberian clergymen and their respective monarchies.[4] Looking into the medieval period and incorporating Reconquest customs reveals a longer pattern of royal influence within the Spanish Church, as well as strategies by the church to circumvent it. There are notable similarities between church-crown relations during the religious crusades in the mid-to-late Reconquest period and their relationship during the conquest and colonization of the New World, the contingencies of which were far more complex than the handful of papal bulls granted in the early years of discovery. They were influenced by the time and location and continued to evolve through the centuries. Therefore, it is important that an examination of colonial Spanish church-state relations begin with this relationship during the Reconquest, or Spanish wars to reclaim Muslim territories. More specifically, the chapter will consider how certain traditions by the late Reconquest period shaped this relationship during the discovery of the New World in the later fifteenth and early sixteenth centuries.

Spain in the late fifteenth century was far different than its medieval predecessors. Prior to the reign of the Catholic Kings, and even afterward, "Spain" was not conceptualized as a singular entity, but a collection of individual kingdoms within the Iberian Peninsula; each with its own histories and cultural developments. Therefore, this chapter will treat each kingdom separately. Due to the eventual consolidation under the crown of Castile and the fact that this kingdom was responsible for American colonization, it will be the focus of much of the analysis.

Second, a major premise of the analysis rests on the understanding that the Spanish Reconquest wars were religious crusades, or holy wars, as well as wars for territorial expansion. Scholars still disagree on the proper definition of a "crusade." Early historians, or "creationists," argued that the crusades were a papal invention, specifically by Pope Urban II and his First Crusade to the Holy Lands in 1095.[5] These scholars focused on unifying structures, or common set of characteristics, among the various medieval Crusades, which spanned across different time periods and locations. They asserted that that all crusades must follow the model of the First Crusade and have the same goal: the reclamation of Jerusalem and the Holy Lands.[6] In his analysis of the idea of religious crusade, Carl Erdmann illustrated that its roots were much older and ran far deeper.[7] Later scholars struggled with such a narrow definition as it omitted many related wars and ignored change over time, so they broadened the parameters. These "new" creationists argued that while papal recognition was necessary, the war did not have to be for Jerusalem to be defined as a "crusade."[8] Scholars like Christopher Tyerman expanded the terms further by arguing that contemporaries did not conceptualize "The Crusades" as such, and therefore, modern historians cannot, and should not, either.[9] Scholars continue to debate this issue, but many recent analyses employ a much

wider definition, as does the present study. For example, Paul E. Chevedden's examination of Pope Urban's writings illustrates that Pope Urban did not think of the crusades in such narrow terms, but rather as a general conflict between Christians and "infidels."[10] Pope Alexander III officially recognized the Spanish Reconquest as a crusade in the late thirteenth century, and Spanish crusaders were offered the same papal indulgences as crusaders in the Holy Lands. Spanish warrior-kings received papal support for their wars against the Muslims, they chronicled their exploits in religious terms, and expanded the Christian church into conquered territories. It seems clear that even if they did not use the term "crusade," medieval Spaniards understood the Reconquest wars as holy wars.

Third, the chapter traces the evolution of church-state relations by focusing on key moments within its history: papal recognition of the Spanish Reconquest and its reforms during the eleventh and twelfth centuries, standardization of Spanish legal codes in the thirteenth century, the final stages of Reconquest with the fall of Granada in 1492, and the discovery of the Americas and papal grant of universal royal patronage. While the goal of the chapter is to create a comprehensive overview of the time period, the focus is the evolution of Spanish church relations with the monarchy. Therefore, certain aspects were considerably simplified in the interest of space, but particular care was taken to address relevant context when needed.

Political Legacies of the Reconquest: Crusade and Reform in the Twelfth and Thirteenth Centuries

While religious tensions between eastern and western religions can be traced back to the Roman empire, the idea of the Crusades would not materialize until the eleventh century after Pope Urban II called for the reclamation of the Holy Lands in 1095.[11] Tensions in Iberia

would not be recognized as a Christian crusade until much later, however. Prior to the twelfth century, Muslim and Christian kings had vied for control of specific lands within the peninsula, alternating between periods of peace and warfare. Other than brief military alliances, each Spanish Christian king operated independently, often against other Christian kings and in allegiance with Muslim caliphs; therefore, movement of the border between Christian and Muslim Spain was slow, disjointed, and decidedly more political than religious in scope. Papal involvement in these early Iberian wars was just as inconsistent. Prior to the second half of the twelfth century, papal attention was decidedly more to the east, and after the failure of the Second Crusade (1147-49), many were less than eager to initiate new wars. This would change, however, when the Almohad Muslim presence increased in the west.[12]

In the mid-twelfth century, the Almohad caliph Muhammad al-Nāṣir marched from northern Africa to regain territories lost under the previous caliphs, the Almoravids.[13] For much of the century, each Spanish king faced the incursion relatively independently, engaging with the enemy if and when they threatened their own lands and mounting offenses against specific armies when possible. Some chose to ally with advancing Muslim forces to gain more land from their Christian neighbors. As in earlier centuries, a Christian coalition seemed unlikely, but these hostilities coincided with an incredible period of reform for the Roman Catholic Church. Church reform and the idea of military crusades would develop interdependently of each other.

The fall of the Roman Empire in the fifth century began a cycle of invasion and upheaval for much of west that would continue for centuries, to which the Catholic Church was not immune. Believing Christian observance had become lax over centuries of upheaval, eleventh and twelfth century popes attempted to reform church practices and standardize

doctrine. A key aspect of reform efforts was uncovering inconsistencies within the existing corpus of canon law. While there had been some standardization efforts by Emperor Charlemagne, these initiatives ended with the dissolution of his empire in the late tenth century. Pope Leo IX (1048-54) and Pope Gregory VII (1073-85) would try again in the eleventh century, but reformers and their opponents struggled to reach a consensus. It would not be until 1140 that standardization would become a real possibility. In that year, canon jurist and Benedictine monk Gratian compiled the *Decretum Gratiani*, or *Decretum*.[14] It was a collection of canon laws, specifically organized to uncover and correct legal inconsistencies and contradictions. The Decretum would become the definitive collection of canon law through the early modern period and serve as the primary text for canonists.[15] Most university degrees in canon law culminated with students presenting an original "gloss," or commentary, of a specific law in the Decretum. By the end of the thirteenth century, the study of canon law would mature into a separate academic discipline and profession with specific licensing requirements and educational standardization.[16]

Scholars have emphasized how these religious changes were symptomatic of wider economic and social changes throughout Western Europe. During the eleventh, twelfth, and thirteenth centuries, Europe experienced incredible economic growth and demographic increase, specifically in the growth of towns and expanding trade networks.[17] The Classical Period (1140-1375) in medieval canon law was a time of innovation as well as standardization. While canonists worked to update and refine the *jus canonicum*, contemporary popes contributed their rulings on specific cases, or *decretals*.[18] Christian rights to appeal to the pope was considered universal, unrestricted, and could be invoked at any stage of a legal dispute.[19] Papal appeals increased during the classical period and

established a judge-delegate system that used papal intervention to achieve legislative reform. These decretals created a "new canon law" that "responded to the changing circumstances of contemporary society."[20] Decretals were not the same as legal precedent, however, because they only pertained to a specific case and the parties involved. They were also ultimately devalued as a means of legal reform due to increased counterfeiting. Delegated judges charged with executing papal rulings would copy and distribute the original decretals as needed, which allowed recipients to alter and present "originals" as they saw fit.[21] For this reason, legal clarification increasingly fell to the decisions of papal courts, or synods, by the early fourteenth century.[22]

While this short summary somewhat simplifies centuries of medieval canon law reform, it is important to note how this period impacted legal conceptions of the role of the church and the state and the relationship between the two. Historians of medieval law have demonstrated how secular and religious authorities, inspired by a general revival of Roman law in the twelfth century, resulted in an interdependent relationship between canon and civil law.[23] For example, thirteenth century canonists borrowed heavily from Roman civil law. They cited Roman precedents to justify certain claims and used it to fill in gaps and rectify contradictions in the legal code. This would evolve into a broader concept of "general law," or a combination of Roman and canonical legal concepts from the second half of the thirteenth century onward.[24] The revival of Roman law was not limited to canonists, however. Civil lawyers looked to Roman precedents as well as canon law when arguing secular matters. The traditional relationship that developed between the medieval church and state was thus fundamentally intertwined.

In addition to employing similar legal theories, both the church and the crown were obliged to support the other while simultaneously competing for power within the same society. One of the primary functions of each institution was to support the other. When the ancient sees were reclaimed from Moorish control, Spanish Christian kings operated according to Visigothic traditions, which recognized the monarch as the head of the church and elected bishops both directly and indirectly through local cathedral chapters.[25] As patron of the church, the king could nominate clerics for vacant positions, but he was obligated to protect the faith and was responsible for providing for its clerics.[26] The church, while subject to the papacy, was charged with guarding the spiritual sanctity of the king's subjects, as well as providing financial aid to the sovereign when needed. According to the Twelfth Council of Toledo in 681, the archbishop was only allowed to name a new bishop in the event that "the king [was] so far away that he [could not] at once be advised of his vacancy" or if there was no king at the time of the vacancy.[27] At the coronation of a new monarch it was customary that he take an oath to respect the ecclesiastic privilege as part of "a mutual compromise of fidelity between the monarchy and the Church."[28] The bishops then responded in kind, making an oath of homage to the monarchs. These vows were further reinforced by the tradition of investiture, or royal installation of clergymen to episcopal offices. After a clergyman swore his loyalty, the king would bestow the symbols of the position; for a bishop, these were the pastoral staff and ring, for a priest, the keys to the church. This ceremony would then be followed by a consecration ceremony with the cleric's ecclesiastical peers.[29]

This support was not merely symbolic, however. The king bequeathed royal grants to the secular church which supported its clerics and maintained the churches. Clergymen

depended on these allotted sums in addition to tithe revenue for financial survival, which gave monarchs a considerable degree of control.[30] Much of the financial assistance that sees received were in the form of these grants, and bishops concentrated on renewing these grants with each king.[31] This obligation was also reciprocal. For example, for much of the Reconquest period, Spanish Christian nobles and kings looked to the church for not only spiritual blessings and remission of sins, but for financial assistance.[32] Both benefitted in many ways from a cooperative relationship, as the initiatives of one could be bolstered with support from the other. Spanish kings gained divine blessing and financial assistance in battle and the church could extend its influence into new areas and profit financially from conquest bounty. Military decisions could be influenced by religious sentiments, and ecclesiastical action could be spurred by material motives. For example, many kings would bequeath prospective, or anticipatory, grants prior to conquest of a new territory. In the late eleventh century, Sancho Ramírez of Aragón promised, if he was victorious, a portion of Muslim tribute to select church members, which was a common practice among crusading Christian monarchs.[33] A key moment for Spanish Christians, was the recapture of Toledo by Alfonso VI of Castile and León in 1085.[34] Its ecclesiastical roots dated back to the Visigothic period and it resumed its prestige as the ecclesiastic center of Alfonso's kingdom.[35]

However, blurring the lines between religious and civil law also fundamentally blurred the lines between the functions and jurisdictions of the two institutions. In essence, there was no binary or static distinction between their jurisdictions, as legal purviews could change with their circumstances. For example, in the twelfth and thirteenth centuries, the Iberian church found itself between a reforming papacy and warring kings, obliged to cater to the demands of both while still maintaining its traditional functions in society. Clerics acted

quickly when their prerogatives were threatened, however. For centuries, clergymen in Castile-León relied on the *cortes*, or municipal representative assembly, to address their grievances. "As long as the crown respected this right, the Castilian clergy were willing to tolerate the king's infringement on their liberties."[36] For example, when they were forced out of the Castilian cortes in 1295, higher-level prelates banded together to capitalize on current political weaknesses in the monarchy. Their expulsion was a calculated move by Queen María de Molina to increase city officials' power, who supported her son, Fernando IV, in his attempts to secure the throne.[37] Archbishop of Toledo Gonzalo García Gudiel (1250-61) and the bishops of Astorga, Túy, Osma, Avila, Coria, and Badajoz responded quickly by issuing a formal protest only four days after their expulsion. While Fernando soon reinstated the clerics, the bishops were determined to receive further recognition of their traditional liberties. At the Council of Salamanca in 1310, they purposed creating an *hermandad*, or brotherhood, charged with defending their rights. Fernando was furious at this blatant attempt at more privileges, but he needed the church's financial support to continue his wars against the Moors, which the bishops would only grant if he promised to confirm their privileges. He conceded on March 20, 1311.[38]

According to Manlio Bellomo, "the medieval man lived out his life following dual guidelines," with various layers of civil, divine, and customary laws.[39] For medieval Iberia, civil law was expressed in the form of *fueros*, or municipal charters.[40] These were legal codes established for a specific city and its surrounding countryside; and ecclesiastic *fueros* were established for a specific ecclesiastic body.[41] Civil lawyers generally adopted the notion that the commonwealth, or *republica*, formed a mystical body, the body politic, where the ruler was the head and his subjects were the members of a corporate entity. Canonists

conceptualized the church as the mystical body of Christ and the pope was the vicar of Christ on earth. In theory, the two corporate bodies were not separate. However, canonists argued that the body politic was contained within the body of the church, thus subject to canon law.

Civil law broadly recognized that rulers, like their subjects, answered to the rule of natural, or just, law. This law superseded the power of any particular ruler; therefore, any ruler who ignored the laws were considered tyrants and could be justly overthrown. Canon papal statutes added another layer by arguing that the Roman Catholic Church, and by extension the Pope, acted as the earthly representative, or "proctor," of God's divine justice.[42] For example, as illustrated in the papal decretals, canon law recognized that papal jurisdiction superseded all other religious and secular legal codes. As early as 494, Pope Gelasius I explained that there were two *dignitates* that reigned over the world: the *auctoritas sacrata Pontificum*, or sacred authority of the papacy, and the *regalis potestas*, or royal authority. The first was considered *pro aeterna vita*, for eternal life, while the second was considered *pro temporalium cursu rerum*, for the duration of the secular world.[43]

Eleventh and twelfth century popes would cite similar legal discourses in their reform efforts. As they worked to refine canon law and church practices, they also revisited the traditional relationship between the papacy and the monarchy. The most overt example was the investiture controversy beginning in the eleventh century. As explained above, the tradition of investiture allowed the king, as patron of the church, to bestow ecclesiastic authority by installing his nominees to episcopal benefices, or offices. Many royals could and did chose most of the clergymen that ministered within their lands through this process. Even though canon law always claimed that bishops and other clerics should be elected by the church and the people, the investiture tradition would not be challenged until the reign of

Pope Gregory VII. Gregory VII believed that lay interference was the root of religious laxity and forbid the clergy from accepting investiture into office from laymen.[44] This sparked an international conflict between German king Henry IV (1056-1105) and Rome; the conflict would not officially reach a compromise until the following century under King Henry V.[45]

While the investiture controversy had little impact in Iberia, it encapsulates much of the reforming zeal characteristic of the papacy during this period. As illustrated by the examples above, the main objective of the reforming papacy was to re-establish its authority within Western Christendom. Popes like Leo IX, Gregory VII, Urban II, and successor Innocent III (1198-1216), redefined papal roles by actively creating legislation and inserting themselves into international politics. The Gregorian reforms also reorganized traditional political powers, by placing European churches directly under the papacy and challenging civil interference in ecclesiastic administration.[46] This power struggle became more intense within the context of the Crusades, as both feudal monarchs and the papacy needed each other to carry out campaigns, all while vying for control over their own kingdoms, whether temporal or spiritual.

Alongside standardization initiatives, reforming popes also proposed the reclamation of Christian lands, or Crusades, specifically the Holy Lands in the Far East. Pope Urban II called for the First Crusade in 1095. However, Carl Erdmann argues that attempts to incorporate the concept of "holy war" into Christianity had begun as early as 1000.[47] Christian theology would only permit defensive wars until the dissolution of the Carolingian empire, however.[48] In the late tenth century, Christendom faced invasion and conquest on multiple fronts, as Northmen, Hungarians, and Muslims asserted themselves within the power vacuum in today's Western Europe. In this context a purely defensive war was no

longer viable, and the belief that an offensive war against non-Christians could be sanctioned took hold.[49] These early wars were decidedly more political in scope, but they would be framed in religious terms by a reforming papacy, beginning with Pope Alexander II in 1063.[50] Alexander II granted indulgences to participants in the French wars against Iberian Muslims beginning in 1064. For this reason, Erdmann considers papal support of French campaigns in the early Spanish Reconquest as a foundational period for the concept of Christian crusades.[51]

Many popes, cardinals, archbishops, and lower clergymen were active proponents of the Crusades; many also accompanied the military campaigns. For ecclesiastics and seculars alike reclaiming the Holy Lands was key to reasserting Christianity and reforming the spiritual laxity endemic to the period. Papal definitions of "Christian lands" and "holy crusades" would change with time, however. As discussed above, modern historians continue to argue over the *right* definition of a "crusade."[52] This debate continues because the papacy would later recognize wars to reclaim lands outside of Jerusalem as Holy Crusades. During the late twelfth century, increased pressure from the Moroccan Almohads and several failures in eastern expeditions, turned papal attentions to the west. Pope Alexander III (1159-81) officially recognized the Spanish Reconquest as a Holy War and tried to secure a Christian alliance among Spanish kingdoms against Muslim forces.[53]

Alexander III extended to Spanish crusaders the same spiritual indulgences, or "full remission of sins," as those going to the Holy Land. This would have been an intriguing prospect for many medieval Spaniards. Popular ideas of crusading and crusaders will be discussed in depth in the next chapter, but a few points are worth mentioning here. For much of the medieval period, Europeans had been fascinated with tales of purgatory and feared

eternal damnation. Rich nobles could find solace in the act of commutation, or monetary payment for remission of sins, but lower classes who could not afford to commission a cathedral or donate a large sum to a religious order, had fewer options. Therefore, when the reconquest wars were deemed holy wars, many Spaniards were intrigued by the potential spiritual benefits. Crusading indulgences were not only granted to soldiers, but also individuals who donated a specified amount of money to the war effort. A crusader could also enjoy other, earthly privileges. Royals, nobles, and churchmen alike recognized a crusader's right to goods plundered during the campaign, so many individuals entered a crusade for potential financial gain. Papal acknowledgement of the Spanish crusades did not renew hostilities, but it did contribute to an environment conducive for Christian cooperation, by inspiring more individuals to join the campaigns. For example, in 1188, Pope Clement III spoke of the Spanish reconquest and military actions in the Holy Land with the same reverence.[54]

Papal abilities to intervene in secular matters could be problematic when papal and royal goals did not align, however. The papacy would use its influence to incite military campaigns against royal wishes. By the mid-twelfth century, attempts to reclaim territory from Muslim control had slowed considerably.[55] In the late twelfth century, many Spanish kings had entered a ten-year respite from hostilities with Muslim caliphs in order to resume their wars against rival Christian kingdoms. In an effort to inspire peace between the Spanish kings in 1193, Pope Celestine III (1191-98) promised absolution and papal indulgences if they would unite against the Muslims. Celestine even encouraged the laity and various Military Orders to resist Muslim incursion even without royal permission.[56] Papal plans

would continue to face opposition, however, as Christian royals continued to use Almohad military aid against rival kingdoms.[57]

Pope Innocent III was determined to unify Christian forces in the east and west and worked to secure peace between the Iberian kingdoms.[58] Like his predecessors, he too acknowledged that the Spanish Reconquest was as important as eastern crusades in the Holy Lands. In a letter circulated throughout Europe, Innocent III advised prelates to organize processions "on behalf of the peace of the universal church and the Christian people, and particularly…those fighting in the war…between them and the Saracens in Spain…"[59] While peace between Spanish Christian kingdoms would be restored by the end of 1209, it was likely because of royal machinations more than papal intervention.[60]

To this point, the chapter has examined how the relationship between the papacy and monarchy evolved within the context of twelfth century papal reforms and military crusades. However, it is important to acknowledge the involvement of the Iberian church as a related, but separate institution. While all Catholic clerics were ultimately subject to the papacy, parishes, dioceses, and archdioceses were also shaped by the political circumstances of their specific locations. As seen in the discussion of *fueros*, medieval Spanish kingdoms operated via multiple political centers, both secular and religious. In theory, temporal matters were the jurisdiction of the monarch and, to a lesser degree, the Cortes, while the upper-clergy of the secular and regular orders presided over religious matters. The king had nobles as his vassals and the cortes met at his discretion. However, both the medieval nobility and cortes could, and frequently did, exert themselves against the powers of the king, because they could dramatically influence the king's ability to raise revenue.

Conversely, the Spanish church answered to Rome as well as their patron-king. Archbishops and bishops contended with cathedral chapters, or assemblies, on larger church issues, while priests and lower clergymen worked and ministered within their specific parishes. However, as illustrated above, the divisions between temporal and sacred were not always clear in practice. The king could influence the Church via presentation, while clergymen could amass property, participate in local politics, and control a considerable portion of the kingdom's wealth. It can be argued that cooperation between Spanish kings and the papacy allowed for one of the most famous Spanish victories of the Reoconquest period, the Battle of Las Navas Tolosa, but this would neglect the contribution of the Spanish church. While the pope may have officially recognized the military campaign, efforts by the Spanish archbishop and tithe revenue from local Spanish dioceses were ultimately responsible for financing it.[61] The battle, therefore, provides a good example of Reconquest church-crown relations.

The battle occurred in the summer of 1212 and was a major turning point in the Reconquest. After the loss of the castle of Salvatierra in September the year before, Alfonso VIII of Castile (1158-1214) knew that a Muslim attack was eminent. Salvatierra not only protected the road to Toledo, but in Christian eyes was a "fortress of salvation" in its own right.[62] After the victory at Salvatierra, Almohad caliph al-Nāṣir proclaimed that he had "cut off the right hand of the king," and when the Christian king did not respond, the caliph took the chance to regroup before his next assault.[63] Alfonso VIII ordered his vassals to make preparations to defend Toledo by the spring.[64] Meanwhile, Pope Innocent III demanded that both French and Spanish bishops offer remission of sins to any and all who fought in the campaign against "the king of Morocco" who said "he would fight against all who adored the

cross throughout the world."[65] Innocent III was also aware of persistent tensions between Spanish royals, so in April 1212 he added that should anyone join forces or aid the Muslims, he would face excommunication. Papal recognition would transform the campaign into an official religious crusade and encourage inter-kingdom cooperation.

With papal extension of remission of sins, Archbishop Rodrigo Jiménez de Rada of Toledo (1209-47) began playing on the Christian sympathies of neighboring kingdoms in order to foster wider Christian cooperation. King Alfonso VIII's forces were bolstered by his rivals, Pedro II of Aragón, Alfonso II of Portugal, and Sancho VII of Navarre, as well as several counts of southern France who had been encouraged to join by Archbishop Arnald Amaury of Narbonne.[66] The treasuries of most of the Christian kingdoms in both France and Spain lacked funds, so Alfonso VIII was ultimately responsible for paying and outfitting his allies' forces as well as his own.[67] In order to amass this large sum, he demanded that the clergy of Toledo surrender half of its annual revenue.[68] These revenues came from the *tercias*, the third of the tithe set aside for maintenance of the churches in the bishopric. The church of Toledo was caught between two very powerful and, at this moment aligned, forces of the king and the papacy; therefore, a large part of the funding for this crusade was provided by the Spanish church. The Spanish church would face similar circumstances throughout the Reconquest period, as warring Spanish kings would strategically emphasize crusading discourses to elicit papal intervention in order to gain access to local church revenues.[69]

Both the Archbishop of Toledo and the Archbishop of Narbonne accompanied the campaign, celebrated mass, offered absolution and heard soldier confessions before the battle, and marched under the sign of the cross. Alfonso's army defeated the caliph in early

July at Las Navas Tolosa. Spanish defeat of the Muslim forces was a major turning point in the larger history of the Reconquista because it marked the beginning of decline for the Almohad empire. It would also be a pivotal moment for the crusades in western Christendom. Pope Innocent III celebrated the victory as a monumental achievement and proof that the crusades had God's blessing. "It was not your highness's hands but the Lord who had done all of these things…. For that victory took place without doubt not by human but divine agency…"[70] A similar sentiment echoed in Alfonso VIII's official letter describing the battle. Alfonso wrote, "Our Lord slew a great multitude of them with the sword of the cross…In this way the battle of the Lord was triumphantly won by God alone and through God alone. To God be the honor and the glory, who granted the victory of his cross through Jesus Christ our Lord."[71]

While papal support may have aided Christian forces in the Battle of Las Navas Tolosa, this does not mean that a harmonious alliance existed between the papacy and the monarchs. For example, while Innocent III had also attacked the marriage of Alfonso IX of León to Berenguela of Castile because of consanguinity. The marriage secured peace between the two kingdoms which had been a goal of Innocent and his predecessors. Innocent continued his objections, however, and the marriage was ultimately ended. Unsurprisingly, the pope's actions did not warm Spanish monarchs to papal intervention. Furthermore, the pope withdrew his support from the peninsular wars to focus his energy elsewhere, convoking the Fourth Lateran Council in 1213. He was convinced that Muslim incursion in the west was no longer a threat and wanted to direct resources to reclaiming the Holy Land in a Fifth Crusade.[72] The council proposed a tax of one twentieth of all ecclesiastical income for three years in order to fund the campaign, taking it out of the hands of both clergymen and

kings alike. Regarding Spain, he called to "revoke the remissions and indulgences granted by us to those setting out against the Muslims in Spain…especially since they were granted for reasons that are now entirely in the past, and for a particular reason that has for the most part ceased."[73] Innocent added that "if required, we will take care to act in any immediate necessity," but papal support would be intermittent in the following years.[74]

Historians continue to debate the impact of the Fourth Lateran Council in Iberia. Stephan Kuttner and Antonio García y García argued that legislation from the Council was "the most important single body of disciplinary and reform legislation of the medieval church" with wide implications.[75] Peter Linehan does not dispute this interpretation, but argues that these reforms had little impact on the Spanish Church.[76] Others cite the large number of peninsular prelates that attended the council as evidence of Spanish interests in the reforms.[77] However, it is clear that Innocent's withdrawal of papal indulgences in Spain widened the rift between Spanish kings and the papacy and the additional taxes further estranged Spanish clergymen from Rome. Spanish kings refused to have their military plans derailed and Spanish clerics were insulted when asked to pay for a foreign war as they had already been responsible for funding campaigns in their own lands.[78] Spanish frustrations with Rome would increase as Innocent's successors, Honorius III (1216-27) and Gregory IX (1227-41) continually diverted revenue to fund crusades in the Holy Land. While each granted specific crusading indulgences periodically to crusaders in the west, the Spanish crusade would reemerge largely under the direction of Archbishop and papal legate Rodrigo Jiménez de Rada of Toledo.[79] He partnered with Alfonso IX of León to resume hostilities against the Muslims in 1218.

Archbishop Rodrigo Jiménez de Rada raised an army at his own expense and fortified numerous castles. He captured Quesada, a number of other castles around Úbeda in southeast Spain, and his earlier efforts to secure Toledo would become a "mainstay of the frontier defense."[80] When Alfonso IX formally acknowledged the right of his son, Fernando III, to the throne of Castile, it encouraged Fernando to enter the conflict in 1224.[81] After the death of Alfonso IX in 1230 and the unification of Castile and León, Fernando III (1217-1252) established his legacy as one of the great warrior-kings, by securing lands deep in the Guadalquivir valley before mid-century. With additional reinforcements from León, Galicia, as well as Castile, Fernando set his sights on Córdoba, arriving at the borders of the city in February 1236. The Almohads in Morocco were in the midst of a civil war as two factions vied for control of al-Andalus, or the Muslim territory in Iberia. The first competitor, Muhammad ibn Hūd, controlled Granada, Almería, Jaén, Málaga, Seville, and Córdoba. His rival Muhammad ibn Yusuf ibn al-Ahmar, the founder of the Naṣrid dynasty of Granada, was gaining support in various cities in and around Jaén.[82] Constant infighting among the caliphs would divide their forces hindering their ability to fend off attacks from Christian kings. For example, Córdoba fell after only four months.[83] Political instability and civil unrest prevented Spanish Muslims from mounting a common defense for much of the period, allowing Christian kings to play one caliph against the other and advance well into their territories. Ibn Hūd would be assassinated by one of his own, while his rival seized the remainder of his lands.

The recapture of Córdoba was not only an important moment for Christian Spaniards because of its strategic location, (reclamation of the city would effectively open up the Guadalquivir valley for Christian resettlement), but because of its cultural and historical

value. Located in the southern part of the peninsula, Córdoba had been one of the first major cities to fall under Muslim control during the initial incursion in the early eighth century. After the king entered the city on June 30, 1236, clergymen like Bishop Juan de Osma wasted little time reclaiming the city's Christian heritage so "that the mosque should become a church…the superstition and filthiness of Muhammad being expelled therefrom."[84] The mosque was quickly renamed a church and dedicated to St. Mary. Reclaiming and repurposing holy places and structures continued as Christian kings expanded their crusades further south. The capture of Seville in 1248 would follow a similar pattern.

After the fall of Jaén in 1246, Seville and the caliphate of Granada were the last major cities under Muslim control. Since 1243, Caliph Ibn al-Ahmar served as vassal to Fernando III and paid tribute to the Christian king. However, in 1246 anti-Christian extremists in Seville assassinated the local governor and gave their allegiance to a rival, the emir of Tunis, Abū Zakariyā. Zakariyā's threats had originally convinced Ibn al-Ahmar to seek protection from Fernando III three years earlier. Prior to marching his forces towards the city, Fernando sent Archbishop Rodrigo to Rome and secured papal support, which granted him access to Iberian church revenues.[85] By conquering neighboring towns and villages to the north, Fernando's forces blocked the city's access to the Guadalquivir river. The heavily fortified walls of the city protected it from direct assault, but after sixteen months of siege, Seville finally capitulated on November 23, 1248. Within a month, most of the Muslims within the city had fled, the mosque was transformed into a cathedral, and Bishop Remondo of Segovia was consecrated archbishop of the reestablished metropolitan see.[86] Seville would remain a religious and political center for Spanish Christians from that moment forward.

While the Christian victories mentioned were as much a result of Spanish royal and ecclesiastic cooperation as papal intervention, this period is significant for its political implications. By recognizing the war between the Spanish and Muslim forces as a religious Crusade, twelfth century popes were not only extending papal indulgences, but reaffirming the traditional relationship between military conquest and religious expansion that dated back to the Roman Empire.[87] Connecting the Reconquista to a broader Christian endeavor allowed for cooperation among Spanish kingdoms and reaffirmed Spanish Christian identity. This identity was then reinforced by the Spanish church and state. For example, the high medieval period witnessed increased efforts to rebuild an identifiable church structure within the reconquered areas of Spain. Most medieval Spanish kings identified themselves as Christians, even though they had not rebelled against Muslim occupation for solely religious reasons. As Spanish kings secured new territories, they would bequeath land grants and titles to their men and various religious orders; therefore, the expansion and creation of kingdoms occurred in parallel to the expansion of the church's presence.[88]

While funding military campaigns drained ecclesiastic revenue, military victory could bring wealth, privilege, and expansion for Spanish dioceses; therefore, Spanish clerics had considerable incentive to propagate the Spanish Crusade against the Muslim infidel. The priesthood was an outlet for the sons of noble families which made the aristocracy also highly invested in expanding church property. A striking example is when Pope Innocent IV allowed Fernando III to use ecclesiastical benefices, and their capital, as endowments for his sons Felipe and Sancho; one was appointed as procurator of the archbishopric of Seville in 1249 and the other to Toledo in 1251, respectively.[89] Conquest of new territory and the establishment of Catholic churches would operate in tandem for the remainder of the

Reconquest.[90] Medieval scholars calculate that there were fifty-one bishoprics in the Spanish kingdoms and Portugal by the late thirteenth century, which was a significantly dense network in comparison to its European contemporaries.[91]

In theory, twelfth and thirteenth century papal reforms reasserted papal authority over civil matters and placed medieval churches more firmly under the direction of Rome against royal patronage. However, this was not easily done in practice. As had been the norm, medieval bishops throughout Europe identified with their specific locale and its respective ruler, but the Reconquest would bring Spanish clerics even closer to the crown and away from Rome.[92] Both Spanish royals and upper clergymen used papal zeal to further their reconquest goals throughout the eleventh and twelfth centuries, but when papal interests turned away from the west, the relationship quickly dissolved. When thirteenth century royals, like Fernando III, cultivated papal support it was largely to the detriment of Spanish clergymen, and papal mandates were often forgotten after the initial grant. In April 1247, Pope Innocent IV had granted Fernando III rights to church revenue for three years to fund the Seville campaign; which was the first grant of church funds directly to a king.[93] After the recapture of Córdoba, Pope Gregory IX permitted Fernando to dispose of the bishoprics as he saw fit, but Fernando used the grant as an opportunity to maintain his access to the *tercias* despite papal refusal.[94] This established a tradition for Fernando's successors to use the *tercias* regularly, much to the chagrin of the papacy and Spanish prelates. The Spanish church found itself in a precarious position between a powerful crown and papacy, which strengthened its relationship with the former rather than the later as the century progressed.[95] To Spanish clerics, the papacy was not only unable to curb royal intervention, but represented another drain to church resources, as Rome repeatedly called for European

clerics to contribute to holy wars in the east. Spanish clerics would therefore spend the majority of the thirteenth century evading papal tax collections, while attempting to delay royal procurement.

Foreign aid in general waned during this period, making the Reconquista solely a Spanish endeavor and the responsibility of its crowns and churches. The act of crusading blurred the lines between the church and the medieval state in many ways. A crusade, or holy war, is largely defined as "war sanctioned by ecclesiastical authority for a sacred cause," which, theoretically, calls for secular and spiritual powers to work together to achieve military victory.[96] In practice, the Iberian crusades required local prelates and various other clergymen to aid the military efforts of the kings through spiritual and financial support. As illustrated above, both the church and the state participated in the campaign, therefore both could either benefit from a victory or suffer from a defeat. It also meant that, in the case of military victory, the church had a considerable, if not equal, claim to the spoils. However, despite papal chastising, Spanish kings disposed of property as they saw fit, which meant that church expansion ultimately depended on its relationship to the monarch. Therefore, the mutual obligation between the crown and the church outlined in legal theory resulted in mutual dependence in practice. Royals would become dependent on church revenues and clergymen would become dependent on royal grants. This tradition created overlapping jurisdictions and competing claims between the medieval church and monarchy.

Law and the Church in Late Medieval Spain

This complicated relationship would solidify over the course of the Reconquest. As illustrated above, this power struggle was shaped by early church reforms and the idea of

crusade, but it would be expressed and politically cemented through legal codes produced in the later medieval period. These codes attempted to standardize legal practice and unify realms constructed through conquest. Among other things, they attempted to delineate the relationship between church and civil authorities. While these codes were met with hostility by contemporaries, they later inspired Spanish conceptions of imperial law and served as a legal source when it came to colonizing the New World. The legal statutes that came from the time of Alfonso X, el Sabio or "the Learned," of Castile-León and Jaime I, the Conqueror, of Aragón would be used to justify royal and ecclesiastic actions during the conquest and colonization of the Americas and provide a foundation for colonial law codes.

Before considering these laws, it is important to understand the environment in which they were created. While late medieval Spain embraced its conquest heritage, maintaining the blistering pace of previous warrior-kings was improbable and peninsula expansion was geographically limited. Late thirteenth, fourteenth, and fifteenth century Spaniards were also confronted with many issues symptomatic of territorial expansion and population migration. These factors together created a Reconquest environment considerably different from that of the early and high middle ages. In many ways, the second half of the thirteenth century was an important transitional moment in the history of the Reconquista. The warrior-kings of old were gone while their successors attempted to continue their legacies with uneven success. Royal successes and failures would impact the evolving relationship between themselves and their clergymen.

After the death of Fernando III in 1252, Muslim territory in Iberia was limited to the south, including the kingdom of Granada and Murcia. Granada retained its independence through most of the fifteenth century, despite becoming tributary to Castile in 1266.[97] It

would finally fall to Castilian rule in 1492, but until 1340, Muslims had largely resisted further Christian incursion. Their forces had been strengthened by the new dynasty in Morocco, the Marinids. Their sultan, Abu Yusuf Ya'qub (1258-1286) had defeated the last Almohad caliph and captured Marrakesh in 1269. He was determined to control the peninsula's lucrative southern ports, and his alliance with Granada allowed him access to Tarifa, Algeciras, and Gibraltar.[98] The Marinid sultan would use the combined Granadan and Moroccan forces to capture several additional ports along the southern coast. Christian Reconquest efforts in the decades between 1252-1480 were sporadic, however, as many monarchs were occupied elsewhere and internal division left them ill-equipped to challenge Muslim forces.[99] For example, Abu Yusuf would take advantage of the civil war in Castile to reach as far as Madrid in 1282, north of the Sierra Morena in 1283, and into lower Andalusia in 1285.[100] Spain's southern ports would be the main stage for conflict among the Castilians, Aragonese, Moroccans, and Granadans, each holding them for a time over the course of the next two centuries.[101]

Jaime I the Conqueror of Aragón (1213-1276) devoted much of his reign to territorial and imperial expansion. Ascending the throne at age five, much of his earlier years were spent under the control of noble factions led by relatives eager to secure his regency. However, in 1228, at age twenty, he led his first successful campaign into the Balearic Islands. With aid from Catalan and French Montepellier and Marseilles, he captured the island of Majorca in 1229 and secured the island of Minorca as tributary in 1232. He continued by launching a series of campaigns alongside Castilian allies Fernando III and his son Alfonso X in Valencia, capturing the entire kingdom by 1244. In 1266, Jaime recaptured Murcia at the appeal of his daughter and Alfonso X's wife, Violante. He renounced his claim

to Murcia to Alfonso soon after.[102] Murcia had pledged vassalage to Alfonso in 1243, but in 1264 rebel leader Abu Aquinz overthrew the dependent lord and, with the help of Abu Yusuf, challenged Alfonso's rule.[103] Jaime I would spend his later years focused on two goals: suppressing rebellions in Valencia and building a Mediterranean empire. By the end of his reign he had captured Sicily, Sardinia, Corsica, Athens, parts of North Africa, specifically Tunis, even organized a crusade to Jerusalem in 1269.[104]

Alfonso X (1252-1284) would have a less illustrious military career. Fernando III left his son and heir Alfonso X a much larger kingdom then when he had ascended the throne in 1217.[105] However, Alfonso was determined to extend the realm in his own right, and led campaigns into southern Portugal in 1253; captured Cadiz in 1262; secured tributary vassalage from Navarre the following year and from Granada in 1266. Including territories won by his father, by the end of his reign, Alfonso X controlled the territories and municipalities of Castile, León, Toledo, Galicia, Seville, Córdoba, Murcia, Jaén, and the Algarve; essentially, the entire Muslim frontier fell along the borders of Castilian claims.[106] He also secured the title of Holy Roman Emperor in 1257, but spent the bulk of the next twenty years attempting in vain to validate the title.[107] He faced similar issues at home due to repeated disputes over succession. After the death of rival Holy Roman Emperor in 1272, Alfonso journeyed to Rome in an effort to secure recognition from Pope Gregory X, leaving his son and heir Fernando de la Cerda as regent. The Marinid sultan took advantage of Alfonso's absence and invaded the peninsula in 1275. This new round of hostilities would be costly for Castile as Fernando de la Cerda, Nuño González de Lara, who was charged with defending the Andalusian frontier, and Archbishop Sancho II of Toledo fell within the same year, leaving the king's second son Sancho as regent.[108] When Alfonso X returned to Castile

he was left with a tremendous decision. Who should inherit the throne: his grandson and eldest son of Fernando de la Cerda, five-year old Alfonso, or his second son Sancho?[109] While Alfonso chose his son Sancho, his reign would be challenged again in 1282 when Sancho used an assembly in Valladolid to declare Alfonso unfit to rule and stripped him of his powers. While Alfonso retained the title of King, his son Sancho claimed the regency. This launched Castile into another civil war, lasting until the king's death in 1284.[110]

In addition to internal political disputes, Alfonso X had inherited the immense task of consolidating his father's conquests. Traditionally, historians have criticized Alfonso's efforts to unify the realm; instead, they highlight his financial missteps and administrative ineptitude.[111] For example, many historians argue that his contradictory economic policies, among other things, threatened the kingdom from within and undermined his attempts to unify it by the end of his reign. Alfonso explained his economic plans at the Cortes of Seville in 1252. His goals were to alleviate the problem of inflation, conserve natural resources, maintain a favorable balance of trade, and accumulate sufficient revenue to fund the king's various ambitions both within and outside of the peninsula.[112] He also instituted the *cotos,* or fixed prices of market goods.[113] However, rather than curb rising market prices, Alfonso's regulation only inspired merchants to hoard their goods to a point that Alfonso was forced to lift the cotos soon after.[114] Also, just as Alfonso implemented policies to curb noble and cleric spending and challenge the power of guilds and merchants, he filled the royal treasury by excessive taxation and spent the revenue almost as quickly.[115]

More recently, scholars have begun to appreciate the task Alfonso faced when organizing his kingdom.[116] For example, they have highlighted his affinity for the arts. Alfonso employed teams of scholars to create cultural and scientific works, as well as

standardized and promoted Castilian as the kingdom's official language.[117] Historical interpretation of Alfonso's kingdom is now decidedly more balanced; most applaud his efforts to consolidate the realm, while acknowledging inherent factors that ultimately worked against him.[118] For example, each territorial gain made by Fernando III resulted in dramatic population migrations, as settlers flocked to the new area intent on securing their share of its bounty. This left large sections of older territories unmanned and uncultivated. In response, landlords raised rents to compensate for declining production, which rose the poverty rate among common Spaniards. According to Linehan, after capturing Córdoba, Fernando was forced to provide provisions because it could not support the tremendous influx of people into the area.[119] These issues were exacerbated by recurring droughts and subsequent decreases in grain supplies.

While Aragón was not immune to natural disasters, (evidence exists of floods in 1261), it did not suffer famine and rising food prices to the same degree as in Castile.[120] Jaime I and his successors also had greater success in securing access to external trade through extra-peninsular expansion than Alfonso X, which provided relief in lean years. When the two kings met at Soria in 1257, one witness observed that "in the army of the king of Aragón there were such stores of bread and wine and meat and corn that they counted these almost as naught, by reason of their abundance, but that in the army of the king of Castile there was so great dearth of all things that soldiers and horses were dying of hunger."[121]

Castilian and Aragonese clergymen faired differently, as well. According to Peter Linehan, the Aragonese bishops had successfully established a conciliar tradition where the Castilians did not, and therefore, the Aragonese clergymen held considerably more political

power than their Castilian counterparts.[122] Castilian ecclesiastic circumstances would worsen when internal divisions and unwillingness to accept papal direction left them vulnerable on multiple fronts. They were especially ill-equipped against royal intervention by an ambitious Alfonso X, who, like his predecessors, exerted tremendous control over episcopal elections.[123]

Furthermore, Castile's frontier remained contested, but territorial expansion was geographically limited. This undercut the power of the nobility by restricting traditional methods of gaining wealth through conquest and plunder. Furthermore, Castile's economy was heavily dependent on livestock with limited urban-mercantile activity. Lack of diversification left the kingdom's economy vulnerable; therefore, it lagged behind the rest of the peninsula, as other kingdoms began investing in external markets and trade. Both factors converged during Alfonso's reign producing economic stagnation and widespread frustration when royal prerogatives seemed to increase rather than remedy the burdens felt by local nobles and townsmen.

While these factors worked against political consolidation, Alfonso X is best known for his efforts to bring his kingdom under a singular law code.[124] While this law code, its final rendition the *Siete Partidas*, or Seven Parts, was not widely circulated among contemporaries, it would establish an important legal foundation for early modern Spanish law. The *Siete Partidas* addressed legal issues from martial law to commerce to the penal code, but what is important for this discussion are its statutes concerning the church. After centuries of study, historians agree that the *Siete Partidas* should not be approached as a formal law code, but instead as a compilation of essays which speak to the traditional mores

of the time, therefore, it is an important source when considering the connection between the medieval church and state.[125]

As mentioned before, municipal regions in Christian Spanish kingdoms operated under the *fuero* legal tradition. The seventh century Visigothic Code, the *Liber iudicum*, or the Book of Judges, was still in use in the kingdom of León, while Castile and Extremadura operated under individual *fueros*.[126] In 1254-1256, Alfonso X attempted to impose a municipal code to standardize the traditional *fueros* of Castile and Extremadura, the *Fuero de las Leyes*, or more commonly known as the *Fuero real*.[127] By 1256, these versions were proliferated across the meseta, or plateau towns of central Castile, including Burgos and Buitrago in the far northeast; Arévalo, Avila, Cuéllar, and Peñafiel north of the Central Sierras; Atienza east of Madrid; and Trujillo in Extremadura. These laws were expanded and presented at Escalona in 1261, and then at Madrid in 1262, but were received with mixed results.[128] At the same time, Alfonso also promulgated another code meant for the royal court called the *Espéculo*, or Mirror of the Laws.[129] Soon after its completion, however, Alfonso focused on securing the title of Holy Roman Emperor and ordered an amplification of the code, which became the *Siete Partidas*. The characteristics and contents of both the *Espéculo* and the *Fuero real* have been examined elsewhere and will not by reiterated here. The relationship between the three codes is still heatedly debated among scholars, but most historians concede that the *Espéculo* and the *Fuero real* were both used in the compilation of the *Siete Partidas*.[130]

Joseph F. O'Callaghan and other scholars have advised caution when analyzing the *Siete Partidas*, however. All surviving codices were compiled by fourteenth or fifteenth century scribes after Alfonso XI, great grandson of Alfonso X, required various towns to

implement the *Fuero real* in his Ordenamiento of Alcalá of 1348. Therefore, we cannot speak with absolute certainty of the form or content of thirteenth century copies of the *Siete Partidas*.[131] Also, scholars continue to debate the contemporary impact of Alfonso's legal codices. According to the royal chronicle, the king "commanded that all the men of his realms should accept them [the *Partidas*] as the law and the judges should adjudicate pleas according to them;" but modern scholars generally agree that the code was not widely circulated.[132] Some historians argue that the *Siete Partidas* did not circulate widely because it would have been unnecessary considering the recent implementation of the *Espéculo* and the *Fuero real*.[133] Alfonso's attempts to intervene in local law was met with resistance from the local populace, however. During the Cortes of Burgos in 1272 the nobles and the townspeople spoke out against standardization, prompting Alfonso X to reaffirm local custom. He agreed to appoint noble judges to hear suits according to the traditional customs of those involved.[134] The purpose here is not to discuss the origins of extant codices, however, but to appreciate how the code sheds light on the relationship between the church and the crown.[135] As early modern jurists would reference the *Siete Partidas*, we too must reference how it outlined legal and cultural traditions of the church and its relationship to the crown within Spanish society.

The first book, or Partida, of the *Siete Partidas* is dedicated to the church and canon law. As illustrated earlier in the chapter, canon and civil law operated at the same level within medieval society, what James Brundage describes as "parallel" systems, "interdependent" with "a close symbiotic relationship," and "highly permeable" boundaries.[136] Alfonso X and his contributors would have recognized that a unified civil law code would necessarily consider canon law, as well as the Bible, which appears throughout

the *Siete Partidas.* In the first section, or Title, the author recognizes the dual nature of medieval legal concepts, "the laws…are divided into two kinds, of which one is for the benefit of the soul and the other for the benefit of the body…By means of both of them the whole world is governed."[137] Alfonso was also a product of earlier traditions, which he not only upheld but expanded during his reign. References to the "custom of Spain" are frequent. This is not surprising considering the local nature of Spanish legal traditions; each *fuero* was essentially an official recognition of local customary law.

Alfonso X used certain traditions to his advantage to exert control over the secular clergy, which he outlined in different Titles of the *Partidas*. However, underlying contradictions begin to surface when analyzing them together. According to canon law, bishops were to be elected by the cathedral chapter, but Spanish traditions allowed for royal intervention in various circumstances. According to Law XVIII of Title V, when a bishop died the canons were expected to ask for royal permission to elect a replacement.[138] Only after the election would the bishop-elect be presented to the king, who would then bestow to him the possessions of his see.[139] In this law, the king is taken out of the election entirely, however he is reinserted into the election process in Title XV, which outlines the patron's right of presentation. Furthermore, Evidence suggests there was little confusion on the king's role in the election of prelates in practice. This understanding was echoed in the *Ordenamiento* of Alfonso XI. The preface speaks of "the important evidence of the right of Patronato Real over the churches of the kingdom" and that "although in those times the use of elections was prevalent, these had no effect unless they were at once confirmed by the authority of the sovereign."[140] This legal discrepancy within the *Siete Partidas* illustrates

how Spanish royals toed the line between recognizing the rights of the Holy Church and pursuing royal control over churches within their realms.

The king was expected to control the property of the vacant see until a replacement was chosen, this was meant to ensure the transmission of property intact to the new bishop.[141] While this custom was challenged by Gregorian reforms in the twelfth century, Crown involvement in episcopal elections was not eliminated, and kings were still active in the episcopal election process. Many early kings also claimed the goods of deceased bishops but Alfonso VIII, Alfonso IX, and Fernando III renounced this right; Alfonso X would follow suit at Valladolid in 1255, but royal seizure of this property remained common.[142] In this way, royals could financially benefit from vacant sees. For example, there is evidence that suggests that Alfonso X delayed the election of new bishops in order to maintain direct control over the see's assets.[143]

Law XVIII also makes sure to recognize custom for specific reasons. First, the act of conquest further secured the monarchs' right to present a candidate for episcopal election.[144] In 1073, Gregory VII, following the example of his predecessor Alexander II, recognized that the act of conquest accorded patronage over the churches therein.[145] This custom solidified over the course of the Reconquest and closely aligned the political and religious expansion of the Christian lands in Iberia. It continued through the final stages of the Reconquest in the early modern period, by the last crusading kings, Fernando and Isabel. The Catholic Kings made good use of this political tool in the fifteenth century. As they led the war against the last Muslim kingdom of Granada, they granted a considerable portion of its territory to establish new cathedrals and monasteries. While royals surely expanded the Christian church for religious reasons, as they and the majority of their subjects were Christian, royal

endowment of conquered lands to the secular and religious orders was the customary basis of patronage rights. Second, Spanish customs of patronage were ultimately supported by Roman legal definitions of individual property rights. By commissioning and providing for the construction of cathedrals and churches, whether through land grants or otherwise, the king was thereby patron of those churches. This was symbolically represented by the royal endowment of the possessions of the benefice to an elected bishop. Royal patronage was thus legally justified in mutually reinforcing ways: the physical act of conquest, the royal grants to the church from its bounty, and the act of royal endowment of the possessions of episcopal see to a bishop-elect. Patronage also represented a considerable degree of security. Candidate presentation was an effective way for kings to ensure the support of the secular clergy, and the cathedral chapter was obliged to consider the royal candidate. Royal nomination could reward a cleric for his faithful service to the crown or be an opportunity to provide for younger sons of the royal family.[146]

The right of presentation is reiterated in Title XV. According to Law V, a patron cannot appoint a priest of his own authority, but if a church becomes vacant "neither the bishop, nor any other prelate, should appoint a priest for it, unless its patrons have presented said priest to him [the king]."[147] The right of patronage was conferred by custom, or natural, law, but Alfonso's compilers also acknowledged the authority of the Holy Church on this issue. The final law of the Title XV explains that the power of presentation was "conferred upon them [lay patrons]" by the Holy Church, and therefore, acknowledged that this power ultimately belonged to the pontificate.[148] However, as aforementioned, the *Siete Partidas* was a compilation of traditional customs as well as Roman and canon law. It goes on to explain that while this "favor" may have originally been given by the Holy Church, it had "been

practiced for such a long period of time that it [had] become a common right" and that right was thus "spoken of as spiritual."[149] Therefore, the royal right of presentation was justified by both canon law and legal custom, or natural law. The right of patronage was also transferrable; it could "pass from one man to another in four different ways, by inheritance, by gift, by exchange, or by sale."[150] While inheritance was legitimatized by custom, other transfers were only valid with the consent of the bishop. The idea of direct, *universal,* or conferred, *particular,* patronage will be discussed in the following section; it took center stage when the Spanish kings set out to define their rights over the church in their American colonies.

The pope reserved the right to decide in disputed elections, but thirteenth century prelates were less likely to seek papal intervention due to increased taxation from Rome. Also, more often than not the king and papacy would work together to decide in these cases. When Sancho I of Toledo died in 1261, Pope Clement IV reserved the election until Alfonso X finally persuaded him to choose Jaime I's son, Sancho II, in 1266. Sancho II died in 1275 leaving the archbishop position unexpectedly vacant and the new Pope Nicholas III and Alfonso presented different candidates: the king nominated Fernando de Covarrubias while the pope chose Gonzalo García Gudiel. The king had placed García in his last two bishoprics, so he ultimately accepted his election in 1280.[151]

Along with appeals to the Cortes, as explained earlier in the chapter, there were ways in which prelates could assert themselves against royal intervention: appealing to the papacy and calling provincial councils. Tensions between Spanish clergymen and Rome limited the possibility of papal intervention in the thirteenth century, and royal influence over episcopal elections limited provincial councils. Considering the longevity of the custom of royal

presentation, limited provincial councils in Castile is not surprising. Provincial Councils were not only an opportunity to standardize and reform church practice, but an opportunity for prelates to present a united front against royal interference, what Peter Linehan calls a "political bargaining position."[152] It allowed the geographically separated bishops to meet and discuss issues they witnessed in their own dioceses and as a group decide the best way to address these problems; and, according to canon law, the Crown was required to recognize their decrees. The bishops would have been less eager to speak out against the king, however, if their own benefices had been secured through royal presentation.[153] Castilian clerics also faced the burden of financing military conquest. The demand was exceptionally high during Alfonso X's expeditions into Africa. By rights secured by his father, Alfonso claimed the *tercias* to fund his campaign. In 1265, Pope Clement IV also granted him an additional tenth of ecclesiastic revenues for three years. While this grant was meant to replace his claim to the *tercias*, Alfonso neglected this condition and claimed both.[154] Ecclesiastical complaints would be pacified for a time by the acknowledgement of ecclesiastic rights by Alfonso's regent, Fernando de la Cerda, but tensions would flare yet again when new taxes were implemented upon Alfonso's return to Spain.

Alfonso X used church resources to fund various projects. In addition to the *tercias*, both Fernando III and Alfonso X were very interested in the process of tithe collection and royal rights to portions of it.[155] Title XX of the *Primera Partida* concerns tithe collection. While it is very thorough in its definition of the tithe, types of payments, and recipients, the rights of the king to the tithe is surprisingly absent. For example, royal obligation to pay the tithe is mentioned only sparingly and the *tercia* is not mentioned at all.[156] Royal rights and obligations to the church are more clearly outlined in Title XV.[157] The patron's obligation to

the church was conceptualized as a father's obligation to his children, and, as such, he was obligated to provide for the church and the church was equally obligated to provide for their patron should he fall on hard times.[158] A caveat is added to this law, however. It stated that even if the patron was not in dire straits, he had rights to a specified portion of the church's revenue, "if, when he began to build the church, he stated to the bishop what income he should receive from it."[159] It is curious that royal rights to the tithe and the *tercia* were not more explicit in the *Partidas*. This may be for fear of redundancy, as they had already been explained in the *Fuero real*, or the fact that the *Siete Partidas* was intended as an imperial, rather than municipal, law code. In either case, its absence cannot be interpreted as disinterest on the part of the king. For example, in the *Fuero real*, Alfonso X was very direct when he explained the tithe not only maintained the clergy, but was for the "service of kings, their benefit, and that of their realm when necessary."[160]

Other than a wealth of legal codes, Alfonso X's successors had to solve the problems they had inherited, decide which of his projects to continue, as well as deal with the threat of Muslim invasion. Similar to his father, Sancho IV's reconquest efforts focused on the southernmost ports, Málaga, Algeciras, Gibraltar, and Tarifa, which were highly coveted by both Muslim powers, the Marinids in Morocco and the Nasrids in Granada. Sancho IV employed an old strategy and played one Muslim force against the other, betraying either when necessary. For example, when new Moroccan sultan, Abu Ya'qub (1286-1307) invaded Jerez and raided lower Andalusia, Sancho IV allied with Muhammad II of Granada to capture Tarifa, with the promise that the port would be under Grandan control. However, Sancho broke his promise and kept the port.[161]

In regards to the church, discontent among clergymen reached its peak towards the end of Alfonso X's reign. When papal legate, Bishop Pietro of Rieti, failed to secure real changes in royal policies, the clergy protested by backing rival claimant to the throne, Infante Sancho, in 1282. Bishop Pietro had been sent to admonish the king for various injuries committed against the Castilian church and while the king asked his son Sancho to take counsel with the prelates and respond to the accusation, it amounted to few real changes.[162] While ecclesiastic support was a powerful political tool used by both sides in the war of succession that ensued, it seemed that royal control over the church could not be derailed. Alfonso's successors followed a similar path with respect to the *tercias*, clerical taxes, episcopal appointments, jurisdiction, and church property.

The south would remain a shifting frontier zone, with certain areas changing hands several times both between and among Christian and Muslim forces, which was largely due to internal issues on both sides. Sancho's successor, Fernando IV (1295-1312) would be overwhelmed by civil wars and infighting over his regency.[163] Meanwhile, Moroccan sultan Abu Ya'qub was locked in battle in Tlemcen on the country's northern border from 1296 to 1307.[164] His death in 1307 would leave a power vacuum which exposed internal tensions and multiple factions quarreled over his replacement. Granada fared no better. Before his death in 1302, Muhammad II successfully reclaimed and extended his realm into the Guadalquivir valley, but rapid leadership changes beginning with his son Muhammad III (1302-1309), who was deposed for his younger brother Nasr in 1309, resulted in the loss of much of those territories.[165] Decisive victory over Marinid forces outside Tarifa by the combined efforts of Alfonso IV of Portugal and Alfonso XI of Castile would finally end the threat of Moroccan invasion in 1340.[166] With the Marinid threat subdued, Granada remained the last Muslim

controlled territory on the peninsula. Alfonso XI would continue to be successful on the battlefield until his death in 1350, but resurgent political infighting within Castile and between the Christian kingdoms both in Iberia and abroad interrupted campaigns.[167] Maintenance of the frontier was largely left in the hands of the nobility, who were accustomed to amassing their wealth through raids and military skirmishes against their Muslim neighbors.[168]

For example, Alfonso's son and successor, Pedro I (1350-1369), would use the respite from Morocco and a truce with the emir of Granada to focus his attention elsewhere; specifically, war with Aragón and conflict with his half-brother and rival claimant to the throne of Castile, Enrique, Count of Trastámara. Rather than war between Castile and Granada, Pedro I and Muhammad V of Granada allied together against Pedro IV of Aragón (1336-137) and Enrique of Trastámara and their allies from Morocco. Castile's war with Aragón ended with a truce in August 1368, but Pedro still contended with opposition in his court, as support grew for Enrique of Trastámara. The war for the throne was finally decided in March of the following year when Pedro I lost to his brother on the battlefield.[169] Enrique ascended the throne as Enrique II (1369-1379). The forces of Enrique's son and successor, Juan I (1379-1390), would be occupied by a series of pontifical crusades launched by Roman pope Urban VI (1378-1389) and Avignon pope Clement VII (1378-1394) following the Great Western Schism of 1378.[170] Meanwhile, Muhammed V of Granada capitalized on these rounds of political unrest in Castile and Aragon to gain considerable territories into the Iberian interior and along the southern coast. By his death in January 1391, he ruled not only Granada, but Málaga, Almería, Guadix, Ronda, Baza, Algeciras, and Gibraltar, as well as regained control of the ports along the strait originally lost during the reign of Alfonso XI.[171]

He also secured his autonomy after serving as vassal of Pedro I, and briefly to Enrique II, and was freed from tribute.

Royal Threat to Church Power: Church-State Relations in the Late Reconquest and American Discovery

Hostilities resumed between Castile and Granada after an impromptu Spanish invasion led by master of the Order of Alcántara, Martín Yáñez de la Barbuda, in April 1394.[172] King Enrique III (1390-1406) ordered Yáñez to abide by the official truce between the two kingdoms, but Yáñez refused. He claimed he would not yield until the emir of Granada recognized that "the faith of Jesus Christ is holy and good and the faith of Muhammad is false and deceitful."[173] His small army was defeated quickly by Muslim forces soon after reaching Granada. This "crusade" may be insignificant compared to others in Reconquest history, but it would rekindle the tension between the two kingdoms. After repairing their peace with Granada for the time being, Castile spent the next several years fighting with Portugal. However, Granada was not likely to forget such a blatant violation of their peace agreement. The emir's feelings towards his Christian neighbors would only worsen when Franciscan missionaries began to proselytize in earnest to his Muslim subjects against his orders.[174]

The timing and popular reaction to the Yáñez campaign is also interesting. The early kings of the Trastámara dynasty in Castile were preoccupied elsewhere, and therefore, less inclined to resume campaigns against the Muslims. Successive years of peace between the two kingdoms challenged entrenched Spanish traditions of conquest, leaving some nobles, clerics, and townsmen frustrated that the Reconquest remained unfulfilled. While many nobles attempted to dissuade Yáñez on his march to Granada, his forces were bolstered by

volunteers from the local populace.[175] His soldiers were not blind to the recklessness of the venture either, but chose to have faith in their leader's mission against "the Moors, renegades of faith."[176] It is clear that Spaniards still held to crusading principles into the fifteenth century; what Joseph O'Callaghan calls, a "persistence of the crusading ideal,"[177] despite the diplomatic machinations of their monarchs. The sociocultural impact of crusading ideals in Spain will be discussed in the next chapter.

In 1404, Enrique III resumed plans for a crusade against Granada and met with Martín I of Aragón (1396-1410) and Carlos III of Navarre (1387-1425) to discuss an alliance against the Muslim kingdom. The other kings were less enthusiastic with this plan, however; they were hesitant to support a war that could significantly increase the power of Castile. Therefore, Enrique III attacked Granada alone in 1406. These plans stalled with the king's unexpected death on Christmas Day of that year.[178] Responsibility for the campaign fell to Enrique's brother, Fernando, who was acting as regent for his young nephew Juan II (1406-1454).[179] Fernando's campaign was costly and the movement of the frontier zone between the two kingdoms was slow. Furthermore, Fernando's later election as the king of Aragón (1412-1416) would take him away from the battlefield entirely.[180] Once he came of age, Juan II attempted several times to impose his will directly on the kingdom of Granada, but it would finally be conquered by his daughter, Isabel, who ascended the throne in 1474.

Isabel's brother and king, Enrique IV (1454-1474), undertook offensives against Granada, the greatest was reclaiming Gibraltar in 1462, but the kingdom endured.[181] After the fall of Constantinople to the Ottoman Turks in 1453, Pope Nicholas V called for another eastern crusade. The fall of the Byzantine Empire should have revitalized the crusading spirit throughout Western Christendom, but most European monarchs were not able, or had no

interest in, yet another foreign war. Enrique IV, however, saw this as an opportunity to recapture papal attention by emphasizing that a Muslim threat remained in the west, the independent kingdom of Granada. He warned that the Turks were unlikely to be expelled, but the Moors in Spain could be easily defeated.[182]

Pope Nicholas's successor, Calixtus III (1455-1458), agreed and issued a crusading bull in April 1455, which would be repeated in 1456 and 1457. Dissention within the ranks, disagreements between nobles, and papal pressure for a crusade against the Turks persistently undermined Enrique's campaign, however. Officers and nobles were also frustrated by the king's restrained military strategy. He had opted for sporadic skirmishes and limited pillaging, rather than extended sieges and large battles. His officers and vassals questioned the sincerity of the crusade, as rumors flew that the king was actually conspiring with Granada in secret.[183] While Pope Pius II (1458-1464) acknowledged the sanctity of the crusade against the Moors, he also insisted that the king uphold his promise to aid in the crusade against the Turks in the east, which diverted funds away from the Iberian conquest. The situation was made worse when the nobility vented their frustrations by calling the king's sovereignty into question and disputed the legitimacy of his daughter and heir, Juana.[184]

Against the king's wishes, his sister and heir, Isabel, agreed to marry her cousin Fernando of Aragón in October 1469. Insulted, Enrique IV openly condemned the marriage and proclaimed that his daughter Juana was the true heir to the throne of Castile.[185] The civil war that ensued left little possibility of continuing the war with Granada, so Enrique resigned himself to signing a three-year truce in 1472 even without tribute.[186] He died two years later. The war of succession continued despite Isabel's formal ascension in 1474. Enrique's

daughter, then twelve years old, was betrothed to Afonso V of Portugal who invaded Castile to secure Juana's claim to the throne in 1475. When Afonso was defeated at Toro 1479, the subsequent treaty formally secured Isabel's claim to the throne.

The Reconquest was an important cultural memory for Christian Spaniards, but it was not a cohesive one. Put more plainly, all Spanish Christians would have been impacted in some way by the Reconquest, whether through direct participation or the traditions that stemmed from it. However, this is quite different from a "united Spain." As illustrated above, from the initial Muslim incursion in 711 to the early fifteenth century, Christian rulers engaged with Muslim forces independently, allying with both Christians and Muslims as it benefitted them. Whether these Christian rulers were nobles or kings, they acted in accordance to the wants and needs of their specific locality; if Aragón or Castile captured territory from the Muslims it was for the good of their specific realm, not for Spain herself. While efforts were made during the thirteenth century to unify the kingdoms of Aragón and Castile, these were met with marginal success and did not unite the peninsula as a whole. It would not be until the reign of the Catholic Kings that a kind of unification became possible and a semblance of "proto-nationalism" would emerge. This began what would be known as the Golden Age of Spain, and when historians seriously consider the development of a Spanish nation.[187]

The marriage of Isabel of Castile-León to Fernando of Aragon, later crowned Fernando II of Aragon (1479-1516), officially united the two kingdoms under one crown in 1479. This agreement was not a typical royal marriage, however. According to the agreement, the monarchs ruled jointly, as they both signed and presided over official ordinances and other administrative duties, but they retained their thrones individually, and

therefore, could not make decisions concerning the other's realm without permission. Years of intense rivalry between the two kingdoms left many Castilian officials nervous about Isabel's Aragonese groom, so they took special care to protect Castilian prerogatives when drafting the marriage contract. For example, Fernando was required not only to promise to "respect the laws and usages of Castile," but he could not alienate any property belonging to the crown of Castile, nor make any appointments "without her [Isabel] consent and approbation."[188] This extended to church appointments and benefices, as well.[189]

Alexander VI gave the monarchs the title, "Reges Catholici," or the Catholic Kings, after the fall of Granada in January 1492. Queen Isabel was renowned for her ardent faith and the spiritual security of her realm would remain a top priority throughout her reign.[190] Much like the Christian kings of the twelfth and thirteenth century, Fernando and Isabel would use the idea of a crusade to bolster local support and to unite their kingdoms.[191] For example, the war on Granada was also included in the marriage contract. By signing the marriage agreement, Fernando also pledged to "wage war against the Moors, enemies of the Holy Catholic faith."[192]

It is clear that the conquest of Granada would be a major priority, but the monarchs agreed to a three-year truce with emir Abu'l Hassan Ali in 1479.[193] At the time, Isabel was entrenched in a war of succession with Portugal and could not afford to fight a war with Granada as well. The truce remained in effect until 1481; by that time, the war with Portugal had ended and the Catholic Kings were poised to embark on their conquest. They prepared for the campaign in typical Reconquest fashion by petitioning the papacy for crusading indulgences.[194] They also asked the pope to grant them one tenth of church revenue in Castile, Aragón, and Sicily, or the *decima*. Sixtus IV (1471-1484) agreed in June 1482, but

required that one third of that sum go to the papacy in order to fund the war with the Turks. The following month, Pope Sixtus IV granted the indulgences and recognized the sanctity of the Granadan crusade.

The crusading bull of Granada, *Orthodoxe fidei propagationem*, issued by Pope Innocent VIII (1484-1492) in 1486 reiterated and expanded royal rights within the would-be conquered territory.[195] First, it granted earlier requests from the Catholic Kings to found monasteries and other ecclesiastic benefices in Granada. It then extended these privileges to confer "the full right of patronage and of presentation of suitable persons to the Apostolic See for the cathedral churches…"[196] Innocent VIII reasoned that if the new benefices were under the patronage of the king, they may be better protected and maintained within the nascent Christian settlements; however, it conceded these grants "in perpetuity…from henceforth completely and without restraint."[197] Historians have traditionally traced the origins of the *real patronato de indias*, or royal patronage of the church in the Spanish Indies, to this particular papal bull.[198] However, as this chapter as shown, royal powers outlined within this bull harkened back to much earlier traditions between the reconquest church and state.

As Castile was torn by civil war over Isabel's ascension, Granada faced its own sovereignty disputes and political infighting. Emir Abu'l Hassan Ali struggled to suppress the rebellion of his son, Abū 'Abd Allah, known to the Christians as Boabdil.[199] Abū 'Abd Allah attempted to force his father's abdication by proclaiming himself, Muhammad XI, and the rightful ruler in 1482. War between the two political factions greatly weakened Granadan defenses. The Castilian forces were aided further when they captured Abū 'Abd Allah in April 1483. Due to the tension between the captive prince and his father, his ransom would

be no simple feat. Abu'l Hassan Ali had been hesitant to leave Granada for fear that his son's supporters would usurp the throne, so it was not likely that he would come to his son's aid; when he did offer to trade captives, it was probably for the chance to imprison Abū 'Abd Allah himself.[200] Aware of his precarious position, Abū 'Abd Allah offered his loyalty to Castile and pledged to become a vassal if Castile would help him to win the throne from his father, to which the Crown agreed. Unsurprisingly, this only heightened the political conflict within Granada. While emir Abu'l Hassan Ali was not well loved by his people, neither did they want to lose their independence to Castile by supporting its new vassal Abū 'Abd Allah. Castilian forces capitalized on this dissention and conquered many of the lands that bordered with Castile, essentially, the western half of the kingdom by 1486.

After Abu'l Hassan Ali's death in 1485, the emirate fell to his brother, al-Zagal, who proclaimed himself Muhammad XII (1485-1489). By 1488, lands from the city of Granada to the Murcian border was under the control of Castilian vassal Abū 'Abd Allah, while territory controlled by al-Zagal was limited to the southeastern quarter of the former emirate, including Guadix and Almeria.[201] The emir would finally capitulate to the Catholic Kings after their hard-won victory at Baza in 1489. As Castile celebrated its final victory, the monarchs were surprised to learn that their puppet Abū 'Abd Allah refused to relinquish the city of Granada as he had promised. They responded by laying siege to the city, and after months of blockade, Abū 'Abd Allah finally surrendered in January 2, 1492. The king and queen entered the city four days later.

Through the crusading bull of Granada, the Catholic Kings secured their control over the church in the newly conquered territory. However, royal involvement in the Spanish church more broadly had been achieved through a culmination of historical processes. Along

with reconquest traditions, Fernando and Isabel benefitted from the acts of their immediate predecessors in the late fourteenth and early fifteenth centuries. The Great Schism not only divided Western Christendom but weakened the power of the papacy thus traditional methods for ecclesiastic redress. According to twelfth century reforms, every Christian had the right to petition the pope, who served as an appellate court for ecclesiastical matters. Papal elections from 1378 into the fifteenth century were highly disputed, however. The elections of two popes fundamentally undermined the authority of both and diminished the power of papal intervention. Furthermore, as the two, and later three, rival popes busied themselves with international politics and their respective crusades, none served as a reliable adjudicator in church grievances against the monarchy.

Iberian kings used this papal instability to their advantage. Enrique III of Castile and his son Juan II expanded their right to present candidates and intervene directly in episcopal elections. In July 1436, Pope Eugene IV issued the papal bull, *Laudibus et honore*, which conferred patronage rights to Juan II within newly conquered territories.[202] The bull extended papal concessions given to earlier Spanish kings, namely Alfonso VI, to Juan II for his deeds against "the wicked Saracens, those enemies of the Christian name."[203] According to the bull, earlier kings had been allowed to "bestow very many dignities and to dispose of other ecclesiastical benefices, and in certain places [had] the right of patronage over those churches, oratories, and chapels."[204] The bull expands those rights further to "all and each of the lands, mosques, and sacred places that King Juan and his successors take from the hands of the Saracens and adapt to the praise of the divine name."[205]

Increasing royal patronage rights does not imply that Spanish ecclesiastics were totally complacent, however. It's clear that prelates did not relinquish their rights in episcopal

elections as easily as royals may have hoped. For example, in Alfonso XI's *Ordenamiento,* the king remarked that "some chapters and prelates do not regard the right which we have according to this said custom."[206] He also warned that he and his successors would go against "those who oppose it…with all our power, and we will uphold our right in such a manner that our dominion will always be recognized as it should be, and respected."[207] However, as illustrated, Spanish ecclesiastics routinely found themselves in a difficult position between two opposing forces, the monarchy and the papacy, for much of the period.

The Schism officially ended with the election of Pope Martin V in 1417, but the western church still felt its effects years later as the election of antipopes continued. European royals refused to relinquish their control over their respective churches and resisted papal intervention. They employed a new tactic known as *beneplacitum regium*, in Spanish *pase regio*, literally translated as "regal pass."[208] It expounded the crown's right to deny any papal communication that "opposed the designs of the state."[209] Alfonso V of Aragón employed this tactic against papal legate, Cardinal de Foix, in 1425. He forbade his subjects to communicate with Rome, prohibited the publication of papal bulls, and threatened that if the Cardinal-legate should return, he would execute him.[210] By the time the Catholic Kings were poised to commence their own crusade, the benefits of patronage had expanded considerably.[211] In 1478, Isabel disagreed with Pope Sixtus IV's candidate for the bishopric of Tarragona and ordered the bishop-elect to resign or face exile; the bishop readily complied and the queen appointed her candidate to the see.[212] In 1482, when the pope appointed his Italian nephew, Raffaello Sansoni as bishop of Cuenca, Isabel cited Spanish royal rights in episcopal elections; the pope did not challenge it and withdrew his candidate.[213]

As illustrated throughout the chapter, the lines between papal and royal privilege over the church in Spain, or the *real patronato español* was extremely complicated. However, the *real patronato de indias* was intentionally simplified and cemented through specific pontifical concessions indicative of the early stages of European exploration.[214] Mid-fifteenth century popes could not have predicted the consequences of such concessions, as the discovery of the Americas was not yet reality. They were operating within the confines of their own time periods, and the issues they presented. For example, the papal bulls granted to the Spanish kings in 1493 were not unique; as Shiels argued, they followed a "Portuguese precedent."[215] In 1454, Nicholas V, still reeling from the recent fall of the Byzantium empire in 1453, granted the Portuguese king considerable patronage rights in his African conquest. Nicholas was anxious to drum up support for his own impending crusade in the east, so he was likely to support similar campaigns. The Portuguese king was allowed to appoint "any ecclesiastical person whatsoever, seculars or members of any mendicant religious order, with the permission of their superiors," and "those persons…may hear confessions and absolve upon salutatory penance…and may administer the sacraments of the church."[216]

The right of presentation was repeated in a second bull issued by Nicholas's successor, Calixtus III two years later.[217] These bulls were the first papal recognition of direct presentation in ecclesiastic elections, as they omitted the discretion of the cathedral chapter entirely. However, as Shiels remarks, it was not granted as solely a royal prerogative. The spiritual responsibilities in the conquered lands fell to the revived Knights Templar of Portugal, the Orden de Cristo, which included ecclesiastics and laymen. The entire order shared the privileges of the bull, and its master was responsible for applying its regulations.[218] Infante Enrique (1394-1460), later nicknamed "the Navigator," was promoted

as master of the order after his victory at Céuta in 1415. The lines between king and master of the order were blurred, however, when the bull extended these power to the royal successors.[219]

The late fifteenth century was a pivotal moment in western Christendom. As the Turkish empire expanded in the east, the west also looked to expand its territories. The crusading bull of Granada and the bulls granted to the Portuguese exemplify these early stages of European exploration. These bulls borrowed from old customs but reflected new issues that did not easily fit crusading precedents. Specifically, they expanded crusading expectations for non-Christian conversion. According to these new "crusades," Christian soldiers were not only obligated to create an environment conducive to the Christian faith, appropriation of mosques and other Holy places and the construction of Christian churches, but to actively convert non-Christians. According to these new bulls, it was not enough to "repress" infidels, but crusaders must ensure their conversion as well.[220] This change was also relatively recent. For example, in the crusading bull of Eugene IV to Juan II of Castile in 1436, the pope began by applauding the king's devastation of the Muslim lands. He lauded Juan's triumph over "the wicked Saracens, those enemies of the Christian name" as he "attacked them headlong and subjugated their lands and settlements under the rule of the faithful of Christ."[221] This was the only mention of the territory's Muslim inhabitants. However, the crusading bull of Granada issued by Innocent VIII in 1486, took a very different tone.[222] The first line of the bull reads: "Our chief concern and commission from heaven is the propagation of the orthodox faith, the increase of the Christin religion, the salvation of barbarian nations, and the repression of infidels and their conversion to the faith."[223] While Innocent did not condemn the war and its potential casualties, (he seemed to

acknowledge it as a necessary evil), he repeatedly emphasized the need to preserve Granadan lands and population; he went even further to acknowledge that the Granadans were "part of their [Catholic Kings] own racial family."[224]

Years before their war with Granada, the Catholic Kings wrote to Pope Sixtus IV about the possible establishment of the Holy Office of the Inquisition in Spain. Sixtus IV granted the monarchs' request in 1478, and added that he hoped they would continue with their plan to subjugate the emirate of Granada and "convert those infidels to the right faith."[225] The crusading bull of Granada also predicated royal powers on the act of crusade, "the repression of infidels," and the subsequent conversion of non-Christians, "their conversion to the faith."[226] Pope Innocent VIII would renew the crusading bull 1485 and 1486 after several victories against Muslim forces. He praised how the Catholic Kings "reduced [the Moors] to the Christian faith" and referred to their mission as "a most holy work."[227]

For much of the Reconquest, most medieval kings made no real attempts to convert their Muslim subjects. Many Muslims chose to leave the conquered territories and emigrate to other Muslim-controlled areas after the territory changed hands. When a noticeable Muslim population remained, early medieval rulers implemented religiously segregated political systems rather than forced conversions. For example, after it was reclaimed, Toledo had separate judicial systems for the three populations, each with its own officials and administrative structure.[228] This meant that the three groups lived and worked alongside each other while being politically segregated. While many Muslims converted to Christianity, in order to gain access to Christian privileges, many historians have emphasized relatively peaceful relations within these heterodox communities. In his letter to Pope Innocent III

describing his victory in 1212, Alfonso VIII of Castile made few references to the remaining Muslims in the territory. He said that after the battle at Ubeda "some [Saracens] we killed, others were taken as captives into the service of the Christians and of the monasteries."[229] There is also little evidence that the papacy was overly concerned with Muslim conversions in Spain prior to the late fifteenth century. In Pope Innocent's response to Alfonso's letter, he spoke of God's mercy towards the crusaders and His anger towards "the races which rashly murmured against him,"[230] as well as His "humbling the arrogance of the strong and causing the pride of the infidels to be laid low," but Innocent did not consider Muslim conversion nor how it should be accomplished.[231]

These seemingly different approaches towards Muslims was largely due to the circumstances of the specific crusades. For much of the Reconquest, Muslim populations within Christian territories were typically small because many emigrated as the border between Christian and Muslims kingdoms shifted. The Catholic Kings faced a very different scenario after the fall of Granada. The Muslim population in Granada was large, well-organized, and had been there for centuries. They were not likely to emigrate out of the kingdom. There was also the fear that the newly subjugated population would be an eager ally for the Ottoman Turks, if they should set their sights on Iberia. Furthermore, Fernando and Isabel were still faced with the monumental task of uniting their disparate kingdoms and they feared that any dissention, political or religious, could potentially derail those plans.[232] This had been the thought behind establishing the Holy Inquisition in 1478. While it had originally been established to investigate heresy among Jewish converts, or *conversos*, it increased the pressure for religious conformity within the realms; which was contradicted by the existence of a large non-Christian population inside its borders. Therefore, after a failed

rebellion in 1500, the Granadan Muslim population was given a choice: conversion or exile. Most chose to convert rather than leave their homeland.[233]

When considering the larger circumstances, papal concessions to Prince Enrique of Portugal and the Catholic Kings are not surprising. With the fall of Constantinople only a year earlier, Nicholas V, as well as his immediate successors, feared the expansion of the Ottoman Turks and were likely to support campaigns against Muslims, even if they were not of the same group. Pope Sixtus IV had had similar fears, and like his predecessors, was anxious to secure funding for crusades against the Turks. Spanish and Portuguese kings used these fears to their advantage by emphasizing the Muslim threat in the west. However, this is not to imply that the papacy was completely waiving its rights within the conquered territories. For example, within the infamous crusading bull, Innocent VII also warned that if the monarchs should overstep their bounds and abuse the privileges granted to them, the papacy reserved the right to declare their policies "null and void."[234]

This stipulation exemplifies the underlying issue of papal bulls granted at the moment of discovery: particular or universal royal patronage. The patronage discussed up to this point in the chapter has been *particular*, or conferred, patronage. Indicative of the above clause, Spanish royal patronage over the church was technically considered *particular* because it had ultimately been granted by the papacy.[235] Regardless of custom, Spanish monarchs conceded that their power in episcopal elections ultimately derived from the power of the Holy See. This would change to *universal*, or direct, patronage in the papal bulls issued after the discovery of the Americas.[236]

Papal considerations of religious conversion would ultimately benefit Spanish monarchs with the discovery of the New World in 1492. As seen in the Granadan conquest,

the enormous non-Christian native population increased the necessity for Christian conversion. Furthermore, the papacy had already established a clear precedent with previous bulls, which Spanish monarchs were quick to cite in their demands for rights over the Church in their American territories. Both developments allowed for the seemingly unprecedented control over the American Church enjoyed by the Spanish monarchy throughout the colonial period.

Many European merchants were interested in circumventing Ottoman Turks' control over eastern trade, and the Spanish monarchs were no different. After securing major southern ports from the Muslims in the final stages of the Reconquest, Castile witnessed a general boost in its economy and was anxious to increase it. Castilians also watched as their Portuguese neighbors enjoyed considerable success in securing the lucrative trade along the African coast. The rivalry between the two kingdoms was well known and had worsened after Portuguese attempts to usurp the Castilian throne during the previous war of succession. Therefore, Isabel agreed to listen to Genoese explorer Christopher Columbus when he arrived at court in 1491.[237] Columbus proposed to chart a new sea route to Asia by sailing westward. While the Catholic Kings may have had their doubts, they knew that if Columbus was successful they would not only gain access to the east, but gain an advantage over Portuguese trade. Columbus set sail in August 1492 and returned to Iberia by March of the following year.

Once reports reached Pope Alexander VI of Columbus's discovery in the Caribbean, the pontiff released two papal bulls on May 4, 1493.[238] The first, *Inter caetera*, granted territorial authority to the Spanish monarchs in the New World, including the "natives and inhabitants," providing that the kings "bring them [the natives] to the Catholic faith."[239] It

also established the famous Line of Demarcation, which designated the territorial rights of Spain and Portugal within the New World. The bull ordered the Spanish kings to dispatch "virtuous and God-fearing men…to instruct the natives…and to imbue them with the same Christian faith" and to construct a recognizable church in the Indies.[240] However, this was the only reference the pontiff made on the issue of presentation, so Fernando and Isabel petitioned for the same privileges granted to Portugal almost forty years earlier. Alexander VI conceded and released the second papal bull of 1493, *Eximae devotionis*.[241] It extended to the Catholic Kings "all of the concessions, privileges, exemptions, rights, liberties, immunities and indults" that had been granted by other pontiffs to the kings of Portugal. In November 16, 1501, Alexander granted a "special favor" to the monarchy to collect the tithe in New World in order to meet the financial obligation of spreading the faith.[242] According to J. Lloyd Mecham, this bull placed the crown firmly at the center of tithe collection. In the Americas, tithe revenues were to be collected by the Crown and the Church was, in theory at least, supported by royal appropriations and regular endowments.[243] This was a major deviation from the crusading precedent. While Spanish kings had used church revenues throughout the Reconquest wars, they were required to petition the papacy before they could access those funds, which as illustrated earlier could impede royal plans. The Catholic Kings wanted to insure that they did not face the same challenges within the New World. It is clear that the monarchs valued native conversion and the establishment of the church in the Indies. As Columbus was readying himself and his crew for a second voyage, the king and queen sent him a letter outlining his obligations. Among other things, it ordered the admiral to see to the conversion of the local population "to the fullest extent possible."[244] They also alerted

him that they would be sending “the learned father Fray Buil” and other religious along with him on his next voyage.

The papal bulls of Alexander IV toed the line of crusading customs, and therefore, still operated within the lines of *particular* patronage. Royal patronage would become universal under the papal bulls of Julius II, to which we return to Fernando’s letter that began the chapter. On November 15, 1504, Pope Julius II sanctioned Queen Isabel's request that an archbishopric and two bishoprics be created on the Island of Española. However, he made no mention of royal rights of presentation or the royal claims to the tithes.[245] Rather, he challenged those rights when he proposed that the bishops of the newly established sees “determine the size and style of the metropolitan and cathedral churches…and to see to their building,” as well as “institute the respective ecclesiastical dignities…the canonries, prebends, and other ecclesiastical benefices.”[246] Legally, this meant that the ecclesiastical rents belonged to the future prelates of the sees rather than the monarchy. This was a clear violation of the established policy. When Fernando, regent of Castile after the death of Isabel in 1504, received the bull, he withheld it and the sees in Española were not allowed to be founded by order of the king.[247] Fernando refused to permit the erection of new sees in America until the right of royal patronage was recognized. He expressed his frustration in a letter to the pope in September 1505. Illustrating the vitality of medieval custom, Fernando claimed that the pope’s omission violated traditional royal rights to present candidates for vacant benefices. Regarding the tithe, Fernando cited traditional Castilian rights to the *tercias*, or the portion of tithe revenue dedicated to maintaining the church.[248]

His protest would be successful. In July 28, 1508 Julius conceded and released the bull, *Universalis ecclesiae*, which recognized universal patronage to the Spanish monarchs

over the church in the Americas. It stated that "no church could be erected without [the monarchs] consent."[249] It also recognized the right of the monarchs to "[present] fit persons both to metropolitan and other cathedral churches," as well as "monasteries, collegiate churches" and "all lower ecclesiastical benefices."[250] According to Mecham, this would become the standard form which all other bulls of erection would be modeled after.[251] The papal grant of 1508, however, contained nothing about the royal claims to the tithes, and the demarcation of the dioceses, which had been two of the three points contained in the vigorous protests made by Fernando. Therefore, Julius was forced to release two more bulls in April 8, 1510 and August 13, 1511, which reconfirmed the royal rights to the tithes.

Conclusion

The *real patronato Español* had been constructed over centuries through layers of complicated jurisdictions and various royal and papal concessions. Beginning in the earliest stages of the Reconquest, compounding forces such as broad church reforms, various Holy Crusades, and issues endemic of the disparate Iberian kingdoms shaped the relationship between the Spanish church and the monarchy by 1492. Therefore, by the discovery of the Americas in that same year, the Spanish kingdoms had developed clear conquest traditions which were then challenged by the unprecedented nature of New World colonization. For example, the foreignness of these "unknown lands" is emphasized throughout the documents discussed in the last section: "lands that until then no one had known."[252] Spanish monarchs used this to their advantage to secure a far more beneficial arrangement, the *real patronato*

de las indias, by 1511. However, it is important that we do not ignore the deeper connections between the two. As this chapter and later chapters will illustrate, while Spaniards brought traditional concepts like the relationship between the church and the state with them to the New World, these traditions would not work in practice. Therefore, these older traditions were altered, or "translated," to fit specific colonial circumstances, and the relationship between the crown and the colonial church was an important example.

As aforementioned, the late fifteenth century was a pivotal moment in western Christendom. As illustrated in the bulls discussed above, explorers, monarchs, and popes faced the new conditions by borrowing on old customs and proposing new solutions when those did not fit. These new situations forced issues like non-Christian conversion to come to the forefront of conquest. The papal bull granted by Nicholas V to Prince Enrique in 1454 exemplifies this struggle. He applauded Prince Enrique's earlier efforts to convert the natives of the Canary Islands "to the knowledge of the true God and to baptism," but his discussion of Muslim Africans was not as straightforward. He had conceded to Enrique's father "full and free rights…to invade, attack, defeat, and subjugate any Saracens and pagans and other enemies of Christ," as well their enslavement, but remarked on the possibility for the conversion of these subjugated peoples.[253] Herein lies the problem. Exploration of "new" territory did fit easily within the established crusading precedent. Earlier Christian theologians were able to justify expanding their definition of a just war from purely defensive to offensive, because of the very real threat of Muslim invasion. They argued that attacking the enemy was a "just war" to defend the Christian faith. These definitions could not be so easily applied to indigenous populations. These issues would be discussed at length throughout the sixteenth century.

The papal bull, *Universalis ecclesiae*, officially recognized the Crown's universal patronage over the New World Church. Historians have cited this foundational document, as well as the bulls of Alexander VI, as proof of the uniqueness of Spanish American church-state relations. As illustrated throughout the chapter, the final confirmation of universal royal patronage was important, but it was not entirely novel. By employing an extended periodization that incorporates medieval antecedents, the papal bulls of the fifteenth century are not as surprising, but were modelled from earlier crusading bulls in many ways. This papal bull is also cited by scholars as proof that the Spanish American Church functioned as a subjugated institution to the state, as well as a tool in the pacification of the native populations. While this may have been true in theory, this interpretation ignores the plentitude of everyday influences that the church had in society once established in the Americas. The Church's ability to impact society and politics in both Iberia and the Americas would continue despite these legal statutes, and it will be the focus of the following chapter.

Chapter Two:
The Threat of Protestantism: Religious Reform and Imperial Expansion

> "Behold these English dogs, Lutherans, enemies of God…" yelled the criers as they led the convicted heretics through the streets of Mexico City.[1] As part of their penance, they were whipped as they passed through the crowds. These proceedings were the second day of the *auto de fe*, or public penance, in February 1574. The previous day, these men had walked from the jail to the city's center to hear their sentences read before the thousands in attendance. Dressed in traditional *sanbenitos*, or penitential robes, with ropes around their necks and candles in hand, these men were presented as examples of foreign heresy. Most were given the opportunity for reconciliation, or readmission to the faith, but a few were condemned to death at the stake. Sentences for reconciled heretics varied from wearing the *sanbenito* for a number of years, lashes, time in prison, and loss of personal property. The three that were handed over to secular officials for execution, Englishmen George Ribley and Peter Mumphrey, and an Irishman named Cornelius, were marched to a neighboring square where they met their fate.[2] The official report read that after he was garroted George Ribley's body was burned "in such a way that it was converted to dust and ashes."[3]

Introduction

While autos de fe had a long history in the Spanish Inquisition, this particular example reveals much about the state of religion in sixteenth-century Mexico, then New Spain, and contemporary Spanish worldviews. This was the first great auto de fe since formal establishment of the Holy Inquisition in New Spain in 1571, and out of the almost seventy individuals sentenced, only a handful were Spaniards. The majority were from other parts of Western Europe and had made their way to New Spain through the expanding Atlantic trade. Many had sailed with famous private John Hawkins and were captured at San Juan de Ulúa in September of 1568. While their backgrounds may have varied, they all shared the same circumstances: they were foreigners, or *extranjeros*, who had been tried and convicted as *luteranos*, or Lutherans. The origins of this implicit connection between the two

classifications, foreigner and Lutheran, and its cultural implications for Spanish society in New Spain and Iberia are the focus of this chapter.

Spain experienced the Reformation and American discovery relatively simultaneously, and contemporary Spanish religious perceptions were impacted by their experiences in both events. Decades before Martin Luther published his *Theses* in 1517, the Spanish Church and Crown had initiated reforms designed to reinforce orthodoxy and standardize religious practice, along with traditional sociopolitical issues. The Spanish Church's role in defining Christian society and traditional Spanish conceptions of religious *others* would evolve alongside these larger changes. The Protestant Reformation and its sociopolitical consequences threatened the power of the Roman Catholic Church to delineate the boundaries of Christian society.[4] Defining Christian and heretic, as well as Spanish and non-Spanish, was important in colonizing the Americas, as these categorical divisions established and organized colonial society. The church was pivotal in this process as the connection between race and religion would become increasingly intertwined throughout the Reformation period.[5]

Furthermore, many Spanish clerics saw the New World as an opportunity for Spanish society to be created anew, free from the dissention and heresies brought on by the Protestant Reformation. It is no surprise that charges against suspected *luteranos*, the Inquisition's general term for Protestant, would be a major focus for the early colonial Inquisition. These cases help to illustrate how the instability of the Reformation period was translated across the Atlantic and influenced Spanish ecclesiastic perceptions of the "spiritual vulnerability" of Christian practice in the colonies. They also illustrate how the traditional religion-based social hierarchy that developed in Spain was "translated" to the New World. The standard

social organization among Spanish Christians, Jews, and Muslims had been challenged by the new "religious dissenters" of the Reformation, and it would undergo another layer of translation during colonization. The chapter will therefore begin with an exploration of the origins of Spanish exclusionary religious ideologies, culminating in an analysis of Iberian and Mexican church policies against suspected Protestants in the late sixteenth century.

Cultural Legacies of the Reconquest: Origins of Spanish Christian Identity

On November 7, 1478, under the papal bull of Pope Sixtus IV, the Catholic Kings established the Holy Office of the Inquisition in Castile. This, along with the expulsion of the Jews and the subjugation of the last Moorish state Granada in 1492, represented the culmination of centuries-long conflict called the *Reconquista*. The military legacy of the Reconquista in Spanish imperial endeavors of the sixteenth and seventeenth centuries has been aptly illustrated and will not be reiterated here. However, what has received considerably less attention is the religious legacy of the Reconquista and how this influenced Spanish Church policies in Spain and its imperial territories centuries later. What is evident is that these centuries of warfare were also an era of religious and cultural exchange. Scholars studying the medieval and early modern periods have demonstrated that the three major religious groups, Christian, Jewish, and Muslim, created a dialogue within Spanish religion.[6] While this dialectic is key in the study of local religious practices, the Spanish monarchs and their conquistadores claimed the Americas in the name of the Catholic faith; therefore, it is important to uncover the cultural and ideological legacies of the Reconquista period for those who identified as Christians.

As illustrated in Chapter One, Muslim and Christian kings had vied for control of the peninsula, alternating between periods of peace and violent warfare. Other than brief military alliances, each Spanish king operated independently against his Christian rivals; therefore, movement of the border between Christian and Muslim Spain was slow and disjointed. Broader conceptions of this movement would change with the idea of the Crusades under Pope Urban II, who called for the reclamation of the Holy Lands in 1095.[7] The wars in Iberia would not be recognized as a Christian crusade until much later, however.[8] Prior to the second half of the twelfth century, papal attention was more to the east, and after the failure of the Second Crusade (1147-49), many were not eager to initiate further crusading. This would change, however, when the Almohad Muslim presence increased in the west.[9] It wouldn't be until the reign of Pope Alexander III (1159-81) that the Spanish Reconquest would be officially recognized as a Holy War.[10] While political and economic power were obvious motivators, military decisions were often influenced by religion. For example, the recapture of Toledo by Alfonso VI of Castile and León in 1085 was an important moment for Spanish Christians.[11] Its ecclesiastical roots dated back to the Visigothic period and it soon resumed its prestige as the ecclesiastical center of Alfonso's kingdom.[12]

Most medieval Spanish kings identified themselves as Christians, even if they had not rebelled against the Muslims for religious reasons, and the Church had been ever-present. Formal recognition of the war between the Spanish and Muslim forces as a religious Crusade reaffirmed the traditional relationship between military conquest and religious expansion that dated back to the Roman Empire. For example, this period witnessed increased efforts to rebuild an identifiable church system within the reconquered areas of Spain. As Spanish

kings secured new territories, they would bequeath land grants and titles to their men and to various religious orders; therefore, the expansion and creation of kingdoms occurred in parallel to the expansion of the church's presence.[13] Medieval papal reforms attempted to standardize canon law and re-establish papal authority which challenged secular interference in church administration. However, frequent tensions between the Spanish monarchies and the papacy, and between the Spanish church and Rome ultimately drew the Spanish church and state closer together. This close relationship was further cemented by centuries of reform in both Spanish secular and church law, which blurred the lines between each institutions' jurisdiction in Spanish society.

The mutual obligation between the crown and the church outlined in legal theory, resulted in mutual dependence in practice. Royals came to depend on church revenues and clergymen looked to royal grants for financial security. With the security of prospective wealth and privileges dependent on military victory, ecclesiastics had considerable incentive to propagate the Spanish Crusade against the Muslim infidel. Military victories were chronicled as ordained by God, inevitable, and righteous. The priesthood became a lucrative outlet for the sons of noble families which also made the aristocracy invested in the expansion of church wealth. A striking example is when Pope Innocent IV allowed Fernando III (1201?-1252) to use ecclesiastical benefices, and their capital, as endowments for his sons Felipe and Sancho; one was appointed as procurator of the archbishopric of Seville in 1249 and the other to Toledo in 1251 respectively.[14]

Conquest of new territory and the establishment of Catholic churches would operate in tandem for the remainder of the Reconquista. By the later years of the thirteenth century, medieval scholars calculate fifty-one bishoprics in the Spanish kingdoms and Portugal, a

significantly dense network in comparison to its European contemporaries.[15] This is not to imply that the Spanish Catholic Church was a unitary system, nor does it suggest a consensus in local Christianity. While most early Spaniards would have classified themselves as Christian, in practice Spanish Christianity would remain a combination of Catholic orthodoxy and local unorthodox customs throughout Spanish history.[16] Even after consolidation under the Crown of Castile, the church operated within the territorial pluralism customary to the peninsula.[17]

What is significant, however, is the evolution of the term "Christian" as a form of identification. As aforementioned, the Reconquista was fomented by papal recognition, but this would have been of little significance to common Spaniards. The growth of a Christian identity was shaped by real changes witnessed in their own communities, as territory gained or lost by either Christian or Muslim kings set off a series of political and social reorganizations at the community-level. Communities who now found themselves on the Christian side of the frontier became vassals under a new king and, regardless of their religion, had to adhere to an ultimately Christian social structure. Being recognized as a Christian under a Christian king, at least in theory, implied a different status within the social hierarchy.

A city's transition from Muslim to Christian rule was not a simple process, however. Due to the size and proximity of Christian, Jewish, and Muslim groups within the kingdoms, Spanish monarchs typically opted for separate, but parallel, political systems for each religious group.[18] After it was reclaimed, Toledo had separate judicial systems for the three populations, each with its own autonomous secular and religious court.[19] This meant that individuals identified with one of three groups and lived and worked alongside each other

while being politically segregated. Many historians emphasize that these early periods witnessed relatively peaceful relations within these heterodox communities; intermarriage was common and all three religions were observed, which created a cultural melting pot, especially in larger cities. However, the ruling classes identified as Christian and enforced the high status of "Old Christian" families. Political segregation policies no matter how institutionally equal inherently reinforce social distinctions. For example, both Muslims and Jews were denied certain economic and political privileges given to Christians.

As a cultural symbol, the date of a town's reclamation from the Muslims, differentiated between past and present customs. This transitional moment also became a shared point in collective memory.[20] Phrases like "in the time of the Moors" and "after our king entered this city" marked the line between the past and the present. From medieval chronicles to legal charters, writers used these temporal colloquialisms as both legal precedents and cultural symbols.[21] Referring to practices in "those days" also meant keeping the past alive in the present.[22] Even generations after conquest, nobles and churches would use these temporal markers to bolster claims to land grants and titles by dating their possession of said property to these foundational periods. It glorified the heroic image of the conqueror and mythicized the history of the Reconquista, coalescing into a militaristic conception of personal honor that would shape Spanish society for generations.[23] This image placed within the framework of a religious war and reinforced by political statutes post-reclamation would inherently connect Spanish Christian identity with the act of conquest. Christian identity over time became something that was earned, or reaffirmed, through the religious and political subjugation of non-Christians.

The second half of the thirteenth century was an important transitional moment in the history of the Reconquista. While contemporary Spain embraced its conquest heritage, peninsula expansion was geographically limited, and many areas were confronted with issues symptomatic of territorial expansion and population migration. What is significant, however, is the continued evolution of the term "Christian" as a form of identification within medieval Spanish society. Medieval kings like Alfonso X, the Wise, of Castile-León and James I, the Conqueror, of Aragón (1213-1276) attempted to unify each of their disparate realms. While Alfonso X would not have much success in promulgating his common law-code, the *Siete Partidas* would become an important source of Spanish law in the early modern period.[24]

The *Siete Partidas* offer a glimpse of proscribed norms of medieval Castilian society. Many of the issues discussed thus far in the chapter are represented in its pages, specifically the various secular and religious layers that constructed medieval notions of common law. For example, the first *Part* is dedicated to the Catholic Church, its functions, liberties, and administration within the kingdoms of Castile. Alfonso was clear that this common legal code was to serve the Christian kingdoms within his empire, as he identified as Christian, so too did he recognize his Christian subjects.[25] It also recognizes traditional political subjugation of non-Christians within Spanish Christian societies, claiming that it would be a sin to put a Jew in a position of authority over a Christian.[26] Custom also dictated that the act of conquest secured the monarchs' right to church patronage.[27] This practice was thus continued through the final stages of the Reconquista by the last crusading kings, Fernando and Isabel, as well as in the American territories. As they led the war against the last Muslim kingdom of Granada, "scarcely a town was reconquered from the Moors, without a

considerable portion of its territory being appropriated to the support of some ancient, or the foundation of some new, religious establishment."[28]

Religious Dissention and its Political Consequences

By the end of the fourteenth century, earlier forms of considerably peaceful religious cohabitation were replaced with a religious social hierarchy that placed Christians in power, *moriscos*, or Muslims forced to convert to Christianity, at the bottom, and Jews somewhere in between. This period witnessed the peak years of the Black Death across Europe. Depopulation left fields and industries abandoned which led to wide-spread famine, economic inflation, and civil unrest. The Spanish Church wasn't immune to these deficits, however. Depopulation meant not only a decrease in the number of parishioners, whose tithes represented a major source of income, but a crisis in faith as Christians searched for a spiritual solution. Secular and ecclesiastic authorities alike searched for a scapegoat, which they found in the influential Jewish population.[29] Most Jews worked as professionals in urban areas rather than in the traditional *latifundia* agricultural system, so they did not suffer the same financial hardships as many of their neighbors.[30] Many of the religious orders also had rights to their own *latifundias* and were similarly affected. Wealthy Jewish families had also been a source of credit for the nobility for generations, and therefore, controlled a significant amount of the community's wealth. Faced with demographic and economic decline, many Spaniards vented their frustrations on local Jewish populations resulting in violence, Jewish pogroms, and calls for Jewish conversions.

Contemporary Christian Spaniards found that they had two rivals, Muslims and Jews. The Spanish nobility, eager to undercut the financial power of their Jewish creditors, pressed

their kings to enact ordinances against these groups. The Toledo *Sentencia Estatuto* decree of 1449, is an example of such statutes. It was the first instance of open discrimination against non-Christians and their descendants. It made *conversos* ineligible for public office and municipal appointments and required all applicants be subject to genealogical investigations of their blood purity, or *limpieza de sangre*.[31] In theory, the reorientation of the social strata outlined each religious group as a separate entity, or caste, thereby drawing a harsh line between Christians and non-Christians. In practice, it would result in increased paranoia and violence, and defining *Christians* as those who opposed the "enemies of Christ," or non-Christians.[32] By the reign of the Catholic Kings in the late fifteenth century, Christian society would transform from an inclusive to a decidedly more exclusive community, where cohabitation and cultural exchange among the three religions gave way to forced conversions and expulsions. It is evident that this exclusivity would affect Spanish conceptions of New World conversion tremendously. Colonization of the New World would not only be conceptualized as a military endeavor, but a type of religious campaign.

After Muslim occupation was confined to the Emirate of Granada in 1238, the Spanish kings fought violently amongst themselves for control over the available lands. The marriage of Isabel I of Castile-León (1451-1504) and Fernando II of Aragón (1452-1516) in October 1469 officially united the two kingdoms and ushered in what would later be termed the "Golden Age" of Spanish history. However, overcoming centuries of intense rivalry between the two kingdoms would be very difficult in practice. First, as discussed in the previous chapter, Isabel's ascension to the throne would not be an easy feat, and the civil war that followed ended only after the military defeat of Afonso V of Portugal at Toro 1479. Second, traditional regional loyalties persisted and each monarch retained individual

sovereignty of their original realms. For example, Fernando had to "respect the laws and usages of Castile," and he could not alienate any property belonging to the crown of Castile, nor make any appointments "without her [Isabel] consent and approbation."[33]

In order to unify their disparate kingdoms, the Catholic Kings needed to connect to something shared throughout the kingdoms: Christian faith and religious crusade. Contemporary Christian Spaniards widely identified with shared cultural experiences like the crusades against the Moors and Christian practices, even though religion typically mirrored the territorial pluralism customary in the peninsula.[34] In practice, political unification meant the perpetuation of Christian superiority and even harsher policies against non-Christians. For example, Isabel and Fernando heightened the discriminatory policies begun in the early fifteenth century by John II (1406-1454). These laws were intended to limit contact between Jewish and Muslim minorities and Christians. For example, the Cortes of Toledo in 1480 confirmed the policy of *apartamiento*, or ghettoization of non-Christians in urban areas.[35] *Corregidores* and other officials forcibly confined Jews and Muslims into walled enclosures within their original communities, which quite literally divided Christians from non-Christians.

The year 1492 was therefore a culmination of many different forces of social and political change that had begun much earlier. It was in this year that the monarchs initiated widespread forced conversions or exile of the remaining Jewish populations and secured the political subjugation of Muslim Granada. In the Jewish edicts announced in March of that year, Jews were given the "choice" to convert to Catholicism or leave the realm. Those who chose to leave had to do so with the property they could take with them, thereby forfeiting their immovable property, such as their homes and land titles.[36] In 1502, Spanish Muslims

were given a similar "choice," after which they experienced similar harships as those experienced by the Jews a decade earlier.[37] *Conversos* and *moriscos*, or Jews and Muslims who had converted to Christianity, also referred to as New Christians, faced increasing political restrictions.

By classifying them as "New Christians," the crown and the clergy attempted to delegitimize non-Christian religious groups. Royal and church authorities emphasized new converts' ignorance of Christian doctrine, and therefore their conversions were perpetually suspect. It was in this climate that investigations by the Holy Office of the Inquisition increased, along with the institution's power in Spanish society. As Henry Kamen reminds us, Inquisition investigations were typically initiated by other members of the community not the Inquisitors themselves, and the success of Inquisition trials were dependent on cooperation from the local populace.[38] Therefore, many early campaigns against New Christians were ultimately successful because they were supported by common Spaniards.

While 1492 may have been the final stage of earlier policies, it formally put an end to overt cooperation between the three religious groups and represented a deeper ideological shift. Hindsight would suggest that this outcome was inevitable, but it simplifies the complexities of this long period of cultural transition. What is evident is the religious implications of the Reconquesta should not be underestimated. This practice of parallel military and spiritual conquests would echo in Spanish colonization of the New World. Towns, or *pueblos*, established in newly conquered territories were legally recognized only after the erection of both a church and political administration.[39] The church missions that dotted the frontier regions marked the edges of Spanish claims in the Americas, guarding the imaginary line between "civilization" and "wilderness," "Christians" and "idolaters." The

implications of translating this tradition to the New World will be discussed later, but first, its necessary to understand religious exclusionary policies in sixteenth and early seventeenth century Spain, as these were the first centuries of the Spanish colonialization of the Americas.

While scholars have debated its real function in Spanish society, it is difficult to discuss religion and Catholic church reform in early modern Spain without an examination of the Spanish Inquisition.[40] As aforementioned, the early modern Inquisition was established in Spain via papal bull in 1478. This was actually a re-establishment of an earlier institution dating back to the thirteenth century. In 1232, Pope Gregory IX commissioned the first tribunal in Iberia under the supervision of the Dominican Order, and Dominican control of the tribunal would last until the 1470s.[41] Nephew of a noted Dominican cardinal Juan de Torquemada and former confessor to Queen Isabel, Tomás de Torquemada (1420-1498) served as the Grand Inquisitor from 1483 until his death in 1498. He was instrumental in standardizing Inquisitorial practices against new Christians, and it is believed that the expulsion of the Jews was under his direction. Torquemada gave them the choice of baptism or exile. However, he prohibited Christians from any dealings with Jews, which meant that most Jews had to leave the majority of their property which was then seized by the Inquisition.

By the end of the fifteenth century, the Holy Office had secured its place in the Spanish political structure. The Catholic Kings had kept it under strict royal control, but its influence expanded considerably under Francisco Jiménez de Cisneros (1436-1517). Cisneros had served as confessor to the Queen, as well as Archbishop of Toledo in 1495. He was chosen as Cardinal and Inquisitor-General for Spain in 1507, but he would also become

regent after Fernando's death in 1516, prior to the ascension of Charles of Ghent. During Fernando's regency, Cardinal Cisneros managed to extend the powers of the Holy Office and establish direct control over local tribunals.[42] The cardinal was also deeply invested in church reform and theological education. He founded the University of Alcalá, commissioned the six volume polyglot Bible, begun 1502 and printed 1514-1517, and also insisted that cathedral chapters reserved positions for learned clergy.[43] Reforms of the Spanish clergy gained serious momentum under Cisneros's guidance. He openly attacked clerical concubinage and pastoral negligence, and issued orders that forced wayward clerics to return to their spiritual duties and their obligation for their parishioners. Like his predecessor Torquemada's dealing with the Jewish population in Spain, Cisneros was a proponent of religious crusade. He was concerned about the potential spiritual dangers of the remaining Muslim population in Granada. At the conquest of Granada, the Muslims had originally been promised freedom of religion but Cisneros was frustrated by their reluctance to convert to Christianity, and enforced coerced conversions which resulted in a rebellion from the Muslims.[44] In 1502, the remaining Muslims were provided the "choice" of baptism or exile.

By the ascension of Charles I (1500-1558), later Holy Roman Emperor Charles V, to the throne of Castile in 1516, the early crusades against New Christians were all but complete.[45] Inquisitors then shifted their attention to other religious dissenters, *Alumbrados*, or Illuminists, and Erasmists. Similar to the rise of Protestantism, new trends in Catholicism also gained popularity beginning in the late fifteenth century. These quasi-religious sects advocated internal spirituality and direct connections with God. Many contemporary Christians had become disillusioned with a theology based on increasing degrees of separation between themselves and Christ, and they found little in common with wealthy

clerics and formulaic Latin observances. The *Alumbrados* practiced an "extreme" form of mysticism which borrowed from monastic ascetic practices and humanism. They believed that through perfection of the human soul, intensive study of Scripture, and prayer one could achieve a direct communication with the Holy Spirit. Emphasizing isolation, meditation, and internal religious experiences like prophetic visions and other revelations, radical *Alumbrados* challenged the centrality of the Holy Sacraments and the roles of spiritual intermediaries. This would cause the *Alumbrados* to come under Inquisitorial suspicions in the 1520s and 1530s.[46]

Discussed in more detail in Chapter Five, mysticism continued in Spanish monasteries and *beaterios* well into the eighteenth century.[47] *Recogimiento*, or act of spiritual seclusion, was practiced by the Franciscans as early as the late fifteenth century, but its popularity among religious men and women rose tremendously during the Catholic reforms and renewal of the sixteenth century.[48] In an effort to standardize religious practice, contemporary Spanish reformers advocated translating religious texts into the vernacular, so many works of "mystic theology" were also translated into Castilian.[49] Spanish mystics believed in internal religious experiences and direct spiritual connections to God, but most did not openly challenge the sanctity of the sacraments nor the superiority of the Catholic Church. Mysticism appealed to many Spaniards because it emphasized experience rather than formal theological training. Practicing near monastic asceticism, many mystics were revered for their piety, some even gained support from influential church leaders like Cardinal Cisneros. In this way, mysticism was an integral part of sixteenth century Spanish Catholicism and could align quite seamlessly with contemporary Church reforms; it advocated intense spirituality which inspired both religious and the laity. However, as

religious expansion increased and tensions between the Catholic Church and Protestants escalated, secular and religious officials alike began to stress the potential dangers of purely internal religious practices. For example, prophetic visions and revelations, especially by female mystics, would be heavily monitored by Inquisitors as the sixteenth century progressed. St. Teresa of Avila is a famous example.[50]

Spanish support for humanist Desiderius Erasmus (1466-1536) has a similarly complicated history.[51] Humanist writers like Erasmus enjoyed great popularity in the early sixteenth century, with powerful supporters like Archbishop of Toledo Alfonso de Fonseca, Archbishop of Seville and Inquisitor-General Alfonso Manrique, as well as Charles V.[52] The Roman Catholic Church had originally celebrated humanism, because they advocated simple piety and a reformed clergy.[53] There were two different schools of humanism, however. The humanism of the northern Renaissance, also called Christian humanism, was popular in the Iberian Peninsula and emphasized piety and public virtue, while the humanism of Renaissance Italy explored amorality and extreme individualism.[54] Christian humanists advocated reforms which employed both Christian philosophy and the moral wisdom of Greece and Rome. In practice, this form of humanism emphasized that piety, or spiritual perfection, was achieved through increased individual discipline and scriptural study. Humanism would be a casualty of Spanish authorities' larger fight against Protestantism, however. The Spanish *Suprema*, or high council of the Holy Office of the Inquisition, would include it alongside Protestantism, condemning the entire doctrine of humanism in September 1525.[55]

Erasmus's writings would faced similar scrutiny despite his wide popularity. Born the illegitimate child of a Dutch priest, Erasmus first attended school in Deventer.[56] In his

twenties, he entered the Augustinian order, even though there is little evidence that he had any particular calling to the ministry.[57] At age thirty, he entered the University of Paris where he studied theology. It is assumed that it was during his time here that he confirmed his distaste for the traditional scholasticism.[58] By the time he was appointed to the court of King Charles in 1516, he had already received considerable recognition for his *Enchiridion*, or Handbook of the Christian Soldier, published in 1503, and his *Moriae encomium*, or The Praise of Folly, published in 1511.[59] His translation of the Greek New Testament would also receive wide praise. His works were highly inspired by the humanist movement. For example, the *Enchiridion* echoed basic humanist theories of man's perfectibility. It was aptly named because it supposed to serve as a practical manual for Christians for what Erasmus regarded as "a kind of perpetual warfare" against temptation and sin.[60] Erasmus fundamentally believed that humans were intellectually and spiritually capable of Christian virtue. For Erasmus, man's inclination towards sin was a challenge rather than an impassable obstacle.[61] Christians could overcome this challenge if they dedicated themselves to knowledge and prayer, which Erasmus considered to be interdependent skills.[62] Erasmus challenged superficial expressions of faith and argued that it was not enough for someone to be baptized, but they need to actively cultivate knowledge of the faith—Christian piety was not a natural trait, but a learned skill. Erasmus also didn't hesitate to ridicule the personal vice, greed, and corruption of the clergy, and the oppression under the Holy See, and he initially refused to publicly take a stand against Martin Luther. His famous satirical work, *The Praise of Folly*, openly mocked prelates' stubborn ritualism and overzealous displays of devotion, as both conformed to expectations of holiness but did not require any real spiritual conviction.[63]

Erasmus's writings were examples of Christian humanism because they emphasized an individual, but educated form of Christian piety. Other contemporary examples were Fray Luis de León and Juan Luis Vives. Specific aspects of their work will be discussed in more detail in Chapter 5, but it is important to note the differences between examples of humanist writings that were popular at different times during the sixteenth century. While Erasmus's idea of "perpetual warfare" and the importance of the Holy Sacraments could have aligned quite well with larger Church and State goals for Catholic renewal, his emphasis on individual religious experiences ultimately worked against their other goal, which was religious conformity. The writings of Fray Luis de León and Juan Luis Vives represent another aspect of Christian humanism which emphasized religious fulfilment through one's vocation. They did not challenge the traditional church hierarchy or practice, but emphasized how Christian men and women could achieve spiritual perfection by *perfecting* their roles as husband and wife, and father and mother. Both writers stressed the importance of conforming to proscribed social norms, which would have aligned more easily with wider sixteenth century apprehensions.

At the same time, the Catholic Church faced what would become an even more powerful threat: the rise of Protestantism in Western Europe. The same year that German friar Martin Luther published his 95 *Theses*, King Charles V arrived for his first visit to Spain, ironically hinted to the fated connection between these two figures throughout their lifetimes. Martin Luther (1483-1546) was born to a lower class German family and entered the University of Erfurt where he studied philosophy and theology. He entered the Augustinian order. He is probably best known for his *Theses*, published in 1517. It was written as a protest against specific practices of German prelates, but it inspired a wave of

religious movements which extended far beyond the German borders. Luther was particularly frustrated by the practice of indulgences, or purchasing salvation; the practice had existed for centuries, but it would become increasingly monetized by the late fifteenth century. For example, Pope Sixtus IV issued a papal bull in 1476 which said that indulgences could not only provide absolution in this life, but also free souls from purgatory. This increased church revenues considerably as common Christians, fearing for the souls of their deceased loved ones, filled church coffers. Luther challenged that indulgences could not absolve someone of divine punishment, it could only remit ecclesiastical penalties. Furthermore, they could not possibly apply to the dead. For Luther the real problem was not just bishop avarice, but the fact that the church had blurred the lines between divine and ecclesiastic penalties, which mislead common Christians and distorted Christian doctrine. Luther followed with several more books in 1520. *The Babylonian Captivity of the Church* was particularly important because in it Luther offered a solution to what he felt had become one of the biggest problem in contemporary Christian observances: increasing ritualization and ceremonialism. The work dealt primarily with the Holy Sacraments. Luther reduced the seven sacraments to three, baptism, confession, and the Eucharist, and he denied the priests role in transubstantiation. He argued that the body of Christ was ubiquitous and therefore it was already present in the bread and the wine without a priest's blessing. He also disagreed that the sacrament of mass was a holy sacrifice.

In 1521, the Imperial Diet at Worms was called to address several issues faced by the German Estates. One of the more controversial topics at the Diet was reform of the German Church. In the early weeks, the assembled delegates urged Emperor Charles to remedy what they believed were the many "oppressive burdens and abuses imposed on and committed by

the Holy See in Rome."[64] Luther's criticisms had voiced wider German frustrations which had, by then, existed for at least a century.[65] Many were, like Luther, disillusioned with the papacy and the majority believed that most of the ills which plagued the German Church stemmed from papal interference and control. Representing Rome were papal legates, Marino Caracciolo and Hieronymus Aleander, former rector of the University of Paris then papal nuncio to Charles V. Aleander's intentions were clear when he asked for Luther's persecution and censorship without trial. However, Charles refused and assured Luther would have safe passage to the Diet to receive a just tribunal. Luther refused to recant his writings and adamantly defended himself to the assembly.

Luther's refusal put the young Charles V in a very precarious position. Less than a year after he inherited the Spanish crown, Luther's calls for reforms had fractured the German political system and divided the principalities. Most of Luther's more salacious attacks on the Church were published in 1520, only a year after Charles's election as Holy Roman Emperor. It seems safe to assume that Charles would have been eager to restore stability, however the decision was not that simple. The obvious choice would have been to support the majority, and most of the German states favored Luther, but backing the Protestant cause, could alienate his Spanish territories which were staunchly Catholic, who, at that time, had just extended its empire even further with expeditions into Mexico. Also, he had only inherited his tremendous empire and the title of Holy Roman Emperor a few years prior, and against powerful opponents to the position like Francis I of France and Henry VIII of England. The eyes of Western Europe were on Charles V when he gave his reply to the assembly. In the end, Charles chose to ally himself with his Catholic supporters and condemn Luther.[66] Spanish ecclesiastics would soon respond in kind with the first in a long series of

edicts against the proliferation of Lutheran books in Spain, the first issued by Inquisitor-General Adrian in 1521.[67]

There was more to Charles's decision than pure geopolitics, however, because, as mentioned above, he had supported church reforms and humanist writers like Erasmus for years. So then the question becomes, why support Erasmus, but not Luther? Scholars continue to debate why Erasmus's writings seemed more palatable to contemporary Spanish readers than that of Martin Luther. While we many never reach a consensus, it is important that we approach the issue from the perspective of the readers themselves. What did Erasmian teachings offer sixteenth century Spaniards that Luther did not? Did either theory on church reform align better with existing Spanish church reforms? Did they continue to mesh with Spanish ideas of Catholic renewal as these ideas evolved? In order to answer these questions, we must first compare certain basic principles of the two theologies and how these may or may not have resonated with a contemporary Spanish audience.

It is clear that both men respected each other as theological scholars, and agreed on center basic tenants of church reform. For example, Luther's recorded "table-talks" about Erasmus are mixed with frustrated curses and obvious scholastic respect.[68] Both emphasized ceremonial simplicity in Christian practices. They feared that Christian faith had become superficial, smothered by layers of complex religious rituals, and common Christians were mistaking ceremonial observance with true piety. According to both Erasmus and Luther, the state of contemporary Christianity was suffering at the hands of worldly clerics, and the spiritual growth of their parishioners had been stunted.[69]

However, their beliefs diverged on several key issues, and by 1524, cooperation was no longer possible.[70] Erasmus had been appalled by Luther's blatant attack on the

Sacraments, and Luther was unnerved by Erasmus reliance on Classic "pagan" philosophy.[71] While Luther recognized that some Classic philosophers achieved piety (Cicero), all of their "knowledge" was pursued for personal gain rather than the advancement of Christianity itself: they were "never less upright and more vile than when they shone in their highest virtues."[72] They also differed on man's role in his own salvation. Luther, like many Protestant reformers, was pessimistic in his treatment of human will. An outspoken critic of the theology of works, Luther was adamant that humans could do nothing to influence their ultimate salvation because it was the sole purview of God. Man had a will of his own, but it was not capable of defying Divine will. He likened how God or Satan acted on human will to the way a rider controls a horse.[73] Erasmus was more positive in his conceptualization of human will, however. He argued that man's will was ultimately inspired by Divine grace, therefore humans had the ability to make decisions which would either lead them closer to salvation or sin.[74] Luther also believed that Erasmus's theory of the "perfect" nature of the human spirit undermined the redeeming power of Christ.[75]

Each seemed to actively avoid confronting the other for many years, and proposed mutual cooperation at different times.[76] Erasmus refused to publicly take a stance against Luther, despite the urging of Pope Leo X. After Leo X died in 1521, the new pope Adrian VI, an old friend of Erasmus, also asked him to come to Rome and write against Luther. Erasmus would advocate amnesty until 1524 when he published his *Diatribe seu collation de libero arbitrio*, or Discussion Concerning Free Will, which ran directly counter to fundamental Lutheran beliefs.[77] In 1525, Luther responded in his *De servo arbitrio*, or On the Enslaved Will, which was arguably his most aggressive work. Opposing theology aside, it seems that the two men were ultimately divided on their approaches to religious reform. Luther believed

that Erasmus was doing little to "promote the cause of Christ and God's grace" because he seemed to think that "human considerations have an absolute preponderance over divine."[78] For German Luther, the social and political consequences of religious reform were inescapable, so Erasmus's emphasis on "peace and concord" was almost comical.[79] Luther was continually frustrated by Erasmus's lack of action and politician-like knack for self-preservation.[80] Scholars have postulated that Erasmus's writings declined in popularity in certain areas, because when compared to the intense convictions of those caught in real political struggles, Erasmian positivity and emphasis on reason could have been interpreted as cool detachment.[81]

This last point reveals a crucial answer to the question posited above. The reasons for limited Spanish interests in Luther's writings, in comparison to Erasmus, stemmed from their basic conceptualization of religious reform. While based on the New Testament and the teachings of St. Paul, Erasmus's writings were more concerned with Christian moralism than outlining a specific plan for church reform. He emphasized that internal spirituality was paramount, but he did not dismiss traditional religious practices completely.[82] According to William Christian Jr., early modern Spanish Catholicism was overwhelmingly localized and, despite efforts for religious conformity, veneration of local patron saints continued.[83] Therefore, these same Spaniards would have found little in common with Luther's argument against the worship of saints. Erasmus also upheld the sanctity of sacramental rites, when they were observed properly. One of the main objectives of Spanish reformers was to reinvigorate local religious practice and increase catechistic knowledge among the laity, and Erasmus's *Enchiridion* could quite easily help with that mission.[84]

Other than his criticism of specific "modern theologians," much of Erasmus's work dealt with general Christian problems, while much of Luther's writings focused on issues specific to Germany. Germany had similar regional loyalties as in Spain, and much of German identity was tied to specific localities. This would begin to change with Luther's publications. Through works like his German translation of the Bible published in 1522, he hoped to inspire broader changes and help foster a national German culture. For example, in 1520, he published *To the Christian Nobility of the German Nation*, which explicitly outlined a possible future of the German Church. He listed several key changes like abolition of required clerical celibacy, end to strict enclosure of monks and nuns and holy pilgrimages, but he also proposed the establishment of a German Church. He argued that the papacy was irrelevant and the German rulers should instead set up their own evangelical churches. This would not have been lost on Spanish readers. As illustrated above, by this time Spain had already undergone an intensive period of religious and social reorganization where cultural memories like the Reconquista were used to foment political stability through religious conformity. A proto-nationalistic concept of Spain was beginning to take shape, and the theology within Luther's German-specific writings could have failed to resonate with Spanish readers.

However, as the tension between the Catholic Church and Protestant nations increased, Erasmus was also subjected to greater scrutiny. Like Luther, the papacy was frustrated by Erasmus's refusal to take a public stand on Protestantism, which inspired some church authorities to emphasize his more controversial points. For example, Erasmus had challenged the usefulness of sacraments observed without true belief. While meant to advocate internal faith, it also inherently subverted the role of the priests. It did not matter if

a priest administered a sacrament, because, according to Erasmus, if the layman observing the ritual was not truly devout then it was essentially void.[85] Erasmus also argued that while saintly asceticism was rightly admired, moral decency was also to be venerated because it could be attained by "the general run of men."[86] His critique of open monasticism wouldn't win him any praise among many contemporary clergymen, either.[87] When Charles V left Spain for Italy in June 1529, the Inquisition took the opportunity to attack remaining Erasmus supporters. By the time Charles returned in 1533, many of the Erasmists were either in jail for heresy or had fled the country. With trials of leading Erasmists in 1535 and the death of the last influential supporter of Erasmus, Inquisitor-General Manrique three years later, Erasmus sympathies were virtually silenced in Spain by mid-century.[88]

Protestantism came at an opportune time for the Holy Office. Decades of abuse and violence towards conversos and moriscos had led many Spaniards to become disillusioned with its methods, and whatever threat to orthodoxy New Christians might have posed had seemingly ended, which challenged the justification for the Inquisition's continued existence.[89] Castilian nobles also began to criticize the Inquisition's allegedly arbitrary and expensive methods. King Charles attempted to weaken the power of the Holy Office in Castile. However, as his predecessors before him, Charles understood that papal intervention could jeopardize royal power. So, when his attempts prompted ecclesiastics in Aragón to appeal to Rome, he quickly abandoned his reforms and silenced its opponents.

Even with its critics silenced, Inquisition investigations of Lutheranism began slowly with few cases coming before the tribunals. Much of the focus was on the flow of contraband literature. Martin Nesvig has demonstrated that those charged with monitoring the exchange of religious ideas, or censors, were equally influenced by broader intellectual traditions in

Spain, as well as the rest of Western Europe.[90] Initiatives were made to intercept contraband items in major Spanish ports and foreign merchants came increasingly under suspicion. Not surprisingly, these individuals would be some of the first alleged Lutherans tried by the Spanish Inquisition.

The connection between religious dissention and *foreignness* intensified during the sixteenth century and Spanish authorities grew increasingly wary of the potential dangers of foreign contact.[91] The threat of Protestantism was an international issue with news coming to Spain from around Europe. Spaniards heard of the atrocities committed on both sides of the conflicts, and many feared that similar problems could arise in their own communities. The Reformation period was a period of political upheaval for most of Western Europe. For most contemporary Spaniards Protestantism had largely been a problem for other kingdoms, which made the *foreignness* of the Protestant Reformation all the more evident. For secular and religious authorities, foreign contact increased the likelihood that problems faced elsewhere might spread to Spanish kingdoms. These fears were expressed through a series of increasingly discriminatory policies and censorship.

When Henry VIII of England cut ties with Rome in 1536, Spanish ecclesiastics were wary of the newly Anglican kingdom. Inquisitors considered this another form of "Lutheranism" and suspected that English merchants were guilty of bringing related texts into Iberia. While there was wide support of Luther's writings from the English pulpits, led by Archbishop Thomas Cranmer in 1539, Henry VIII established a significantly more conservative English church with his *Six Articles*.[92] The July 1554 marriage of King Philip II to Mary Tudor of England (1553-558) and her campaign to return England to Catholicism,

would quiet the fears of some Spanish clerics, but suspicions would resume with the ascension of Elizabeth I, who reinstated Protestantism in England.

Similar religious upheavals were also taking place in France and Germany. In 1559, French Protestants, or Huguenots, organized a national synod in Paris. Their growing political power against the Catholic royalty sparked a religious war between the Protestant and Catholic factions, which finally ended when King Charles IX ordered a massacre of thousands of Huguenots in 1572. Spanish officials heard of the civil unrest in these kingdoms and were eager to prevent similar violence in Iberia. In the minds of ecclesiastics, these bloody political battles had been brought on by the introduction of Lutheran ideals, and therefore they increased their efforts to prevent it in their own parishes. For example, in 1572, the Suprema ordered the tribunals of Aragon, Catalonia and Valencia to ensure that no Frenchmen were employed as teachers of reading and writing within their districts, this ban would soon be extended to all foreigners.[93]

Ecclesiastic investigations of Lutherans, as well as those of New Christians, stemmed from the theological premise that religious dissent was like a spiritual "disease" which could easily infect and spread throughout a community. Heresy could be introduced into a community, germinate quickly, and only by prevention, or extraction and cure of those "infected" that the entire community could be saved.[94] For example, in St. Thomas Aquinas's *Summa Contra Gentiles*, he remarked that "…the men who are put in positions over other men [judges] are like executors of divine providence…" who act for the sake of the common good.[95] He then cautioned that "the life of certain pestiferous men is an impediment to the common good…Therefore, certain men must be removed…from the society of men."[96] Aquinas also specifically used the analogy of a physician curing disease to exercise his point.

"Now, the physician quite properly and beneficially cuts off a diseased organ if the corruption of the body is threatened because of it. Therefore, the ruler of a state executes pestiferous men justly and sinlessly in order that the peace of the state may not be disrupted."[97] In a lecture on Aquinas's *Summa Theologiae*, given in 1534, Dominican Friar and jurist Francisco de Vitoria remarked that as long as a Christian prince was not deliberately using the fear of exile to compel non-Christian conversion, he was within his rights to exile non-Christians from his lands, because they could "pose a probable threat of subverting the faithful or overturning the homeland."[98]

This idea of "heretical disease" is evident in the Inquisition case against French Augustinian Bernardo Costa in April 1531.[99] Costa had journeyed to the small town of Consuegra on his pilgrimage to visit shrines in Santiago de Compostela and Guadalupe. A number of witnesses reported to the local alcalde that Costa had made numerous heretical statements. Allegedly, Costa had said that nobody would suppress Lutheranism because Luther had an army that was stronger than the armies of Emperor Charles V and the King of France combined, and that Luther's army had already killed over 20,000 clerics. He had also admitted that he purchased a copy of Luther's writings in Salamanca. Local officials wrote to the Inquisition of Toledo in fear that these statements could "infect" the rest of their small community.[100] The Toledo Inquisitor ruled that "because he is a stranger to this land, and is a priest, and came here on a religious pilgrimage" he would receive a considerably mild sentence.[101] Costa's case is an early example of how some foreigners could use that status to their advantage. Costa had only been in Spain a short while and did not know of the ban on Lutheran books and therefore could be forgiven on account of his ignorance. There was no guarantee that this tactic would always work, however. It was even less likely to work in

cases of foreign Lutherans who maintained permanent or semi-permanent residence in Spain.[102]

Many Englishmen lived in northern Spanish provinces, most of whom were merchants with permanent businesses or sailors on extended stays in Spanish ports.[103] In 1539, two cases of Englishmen suspected of Lutheranism illustrate the potential diplomatic implications of foreign heresy in Spain. One case involved the imprisonment of a nameless "English Lutheran" in Valladolid. Local Inquisitors, unsure what to do with him, sought council from the Suprema who then deferred to Emperor Charles. Recognizing the possible repercussions from England, Charles ordered that the prisoner be detained in Valladolid until a decision could be made.[104] In that same year, Inquisitor Valdeolivas of Navarre noted in the trial of another English merchant and suspected Lutheran Juan Tac that harsh treatment of Englishmen in Spain might bring on retaliation against Spaniards in England.[105] Tac and another sailor had been arrested under the suspicion that they had spoken out against Catholic dogma and Emperor Charles. Local residents pleaded with Valdeoliva to give a mild sentence to the merchants. They feared that this could jeopardize their trading agreements with England. The Inquisitor imprisoned the men, but after months of suits and petitions Inquisitor-General Juan Pardo de Tavera forgave the men's fines in exchange for their immediate exile.[106] Sporadic cases and mild sentences of suspected Lutherans were the norm during the early decades, but it would change by the mid-sixteenth century.

In 1558, small factions of Protestants were discovered in Seville and Vallodolid. For over a century, Spain had fashioned itself the representative of Catholicism and the protector of Catholic orthodoxy, so finding evidence of Protestant heresy in two of their most influential cities astounded royal and church officials. They feared that this was only the

beginning. The groups were found at relatively the same time with high-ranking nobles and church officials as members.[107] While many scholars argue that these groups had relatively no real power, the Inquisition meted out the most severe punishments. Months before the public auto de fe of the members, Pope Paul IV released the papal bull, *Cum ex apostolates*, which granted *limited* jurisdiction to the Inquisition to relax penitents to the secular arm of the law for execution, if it was believed that their conversion was insincere.[108] Out of those killed at the auto de fe, all but one had recanted and professed, which under the legal tradition would have made them eligible for reconciliation. However, with the new bull in place the Inquisition could legally make examples of the would-be movement.[109] Finding these two underground groups was a turning point in Spanish conceptions of Lutheranism. The Seville and Valladolid Protestant groups may have been small, but the timing of their discovery only heightened official and public fears. For Spaniards, what had been seen as a foreign problem was now on their doorstep. The significance of the discovered Protestant groups would not have been missed by Spanish clerics in the Americas either. If Protestant heresy could infiltrate important religious centers like Seville and Valladolid, what would prevent it from reaching the Americas and its vulnerable new converts?

The Inquisition, especially Inquisitor-General Valdés, did little to mollify these fears. Valdés was eager to improve his own position in the court of Castile, and inflated the Protestant "threat."[110] In September 1558, Infanta Juana, acting as regent for her brother Philip II, issued a *pragmática*, or royal edict, that strengthened earlier censorship of Lutheran books. It forbade the import of foreign books and ordered that all books printed in Spanish should first be licensed by the Council of Castile. This growing suspicion of foreigners was repeated in a pragmática issued a year later by Philip II upon his return from Flanders. It said

that all Spanish youths studying abroad were ordered home within four months and all Spanish subjects were forbidden to seek education in foreign institutions under penalty of confiscation of property and perpetual exile for laymen, and forfeiture of temporalities and loss of citizenship for the clergy.[111] While relations with certain European nations like the Netherlands and Germany and their connection with the Hapsburg dynasty would remain, the obvious apprehension to such contact was evident. Spain had solidified at least its official stance against foreigners by the end of the sixteenth century.

While the Catholic Reformation in late fifteenth and sixteenth century Spain initially expanded notions of spirituality, it was also an attempt to re-center traditional systems of power: the Church, the Monarch, and nobility.[112] Spanish secular and religious officials proliferated an imagined past of pure Christian piety and traditional Spanish values, and common practices like confession, prayer, and sermons were tools for social control.[113] For example, sermons were re-conceptualized as vehicles through which to disseminate Counter-Reformation ideologies and played on parishioners' fears of religious backsliding. Priests emphasized the superiority of the spiritual realm, the primacy of the Catholic faith and the Church, the perfection of the social order comprised of three immobile estates, or castes, and obedience to ecclesiastical and civil authorities.[114]

These increasingly exclusionary concepts presented a largely homogenized image of Catholicism, which raised the status of natural-born Spaniards and Old Christian families. By the later sixteenth century, both secular and religious authorities in Spain were decidedly more defensive, as they hoped to prevent the political issues happening elsewhere in Europe. Ironically, this contradicted trends in Spanish Catholic renewal which emphasized more individualized spirituality and closer connections with God. It is also important to note that

by the 1530s, ecclesiastic definitions of Erasmus teachings, Lutheranism, and Illuminsim were decidedly blurred.[115] Disregarding the fundamental differences between these three "dissenter" groups implies two, not necessarily mutually exclusive, possibilities. Spanish Inquisitors were either unintentionally ignorant of their principles or were intentionally dismissing their doctrines altogether. Total dismissal of opposing doctrine would also become a tactic for Spanish Inquisitors in the Americas. Clerics struggled to nail down a standardized definition of *luterano,* or Lutheran, transformed the category into a catch-all of religious dissent.

There was also the belief that Spanish Christian piety was unique. This idea was reinforced for many Spaniards under Philip II (1527-1598). Philip was responsible for securing an extensive collection of religious relics in Spain during his reign. During the Reconquista, the majority of Spain's relics had been smuggled out to other parts of Europe in order to protect them from Muslim discovery. Due to vandalism during conflicts between Protestants and Catholics, there was a "reversal in the flow" of relics back into Iberia. Other Catholic kingdoms parted with their relics and sent them in bulk to Spain in order to protect them from Protestant discovery.[116]

In terms of the impact of these relics at the community level, William Christian argues they had decidedly mixed results. The international relic exchange promoted strong ties to a wider European Catholic community, but it also "reinforced community pride and chauvinism" especially in the southern cities.[117] The initial exodus had left most of Spain without these sacred treasures and many of the post-Reconquista generation felt they needed to recover their "local saints." This belief emphasized localized veneration over country-wide cults like those for the Virgin Mary.[118] It also implied that local religious practices were

malleable to a certain degree. Centuries of relatively peaceful cohabitation between Christians, Muslims, and Jews could have conditioned Spaniards, at least at the community level, to be more accepting of religious variations. This is not to say that there were never religious antagonisms within heterodox communities, but an argument could be made that a tradition of religious tolerance did exist even in the Counter-Reformation period.[119] However, the construction of a communal identity through the veneration of local saints meant that to Christian Spaniards their religion was something that was fundamentally theirs, and while it was vulnerable to, and at times accepting of, foreign influences it was inherently Spanish in nature. This Spanish Christianity would require a different level of protection during Spanish colonization of the New World.

The Threat of Protestantism in Spanish America

To this point, the chapter has traced the steady evolution of Spanish exclusionary practices via convergence of several different, but related factors. The cultural legacies of the Reconquista that separated Christians from non-Christians was amplified by increasingly aggressive royal and papal policies in response to conflicts during the Reformation period. This dynamic would change yet again with the discovery of the New World as religious and secular groups anticipated colonization. While Spanish perceptions of American Christianity will be discussed in depth in a later chapter, it is important to note how ecclesiastic perspectives contributed to the processes discussed thus far. Therefore, the next step is to move to Spanish America to inquire as to whether the changes in Spanish beliefs seen on the peninsula translated to the colonies and to what degree they shaped religious practices.

Even before the famous debate between Dominican Fray Bartolomé de las Casas and Juan Ginés de Sepúlveda in 1550, discussed in more detail in Chapter Four, Spanish legal theorists searched for a justification for conquest of the Americas. Pope Alexander VI had divided the newly discovered American lands between the kingdoms of Castile and Portugal in return for spreading the Catholic faith, but there were immediate challenges to these claims. Citing medieval legal precedents, key theorists like Francis Vitoria and Francis Suárez poured over centuries of secular and canon law.[120] For contemporary Spaniards, the temporal line between the medieval and early modern period was not as explicit as in modern historical periodization. Medieval laws and customs remained valid and served as a logical precedent when theorists grappled with the prospect of colonization. Subsequent debates largely rested on three major issues: whether or not Spanish colonization of the Americas could be classified as a *just war*, the true nature of Indians, and the legality of papal dispensation of foreign lands. Vitoria argued that Spanish colonization was just because it was predicated on "the spreading of the Christian religion."[121]

The frequency and complexities of these legal debates illustrate that Spanish secular and religious officials were acutely aware of the legal and moral issues arising from the conquest of the Americas. As seen in formalized documents like the Requirement, it was understood that the questionable legal nature of their conquest meant that their rights to those lands were inherently insecure. If Spanish royal and ecclesiastic claims to the New World were legitimized through spreading Christianity to the natives, then it was imperative that the two missions, military and spiritual, be closely aligned. The Spanish conquest of the Americas was modeled after the Reconquista in many ways. Religious missionaries travelled with Spanish forces, new territory was secured through dispensation of land grants, and new

missions were established by the regular orders. These missions would mark the line between lands under Spanish control and those yet to be colonized, outlining the moving frontier. In theory, once stability was achieved in an area, secular clergy would be assigned and incorporate that town as a parish into the larger network of the Spanish American Church. In practice, this process was far more complicated and involved considerably long bureaucratic channels that could delay control of an area by the secular church seemingly indefinitely. The relationship between the secular and regular clergy is equally as complex and will be examined in the next chapter, but within the procedures of the Inquisition the diocesan clergy had formal representation on the Inquisition tribunal, while the friars served more in the capacity of *calificadores*, or expert advisors on canon law.[122]

Ecclesiastics feared that because these lands were far removed from the Church of Spain and Rome, they would become breeding grounds for religious dissent. Heretical "disease" discourses were important in these debates. As aforementioned, Spanish ecclesiastics believed that the actions of a single heretic could corrupt, or infect, an entire community. They argued that the danger was even higher in Spanish America due to the natives "New Christian" status. It was therefore, necessary to implement procedures for investigating heresy and preventing idolatry. In 1522, the papal bull, *Omnimodo*, empowered early friars of the regular orders with inquisitorial authority. This monastic inquisition was later replaced by an episcopal Inquisition under the Archbishop Juan de Zumárraga, who was appointed apostolic inquisitor in 1535. The establishment of an official Holy Office would not take place until 1571.[123]

Spanish authorities also feared the same "foreign" political problems they hoped to prevent in Castile could also affect the American colonies. Limiting foreigner access was the

most overt way for Spanish monarchs to dissuade foreign influences. In 1495, the Catholic Kings issued a cédula concerning "las condiciones de las personas" who wished to immigrate to the new territories. The kings mandated that only Spanish citizens had royal permission.[124] As early as 1503, Hispaniola Governor Nicolas de Ovando reported in a letter to the Catholic Kings that there were already fifteen foreigners residing there.[125] He was ordered "to permit them to remain but to receive no others into the colony."[126] Until Isabel's death in 1504, emigration to the Indies was restricted to inhabitants of Castile and León, except in circumstances where the individual was either a servant or favorite of the sovereign. After Isabel's death, Fernando loosened the stipulations to include other Spanish kingdoms, but only Spaniards could receive official license to travel to the Indies. In 1505, foreign residents of Spain were allowed to go to the Indies permitting they were hired by native Spaniards.[127] These mandates were difficult to enforce, however. The extensive Atlantic traffic and size of Spanish colonial claims meant that there were always ways to get around such laws.

While some laid down roots, many foreigners in Spanish America were merchant sailors, engaged in extralegal enterprises. English pirates and French corsairs roamed the western seas attempting to capture Spanish ships loaded with silver bullion. After Elizabeth's ascension to the throne of England in 1558, she challenged Spanish claims to the new world and openly supported piracy of Spanish fleets. In the 1530s and 1540s, the French corsairs were extremely active in the West Indies and Spanish colonial officials pleaded with the Crown to strengthen the Spanish naval presence in the area.[128] In January 1556, the King recieved reports from Santiago de Cuba of "el robo y destruimiento que hicieron los franceses a esta ciudad."[129] It read that *los franceses*, French corsairs, had taken "mas de sesenta mil pesos" worth of gold and silver, as well as no "corta cantidad" of weapons.

August of the previous year, *los franceses* were reported to have burned several ports, occupied and plundered the fort in Havana, and killed over 30 Spaniards in the process.[130] Piracy was more haphazard in the early colonial period, but Spanish coastal towns on the Caribbean and the Gulf of Mexico suffered most. Scholars postulate that, between the years 1555-1571, pirates had plundered 18 cities, 4 towns, and more than 35 villages.[131]

Charles V extended privileges to his non-Spanish subjects after he ascended the throne. Immigration of Germans and Flemings began during the years 1526 and 1549. Many often stayed for only a few months in major port cities like Veracruz.[132] In response to the increase traffic of non-Spaniards, the Mexican tribunal of the Holy Office created security files on specific foreigners, and the *familiares*, lay persons employed by the Holy Office, kept them under surveillance. While it seems that nothing ever came of these early surveillance attempts, the fact that it was even attempted illustrates that clerics did view Protestants as a threat to the colony. Between 1598 and 1601, more than fifteen Germans and Flemings were tried by the Inquisition.[133] The timing of these cases is notable. Charles V allowed for non-Spaniards in his domain to travel to the Americas in the early sixteenth century, which means that by the end of the century there had been regular instances of non-Spaniards travelling to the Americas.

The potential influx of foreigners worried Castilian officials, because they feared that American trade and its profits could potentially be controlled by non-Spaniards. Foreigners had to be registered and receive licenses from the Casa de Contratación to travel to the Indies. Judicial authorities in the colonies were instructed to apprehend unlicensed foreigners and ship them back to Spain.[134] Over time, the penalties for unlicensed foreigners became more severe. In 1560, the penalty for travelling without a license was forfeiture of all

property acquired in the Indies. In 1604, unlicensed travelers could receive up to four years in the galleys. In 1607, it was decreed that captains, pilots, and crews, who were caught without license could be sentenced to death.[135] These changes in the legal code hint at the continued existence of unlicensed foreign trade, but also at the ongoing frustrations of officials about foreign influences.

Ecclesiastics agreed that Spanish America needed to be protected from foreign influences because of its spiritual potential, and many early ecclesiastical discussions about the New World and its inhabitants were referenced their purity. These clerics envisioned the New World as a type of *tabula rasa* open to the Christianity.[136] Oidor for the Audiencia in Mexico, and later Bishop of Michoacán, Vasco de Quiroga wrote that the Indians still lived in the Golden Age while Europeans had decayed.[137] Many clerics believed that because the church was being "destroyed" by the rise of non-Catholic sects in Europe, a new and more powerful church should be built in America.[138] One Dominican, Fray Francisco de la Cruz went so far as to argue that the Church was finished in Europe and that the Indians were the elect of God and their New World Church would last for a thousand years.[139] Franciscan Fray Toribio Motolinía, one of the original twelve friars who traveled in Mexico, postulated that the Caribbean islands could have been the same islands discovered by the ancient Carthaginians, and its people were of the original division of the sons of Noah.[140] Dominican Fray Diego Durán claimed that the American Indians were descendant from an ancient line of Hebrews.[141]

Most clerics admitted that converted natives were ultimately pure because they descended from Gentiles who had not mixed with "contaminated" or "condemned" religious sects.[142] In his work on the origins of the Indians, for example, Fray Gregorio Garcia argued

that, even if the indigenous people descended from ancient Hebrews they should still be regarded as pure because it was possible that they could have arrived in the New World before the death of Christ.[143] This sentiment was enforced by the crown in subsequent decrees. In 1697, a royal cedula ordered colonial officials to recognize the descendants of the pre-Hispanic nobility and the native population as pure.[144] However, these theories had to compete with the obvious economic and political motives of military conquest. Europeans participating in the military conquest of the Americas brought with them the same values and vices that reform-minded clerics believed had corrupted Europe, ecclesiastics feared that this would taint perceived American purity.[145]

Clergy and secular authorities agreed that there could be potentially dangerous consequences if religious dissenters and heretics were allowed to immigrate to the Americas. As early as 1501, the governor of Hispaniola was instructed that no Jews, Moors, reconciled heretics, or recent converted Moors be allowed to immigrate. In 1508, Christian residents on the island petitioned to make these laws more stringent to also include the sons and grandsons of New Christians and heretics to which King Fernando complied.[146] By the following year, the restrictions against Jewish converts were lifted as long as they paid extra fees; due to the need for financially stable settlers in the colonies. However, this was not extended to moriscos.[147] While resident aversion to the immigration of New Christians was probably more financially than religiously motivated, it is evident that residents continued to define their own identities as Christians in opposition to other non-Christian groups. For example, even though they moved out of Spain, New Christians kept their denigrated status in the colonies. In 1537, Spanish initiatives to prevent the immigration of New Christians and heretics to the Americas were reinforced. Pope Paul III's *Altitudo divini consilii* forbade any

apostates from going to the Indies and commanded the colonial authorities expel any who might have settled there already. Philip II ordered all colonial officials to investigate Moorish slaves of freemen, the recently converted, or sons of Jews who were resident in the New World and to banish them to Spain.[148]

While there are debates over the level of cooperation between the Spanish and Spanish American church, it is clear that the Spanish American church acknowledged the authority of both the Crown and the Suprema in Seville. Richard Greenleaf argued that the Mexican Inquisition was in constant contact with the Suprema and therefore the Mexican inquisitors were in step with the changing Iberian intellectual climate and the European political scene. This seems likely because Inquisition policies seemed to mirror larger discourses in Spain, specifically in regards to Spanish dealings with other European countries. As outlined above, piracy was a part of life for areas connected by the Atlantic trade. Many of the merchants that traveled these routes were non-Spaniards, which meant that even if legitimate traders, they were treated with suspicion by colonial authorities. In April 1556, the anti-foreigner trade policy was strengthened under Philip II. It stated that colonists in America were forbidden to have any relations with strangers of any nation whatsoever. What is significant, however, is that both royal and religious authorities saw the danger of foreign contact and both sought to prevent it in their own way.

It would become a major concern for the episcopal Inquisition under Archbishop Juan de Zumárraga. Zumárraga and his successors Licenciado Francisco Tello de Sandoval and Bishop Alonso de Montúfar, who presided during the "protestant phase" of Inquisition investigations.[149] Prior to the discovery of Protestant groups in Seville and Vallodolid in 1558, the Spanish Inquisitor investigations of alleged Lutherans began rather slowly. This

climate could be the reason for the similarly ad hoc investigations and relatively more lenient sentencing in early American Inquisition trails against suspected Lutherans.[150] For example, in Mexico City in 1536, a Moravian jeweler named Andrés Alemán was accused of "herética pravedad e apostasía."[151] He was suspected of being a *lutero*, or Lutheran. Witnesses testified that Alemán had said that confession need only be directed to God and therefore did not require a religious intermediary like a priest.[152] Alemán was also quoted saying that priests should be married, that the Church did not have the power to actually excommunicate someone, and that bishops and lesser prelates should not be paid; all of which sounded dangerously similar to Protestantism in the minds of inquisitors.[153] Alemán confessed to many of the charges and admitted that he agreed with Luther that individuals could consult the Scripture and interpret it for themselves. He was reconciled by the Holy Office, forced to wear the sanbenito for a number of years, and exiled from New Spain and the Indies. After serving out his sentence, he eventually regained his career as a successful jeweler in Seville. The fact that Alemán was able to regain his career implies that he eventually lost the stigma of a "heretic."

This would change with time, however. Various internal and external threats pushed Inquisitors and their informants to seek out suspected Lutheran foreigners and bring them before the Holy Office in Mexico City. Increased conflicts in Europe associated with the rise of Protestantism, the discovery of Protestant groups in Spain, harsher royal policies against foreigner contact, and the growing indignation towards the foreign royally-funded corsairs pushed Inquisitors to treat cases against suspected Lutheran foreigners more severely. The infamous case of Englishman Robert Tomson in 1559 illustrates this climate.

Tomson had arrived in Mexico in 1555 and had been working as an aid to the alcade mayor de corte in the viceregal government in Mexico City. His denunciation was illustrative of the perceived "infectious" power of heresy. He was charged with "many things against our Holy Catholic Faith, which are those preached by the Lutheran sect, thus committing a grievous offense of conscience and mind and setting a bad example to those who heard his remarks…"[154] Tomson was accused of not being a practicing Catholic and for having said that the veneration of the images of saints was contrary to God's commandments.[155] Witnesses testified that Tomson likened God to a gracious king offering forgiveness to those that asked for it and reasoned that if you could go directly to God you would not need to go through an intermediary.[156] Tomson allegedly claimed that, "God stood at a window when Mass was being said, in order that sinners might appeal to Him direct instead of through the saints."[157] After months of stalling by the Fiscal, Tomson was convicted of Lutheranism and reconciled in the auto de fe in March 1560. He was sentenced to exile in Spain where he was incarcerated by the Holy Office of Seville for one year and wore the sanbenito for three years.

His trial was illustrative of the perceived "infectious" power of heresy and underlying ecclesiastic fears of the dangers of foreign influences. During one of his initial investigations, the Inquisitor asked Tomson the standard questions concerning his background then asked, "If he had been in the land of Germany or in any other places where there were Lutherans, or where the Lutheran doctrine was preached?"[158] Tomson was asked at his second hearing, "what countrymen of his own, or Germans, he knows in this city in New Spain."[159] Tomson replied that he knew only one Englishman. Germany was the religious center of the Protestant movement which made Inquisitors apprehensive of German travelers. Under the

reign of Charles V, German princes continually opposed his rule as Holy Roman Emperor and the Habsburgs never wielded any real control in these provinces. However, Charles had approached Protestantism in the Netherlands with the same veracity as a sanctified religious Crusade. In 1550, he ordered the *Edict of Blood*, which decreed the death penalty to those convicted of heresy; Philip II would continue this tradition in the Netherlands with increasing severity. Therefore, Inquisitors would be very interested in any connections the accused might have had to these areas.

Questions like these had become standard in Inquisition examinations, and illustrated that Inquisitors believed that one could be infected with heresy just by travelling through a region where it was practiced. This process was also reciprocal, however. Inquisitors feared that foreigner heretics who traveled through Spanish America could "infect" those with whom they came into contact. This correlation is evident in a question posed to each of the witnesses in Tomson's case: "whether they know if the said Robert Tomson comes from England, where schisms and heresy are publicly preached." The Inquisitor then followed with the caveat, "from which it can be held as very certain that Tomson himself is of that persuasion."[160]

Englishmen were not the only ones who could potentially come under Inquisitorial suspicions, however. In 1558, Agustin Boacio, an Italian merchant, was accused of proselytizing Lutheranism and tried under a subordinate office of the Inquisition in Zacatecas.[161] He was accused of saying that the Roman papacy was corrupt, criticizing indulgences, and saying that one should only confess his sins to God and not to intermediaries. He was punished at the same auto de fe as Tomson. The investigation against

Boacio would last for over 2 years; the severity of his charges reflect in his final sentencing. Boacio was exiled from New Spain to serve a life prison sentence in Seville.[162]

Simon de Santiago, a German carpetmaker in Mexico City, was tried in 1599 as a suspected Calvinist.[163] The term Calvinist, or *calvino*, cannot be translated literally, however. Inquisitors did not differentiate between different Protestant religions, so "Calvinist" was another term used to generally denote Protestant. He was accused of saying that he only believed in 2 sacraments, baptism and the Eucharist, and claimed that the friars had faked the miraculous event that consecrated the local monastery. The Holy Office made four separate attempts to reconcile Santiago, but each time he refused. Santiago stated that he had always been a Christian, but didn't believe in all of the tenets of Roman Catholicism. He was punished at the auto de fe on March 25, 1601 and executed.

We now return to the ill-fated men that began our story. This particular auto de fe represents the peak era of Protestant investigations in New Spain which were a result of much larger historical processes. It is no coincidence that the official establishment of the formal Holy Office was soon after the arrest and imprisonment of the pirate Hawkins fleet at San Juan de Ulúa in September 1568. The great autos de fe of these men was one of the first major cases tried by the formal Holy Office. Most of the sailors of Captain Hawkins were tried and either executed in Mexico or handed over to the Suprema in Seville, who then imprisoned or executed them.

In his account, recorded by Richard Hakluyt many years later, Miles Philips tells of when he was brought before the Holy Office in 1574 on the suspicion of Protestantism.[164] Philips interrogation reveals another underlying issue with foreign heretics: different languages. Even though Philips had a working knowledge of Spanish, he could not recite the

Catholic prayers in Spanish during his interrogation. This was a problem in many investigations of non-Spaniards. Appointed English interpreter Robert Sweeting served in most of the cases against Hawkins men. He defended the accused by testifying that they did know these prayers, even if they could not recite them in Latin or Spanish. While we cannot say with complete certainty, it seems safe to assume that not being able to recite prayers in Spanish was a strike against these alleged heretics. By relying on an interpreter, the Inquisitor essentially took himself out of the interrogation process and had to rely on someone else's observations and interpretation of the testimonies. He also had to trust that prayers said in a different language had the same meaning as in Spanish, and that the accused fully comprehended them.

Another case in the Hawkins series was against Englishmen Guillermo de Orlando, who was arrested under suspicion of being a Lutheran in 1569. Witnesses testified that Orlando had said that "he would die for his queen even if she was a Lutheran."[165] Orlando stated that these words were taken out of context and that he was a practicing Catholic and had maintained his observance of the sacraments in privacy during his time in Elizabethan England. He was extradited to Seville for sentencing but died soon after his imprisonment.[166] William Collins, or Guillermo Calens, a sailor from Oxford who had managed to escape imprisonment with the rest of Hawkins fleet, was finally caught and brought before the Inquisition in 1572.[167] He had been working as a laborer and spent several years as a miner and a farm worker in the Taxco area. He was charged with defending the Anglican Church. Collins was originally accused of speaking about how religious practices differed between the church in Mexico and the Church of England.[168] Collins argued that he had only repeated what he had heard Lutherans say; it was widely known that Captain Hawkins travelled with

Lutheran ministers, so Collins had witnessed several sermons during his time in the Hawkins fleet. Miguel Morgan, another Hawkins sailor and defendant in his own Inquisition case, was a major witness for the Inquisitors. Seemingly, in an effort to direct attention away from himself, Morgan played on ecclesiastical fears. When asked about the practices of "la iglesia de Inglaterra," his answers confirmed Inquisitors suspicions about the dangers of the new Protestant church. He claimed that both while in the service of Captain Hawkins and while living in England, he had been forced to listen to "Lutheran" sermons and speak out against the Roman papacy.[169] Collins later revealed that he had also been a practicing Anglican for much of his life, but he claimed that this changed once he came to Mexico. Under the guidance of Dominican friars, he decided to return to the "true faith." The judges did not believe him and he was reconciled at the auto de fe and sentenced to a loss of all personal property, 200 lashes, and ten years in the galleys under the supervision of the Suprema in Seville; it is unlikely that he survived his imprisonment.

Finally, the unfortunate George Ribley, or Rively. Ribley had been a sailor on Hawkins' flagship and was an outspoken Lutheran. After his initial capture by authorities in Veracruz, he had been sent to work in the mines of Guanajuato until 1571 when Viceroy Moya de Contreras ordered his trial. Investigation into his case took two years after which he was sentenced to execution. It was reported that Inquisitors pleaded with him to confess and ask for reconciliation from the Holy Office, but he refused.[170] Once the tribunal finished dealing with large groups of the Hawkins raiders and other French corsairs in these early years, interest in foreign Protestants waned.[171]

Even after years of cases against suspected Lutherans, Inquisitors failed to develop a system to try foreigners and Protestants nor did they have a standard definition of

Protestantism. Inquisitors also did not agree on how to differentiate between the various non-Catholic religious sects. This trouble stemmed from total dismissal of their doctrines, a similar tactic seen in dealing with religious dissenters on the peninsula. It allowed jurors to distort Luther's writings into a catch-all category of religious dissent. By keeping the definition of "Lutheran" ambiguous, Inquisitors could apply it to various cases without question. The specifics of the trials may have varied, but most share one characteristic: the underlying emphasis that these individuals' were non-Spanish. In the sample of Inquisition documents examined, the accused non-Spaniards were always referred to as part of their country of origin. Identifiers like "the Englishman," "the German," "the Flemish" are repeated and frequently replace the individuals' names altogether. For example, in the case of William Collins, Collins is referred to by his full name sparingly. In most of the witness testimonies by Spaniards, he is called "Miguel, inglés," which implies that either this was what he was typically called, or the witnesses had also adopted the Inquisitors' practice of referring to him with the added signifier of his country of origin. These identifiers were underscored by added classifiers like *extranjero* and *estraño*, stranger or foreigner. By emphasizing their foreignness, ecclesiastics delegitimized them, while protecting the perceived sanctity of the Spanish Christian community.

Conclusion

Both religious and seculars believed that because of its large population of new Christians, its separation from Iberia, and constant foreigner contact, the Spanish American colonies were innately more susceptible to "heretical disease" than their Iberian counterparts. While ecclesiastic opinions of the piety of colonial Spaniards were rarely positive, the native

population was believed to have spiritual potential. This potential was inherently vulnerable; therefore, Protestantism "threatened" Catholic authority in the Spanish Americas on multiple levels. By emphasizing Protestant foreignness, ecclesiastics could separate Protestant heretics from the rest of the "pure" colonial Christian community that they had hoped to create in the New World. Even after the scandal of Seville and Valladolid, most Spaniards continued to view Protestantism as a foreign religion. Furthermore, by emphasizing the *foreigness* of the suspected *luteranos*, both the Inquisitors and the locals that brought cases against the accused, could preserve that notion that the disease of Protestant "heresy" had not yet germinated in Mexico.

This chapter has traced the evolution of the Spanish religious ideology from its medieval origins to its establishment in the Spanish Americas. The goal was to illustrate that the transformation of the Spanish church into an exclusionary institution was a long and protracted process. Medieval examples of religious cohabitation were slowly replaced with royal and ecclesiastic initiatives to eradicate non-Christian communities and secure Christian cultural superiority. The Reconquista resulted in a militaristic legacy that was extended and coopted by the Catholic Church, as institutional authority for Spanish Christian society. The history of relations between the three main religious groups in Iberia established a tradition of religious social organization. In the fifteenth and sixteenth centuries, the monarchs responded in kind by passing more stringent legal statues against New Christians and restricting Spanish contact with foreigners.

Spanish secular and religious leaders witnessed the political unrest between religious groups in their European counterparts and were eager to prevent it from happening in their own lands. Also, the cultural memory of the Reconquista served as a reminder of the extreme

consequences of incursion by outside forces. By the height of the Counter-Reformation, Spain had solidified itself as a defender of Catholicism, and high-ranking ecclesiastics tried to symbiotically align this rhetoric of foreignness to non-Christians in the minds of their parishioners. As seen in the examples provided above, this tactic was also employed in New Spain. Lutherans were targeted by the Holy Office in New Spain in the mid to late sixteenth century, and most of these cases share an underlying emphasis on the foreigner status of the accused. By emphasizing their *foreignness*, ecclesiastics delegitimized their power as religious practitioners while keeping them outside of the colonial society. These American trials are actually manifestations of larger processes and strategies constructed over centuries, and illustrate the changes made to the established religious hierarchy. The colonial church faced yet another "threat" to its authority in colonial society in the form of the regular clergy, which is the focus of the next chapter.

Chapter Three:
The Threat of the Regular Orders:
The Mendicants and the Secular Church in Spain and New Spain

> "…to aid the conversion of the Indian infidels and provide for the salvation of all the souls living in the Indies, we wish to concede to the aforesaid prelates of the friars…in the parts where as yet no dioceses are created, or if they have been created they would be a distance of two days journey…will have our full power and authority…over both those within and outside of their order…And this said power extend to every episcopal act, except those demanding episcopal orders, until such time as the Holy See shall judge otherwise."[1]

Introduction

The papal bull, *Exponi nobi fecisti* also known as the *Omnimoda* written by Pope Adrian VI in 1522 granted the regular clergy extraordinary privileges in the New World. These friars had been sent to the newly discovered lands to convert the native populations, fulfilling Spanish monarchs' obligation to spread the Catholic faith. They were also charged with establishing the foundations of a church system within the nascent Spanish settlements and native communities. Due to the relative absence of ordained priests, the *Omnimoda* granted to the missionaries almost all traditional episcopal powers, except ordination, which meant that the regular clergy in the Spanish Americas secured a level of autonomy unknown to their Iberian counterparts. These privileges posed a considerable threat to both royal and secular church power. In theory, the Orders in the Americas were subject only to the Pope, and while the king could assert his authority as sovereign, the authority of the secular church was largely circumvented for much of the sixteenth century.

According to Stafford Poole, the Spanish population of New Spain had grown to over 60,000, with around 12,000 living in Mexico City, by 1570; and one out of every twenty-five was a cleric.[2] Also by 1570, twenty-eight dioceses had been established in the Spanish

Americas.[3] In 1575, the archbishop of Mexico, Pedro Moya de Contreras reported that 155 priests were working within the archdiocese.[4] The number of Franciscans alone has been estimated to have been over 1,000 by the end of the sixteenth century.[5] Mendicant privilege, as well as the increased powers of the patronato real, created a unique power dynamic within colonial Spanish America. Rather than the traditional competition between the Crown and the Church, it became a three-way struggle for control which impacted colonial society considerably. In some ways, it contributed to social divisions, placing natives and the Mendicants who evangelized them on one side and all other groups and the secular clergy on the other, with the colonial state somewhere in between.

Because of their close contact with the American Indians and their many prolific writers, the regular orders provided much of the documentary sources for historians studying the colonial period. Therefore, it is not surprising that much of the work done on the colonial church has focused on the friars. More recently, scholars have taken inspiration from historians like John Frederick Schwaller and William B. Taylor and turned their attentions to the secular clergy. Therefore, this chapter focuses on the tension between the secular and regular clergy, with an emphasis on how this competition impact secular clerics' relations with the colonial state and episcopal authority.

The regular orders, like the Franciscans and Dominicans, supervised most of the evangelization of the native populations for much of the sixteenth century. These friars were with the conquistadors, ministering to the new native groups they encountered, and serving as religious representatives in the frontier regions. However, as colonial society grew, the relationship between the regulars and the clerics also changed. The power struggle between the two groups can be visualized as a weighted scale, with the Crown, and to a certain extent

the Pope, acting as the pillar between them: edicts in favor of one lessened the authority of the other, which then raised the stakes of the latter to rest that power back from the former. This chapter will focus on these legal battles, then explore how this power struggle might have impacted society. It is also important to understand the foundations of these arrangements, as well as instances where the two institutions collided, such as cases brought against each other through the Inquisition.

While it was rarely a harmonious relationship, the secular church had had centuries of experience with royal patronage in Spain, as well as ways to subvert civil interference. Therefore, even with heightened royal patronage over the American church, the monarchy was a "threat" that the secular church was familiar with, but its authority would be challenged by a different kind of "threat," posed by the Mendicants. While the regular orders had always enjoyed privileges and abbots' control was absolute within their abbeys, episcopal authority had never been dismissed completely. The secular clergy undoubtedly expected that these legal customs would transfer to the colonies; however, this would not be the case.

From the Time of the Visigoths: Medieval Regular Orders and the Secular Church

As explained in Chapter One, the Visigothic period served as both legal precedent and custom for medieval and early modern Spain. The Visigoth kings had presided over the ecclesiastical councils, possessed the rights of appointment and investiture, established new episcopal sees, and donated to the monastic orders.[6] As patron, the kings were obligated to protect the faith and provide for its clerics.[7] The Iberian Church was subject to the Roman papacy, but had both spiritual and financial responsibilities to their specific sovereigns. For

example, for much of the Reconquest period, Spanish Christian nobles and kings looked to the church not only for remission of sins, but for financial assistance.[8] As Christian kings began to establish dioceses in conquered territories, they appointed bishops to occupy them; the right of the king to elect bishops was exercised both directly and indirectly through the cathedral chapter.[9]

The relationship between these kings and the regular clergy, or those who "live by certain rules," was different than with the secular church.[10] Discussed in more detail in Chapter Five, early notions of Christian piety were highly influenced by asceticism, or self-discipline and self-denial, proscribed by the Fathers of the early Christian Church. Early theologians like St. Basil, St. Ambrose, and St. Jerome argued that self-denial and renunciation of the material world was a way to venerate Christ's suffering.[11] Medieval monks, under the teachings of St. Benedict, continued these practices behind the walls of their monasteries, which perpetuated the discursive connection between piety and enclosure for much of the medieval period.[12] As most of the medieval population could not commit to enclosure, a community benefited by association with the monks' sacrifice and prayers.[13]

Both Cluniac and Cistercian monasticism was practiced in Iberia, but the Cistercians were more active during the Reconquest.[14] While monks were quite different from later Mendicant friars, both were considered a separate religious institution from the secular church and therefore Benedictine monasteries established the precedent for secular-religious interactions.[15] During the Visigothic period, there were instances where the two jurisdictions overlapped. For example, the Third Council of Toledo in 589 stated that a bishop could convert a secular church into a monastery, and it would be supported, and thus subordinate to, the bishop.[16] Episcopal support could not exceed "una quincuagésimo," one fiftieth, of the

diocesan revenue, however.[17] Only ordained secular clerics were sanctioned to administer the sacraments and thus held higher ecclesiastic authority than the regulars.[18] The Council of Tarragona in 516, stated that a monk "les queda prohibido el ejercicio de cualquier ministerio eclesiástico."[19] However, it seems that a bishop could allow a monk to administer a parish church if there was a shortage of ordained personnel; however, if appointed, the monk would then answer to the bishop rather than to his abbot.[20] It also seems that monks were generally empowered to perform baptism if necessary. Also, as explained in the *Siete Partidas* centuries later, a secular cleric could enter a monastic order if granted permission by the bishop.[21]At the Council of Lérida in 546, the Church and the Crown recognized the separate property of the regular and secular orders, mandating that the bishop could not interfere with the goods of the monastery, nor use them for secular purposes, and vice versa.[22]

While monks were revered for their spirituality, their independent status and privileges could be an issue. Monasteries were subject to the leaders of their specific orders, but also required permission from the papacy and the local ruler to establish a monastery within a new area. Furthermore, because monks relied on external support for their livelihood, it was necessary that they be welcomed into a community. For example, the Fourth Council of Toledo reinforced monks enclosure, and emphasized the potential dangers of wandering hermits, and other religious not bound to a monastery.[23] At the Seventh Council of Toledo in 646, the authorities stated that wandering religious were dangerous because they looked similar to monks, but lacked their doctrinal knowledge; the fear was that they could teach false statements about the faith to laymen.[24] In order to prevent this behavior, it empowered secular bishops and clerics to investigate religious living outside of the monasteries and put them in monastic houses if they deemed it necessary.[25]

Kings and noblemen also founded monasteries; these new religious houses were then incorporated into the ecclesiastic hierarchy. While the abbot exercised total control within his monastery's walls, some orders were only subject to the Pope, while others also recognized local episcopal authority. For example, the Cistercians' privileges were given by the papacy and therefore they were directly subject to papal intervention and authority. Canon regulars were a branch of the secular clergy who chose to live in communities similar to monasteries, but were suffragen to the episcopal see. The papacy also traditionally recognized the authority of the bishops to monitor and regulate the monasteries within their dioceses, and act as judiciary if necessary. However, they could not interfere with monastery goods or property, or enforce excessive taxation.[26]

Abbots and priors convened separate provincial councils, presided by elected superiors, but they could not "impair" the rights of the bishops.[27] At these "chapter meetings," the abbots and priors also appointed official visitors who inspected the order's monasteries to ensure that each were abiding by proscribed regulations. These visitors were chosen from within the order, because it was understood that "each of the abbeys of monks or nuns…ascertain what condition they are in, and what life their inmates lead, and punish and correct whatever they see should be punished or corrected, according to the rule of their order."[28] If the visitor discovered particularly grave violations, especially those that warranted an abbot's removal, he reported it to the bishop who then deferred to the Pope.[29] While the church's interaction with the monastic orders established precedents concerning separate religious institutions, the relationship between the secular clergy and the Mendicant Orders founded in the thirteenth century was different in many ways.

Scholars have emphasized how the Gregorian reforms which gained momentum in the twelfth century were symptomatic of larger economic and social changes throughout Western Europe. During the eleventh, twelfth, and thirteenth centuries, Europe experienced incredible economic growth and demographic increases, specifically in the growth of towns and expanding trade networks.[30] A related trend was the growth of universities by the end of the century.[31] At the time, scholarship was highly inspired by scholasticism, particularly the study of recovered Classics, early theological texts, and canon law. This initially aligned quite well with papal goals to standardize canon law. These new universities created a new class of educated laymen, canon lawyers, and clerics able to reveal inaccuracies in the legal code and establish a more functional legislative system. However, as a growing literate population became more versed in theological texts that for centuries had only been available to an ecclesiastic minority, new ideas about Christian piety emerged. For example, many began to look more closely at the life of Jesus Christ and the Gospel. This would open the door for religious in the thirteenth century to emphasize proselytization and connections with, rather than renunciation of, lay society. Mendicant Orders like the Franciscans and Dominicans were inspired by these ideas. While most of the new orders would be established in the Spanish Indies, the Franciscans and Dominicans were dominant for much of the colonial period. Therefore, it is important to briefly consider their foundations.

The earliest biography of St. Francis of Assisi (1181-1226) was commissioned as a hagiography by Pope Gregory IX two years after the saint's death. St. Bonaventure was commissioned to write a new biography, which was recognized by the Franciscans in 1266.[32] St. Francis was born to a wealthy merchant family in the town of Assisi, Italy in 1181. He was inspired by divine intervention to renounce his former life and take a perpetual vow of

poverty, and his commitment to poverty and seclusion inspired other men to join him; they called themselves the Friars Minor. Francis claimed that he was inspired to the apostolic life after hearing Mass during the feast day of St. Matthias in 1208. The preacher quoted from the Book of Matthew, who was commanded by God to preach the faith to unbelievers.[33] Just as scholastics were reviewing Roman Law, theologians were increasingly calling for a return to the "early church," or apostolic life. However, Francis's emphasis on poverty would take these ideas further. Monks had always taken vows of poverty, but they were supported by the property held corporately by the monastery. Francis's first Rule stated both the members and the group were prohibited from owning property of any kind; they had to rely solely on alms from the communities in which they ministered.[34] In the early years, Francis and his small fraternity of Friars Minor travelled as wandering preachers, surviving by the donations of local laymen. They would be formally recognized by Pope Innocent III in 1209. Francis's ideology was different than his predecessors and representative of his time because he stressed the importance of missionary work and individual prayer. Both facets of his ministry emphasized direct connections: direct connections with laymen through evangelization and direct connection to God via meditation, or *repartimiento*. This was a stark contrast to the cloistered, isolated monastic life which had been prominent for much of the medieval period.

Francis resigned as the leader of the group at some point between 1219 and 1220, passing the title to his earliest disciples. He would spend much of the last six years of his life away from the group, leaving its administration to other members. Historians have emphasized Francis's distaste for administrative duties. In his mind, promoting a "leader" undermined the egalitarian principles of the order.[35] Also, while Francis considered the expansion of the order and sent friars on missions to different areas, there were inherent

contradictions between absolute poverty and organized expansion. For example, the new generation of Franciscans did not know how to educate new members or themselves without owning books; how to evangelize communities without churches; or how to aid the poor and sick without some access to capital. After Francis's death, they turned to the papacy for guidance. In 1230, Pope Gregory IX decreed that the order could employ a third-party trustee, a *nuntius*, to manage donations to the group and allocate the funds where needed. This created a type of doctrinal loophole, which allowed the order to serve the needs of its members and the laity without owning property. This decree was followed later by another bull by Pope Innocent IV in 1245, concerning landed property. The pope vested ownership of all the goods of the Friars Minor to the Apostolic See, allowing them to use the churches and houses for the order without owning them directly.[36] This pattern would continue as the Franciscans grew into an international order, most resided in donated permanent houses within urban centers.[37]

While Francis had been ordained as a deacon, he never became a priest, nor did he advocate extensive theological education. He argued that it detracted from the purity of the apostolic life; many of his early disciples were laymen.[38] However, as later Friars Minor argued, preachers needed to be educated in order to convert an educated laity, and evangelization ran hollow unless the preacher could bring the unbeliever into the fold by administering the sacrament of baptism. As the order expanded, members were forced to re-examine Francis's principles, as well as the order's administration and organization, which become increasingly sophisticated by the end of the thirteenth century. Members began to require novices to undergo more extensive education and examinations, prior to their profession.[39]

Some historians have argued that the changes in the Franciscan order were influenced by their encounters with the Order of Preachers, or Dominicans, which was also founded during the period. The Order was popular in bourgeoning intellectual centers like Paris, Cologne, London, and Oxford. The order's founder, St. Dominic de Guzmán (1170-1221), was also dedicated to poverty and preaching, but was an educated secular cleric who had more of a mind for administration and internal government.[40] For example, by the first provincial chapter meeting, Dominic had outlined a representative system were each administrative position was secured via election and subject to internal revenue through standard visitations. Inspired by his experiences with Albigense heresy in Southern France, Dominic and his followers were specifically interested in the conversion of heretics and the extirpation of heretical practices.

Dominic had been born to a noble family in Caleruega, Castile, and as a young man served as a canon regular in Osma. In 1215, he founded a fraternity of preachers in Toulouse, which was supported by a portion of the episcopal tithes. Unlike Francis, Dominic wanted to create a fraternity of educated clerics, skilled in the act of proselytization, and Dominic realized it would require financial aid from benefactors.[41] In 1215, the preachers petitioned for papal authorization. However, Innocent III was apprehensive about creating a religious order specifically for preaching, which, according to canon law, was the function of secular clerics ordained by bishops. For example, canon law prohibited regulars from ministering in public churches. Dominic's plans were further complicated by the ruling of the Fourth Lateran Council, which decreed that no new orders could be established.[42] Therefore, Dominic continued his mission without papal confirmation. In 1217, he ordered most of the

members in Toulouse to disperse and spread the faith to different areas to begin the universal preaching mission that he had envisioned.

By the year 1303, the Dominican Order possessed 590 houses. By 1358, it had risen to 635 houses; the Franciscan total was around 1,400.[43] The Mendicants were originally welcomed by many secular clergymen because they served to reinforce lay piety and reinvigorated interest in Christian observances. However, as they expanded their influence and established permanent houses, mendicants were treated with increasing hostility by the secular church. The problems between the regulars and the bishops were largely due to friars' privileges as a separate religious institution and their support from papacy. Pope Gregory IX, who reigned from 1227 to 1241, issued the bull *Nimis iniqua* in 1231. It instructed the bishops to allow friars extensive liberties in their pastoral activities.[44] Gregory had relied heavily on the missionary zeal of the Mendicants to spread Christianity in the East, and therefore had to ensure that they could act freely in most locations. Later popes like Innocent IV (1243-1254), would also use the Mendicants as missionaries and contacts in foreign areas.[45] As the papacy increasingly employed the Mendicants Orders, the privileges extended to those orders also increased. This relationship between the regular clergy and the papacy empowered the regulars in the late medieval religious hierarchy, thus challenging the traditional authority of the seculars. Furthermore, Mendicant preachers were another option for the grants and donations exchanged for religious services that were traditionally reserved for the secular church.

Many seculars resisted regulars' privileges by arguing that the seculars were exclusively responsible for the care of Christian souls on the grounds of their ordination. Pope Martin IV did little to mollify secular frustrations when he strengthened friar privileges

in 1281, however; the bull authorized friars to perform pastoral and sacramental functions in any diocese or parish without seeking the consent of the local clergy.[46] In 1300, Boniface VIII attempted ease the tensions between the regular and secular clerics, by mandating that friars might only preach in parishes with episcopal consent; Mendicants would present their missionaries to the bishop, who would determine if they could proselytize or hear confessions in his diocese.[47] Other than issues concerning jurisdiction or religious donations, the secular church would also grow increasingly suspicious of some Mendicant practices and their influence over the laity.

As discussed in Chapter Two, the Catholic Church witnessed a tremendous period of renewal and reform beginning in the late fifteenth century and increasing with the rise of humanism and the Protestant Reformation during the sixteenth century. This period of renewal impacted mendicants, secular clergy, and the laity in different, but related, ways. As humanism inspired intellectuals to revisit the Classics, many Mendicant Orders were inspired to return to the teachings of their founders.[48] For both the Franciscans and the Dominicans, it meant reform of any laxity in religious observance and recommitment to poverty. Many Franciscans were inspired by St. Francis's prayer and meditation practices to develop their own methods of *recogimiento*, or spiritual seclusion.[49] This inspired a similar impulse among the laity. Many lay Catholics during the period were interested in the idea of internal religious experiences and direct spiritual connections to God. As writings on the practice of *recogimiento* and religious contemplation were translated into the vernacular, many laymen were inspired to pursue similar vocations.

The number of Catholic lay religious orders, such as tertiaries and beatas, also increased during the Reformation period. These men and women were loosely affiliated with

a particular order, and could observe religious vows without undergoing order profession. As seen in Chapter Two, the lay religious population in Spain grew considerably during this time, along with Spanish mysticism. Mysticism appealed to many Spaniards because it emphasized experience rather than formal theological training. Practicing near monastic asceticism, many mystics were revered for their piety, some even gained support from influential church leaders like Cardinal Cisneros. In this way, mysticism was an integral part of sixteenth century Spanish Catholicism. However, as tensions between the Catholic Church and Protestants escalated, church officials stressed the potential dangers of internal religious practices. For example, prophetic visions and revelations, especially by female mystics, would be heavily monitored by Inquisitors as the sixteenth century progressed.

Rather than bringing Spanish regular and secular order clergymen together against a common enemy, the Protestant Reformation drove a bigger wedge between them. First, many of the original papal privileges granted to the regular orders remained intact in the sixteenth century. Second, while Spanish interests in *recogimiento* and mysticism had originally aided in church attempts to reform lay religious practice, seculars and the Inquisition feared more extreme practices and pulled back their support considerably as the century progressed. Secular frustrations were expressed in the decrees of the Council of Trent (1545-1563); placing the regulars firmly under the control of the bishops was a prevalent theme. Furthermore, seculars would not easily forget that Martin Luther had been a monk. Luther, and others inspired by his initial break with the church, challenged the sanctity of the sacrament of the priesthood, as well as their necessity in administration of the sacraments altogether. The Mendicant Orders were thus conceptualized as another religious institution

with the potential to challenge traditional church power in a period when traditional power structures were coming under wider scrutiny.

As illustrated in Chapter One, royal control over the churches in Spain had steadily increased, with the biggest concessions happening during the fifteenth century. However, the basis of Spanish law remained entrenched in private privilege and independent *fueros*. This piecemeal legal system allowed both noblemen and the church to assert considerable powers within their individual domains, and the Spanish Church had centuries of experience in negotiating power over its own affairs, despite royal patronage. The *Siete Partidas* were meant as a common law code, but this would not happen in practice until the reign of Queen Isabel, who set Castile-León firmly toward legal standardization and royal absolutism.

The Iberian Kings had also been frustrated by papal interventions throughout the later part of the medieval period. From the mid-thirteenth century, the papacy had repeatedly called for both financial and military support from Western European kingdoms in order to fund their plans in the East. Also, after the problems brought on by the Avignon papacy, many Europeans were tired of papal involvement in international politics. Known as the second Great Schism of the Catholic Church, repeated papal elections and rival "antipopes" had undermined much of the authority that the papacy had secured during the Gregorian reforms, and Spanish monarchs seized this opportunity to gain more control of their own churches. Therefore, by the late fifteenth century, Spanish monarchs secured the right to inspect papal decrees before their publication in their kingdoms.[50] In 1444, Pope Eugene IV conferred to the king of Aragón the privilege of presentation to lesser benefices. Four years later, Pope Nicholas V conceded to the king of Castile the right to nominate high ranking benefices in Castile and León.

Spanish ecclesiastics were still subject to Rome, but due to repeated papal demands on church revenues and papal appointments to the Spanish prelacy, many had become disillusioned with papal interference. For example, in 1482, Pope Sixtus IV appointed a foreigner (his nephew) to the bishopric of Cuenca to which the Kings protested. When Isabel threatened to convoke a general council to reform the Church and make it more harmonious with royal interests, Sixtus conceded that the Crown had the right to promote candidates of their choosing within Castile.[51] In 1485, the Crown secured from Pope Innocent VIII the right of universal patronage over all the benefices within the kingdom of Granada, as well as rights to the tithes of converted Muslims, or moriscos. Many historians believe this to be the first pontifical grant of universal patronage in Spain. Alexander VI followed in 1494 and granted the Crown one-third of all tithes collected not only in Granada, but in the rest of the monarchy.

The Spanish monarchy then continued what it had begun on the peninsula in the Americas. Alexander VI recognized Spanish rights to the New World; Calixtus III conceded the right of presentation to episcopal benefices; and Julius II recognized universal royal patronage over the colonial church. While it was rarely a harmonious relationship, the secular church had had centuries of experience with royal patronage in dioceses in Spain, as well as ways to subvert civil interference. Therefore, even with the new papal concessions, the monarchy was a "threat" that the secular church was familiar with, but its authority would be challenged by a different kind of "threat," posed by the regular orders. [52]

Construction of the Colonial Church

The Catholic Kings were eager to begin evangelization upon receiving news of the discovery of the American peoples. On his second voyage, the monarchs sent Fray Bruil "juntamente con otros religiosos" so that the natives "sean bien informados de las cosas de nuestra santa fe."[53] While the monarchs originally chose twelve clerics to accompany Columbus's second voyage, only four made the journey.[54] Governor Nicolás de Ovando was also accompanied by ten Franciscans when he arrived in Española in 1502. As the Crown had asserted its rights to the tithes on the island, it was responsible for paying the salaries of the local clerics. In a letter to Ovando in 1503, the monarchs decided on the sum of 100 *pesos de oro* per year.[55]

In 1504, weeks before the death of Queen Isabel, Pope Julius II released a papal bull establishing the first three bishoprics in the Americas.[56] The bull's phrasing implied that Julius expected the structure and administration of the colonial church to be in the hands of the bishops, rather than the monarch. For example, it read that the bishops would "determine the size and style of the metropolitan and cathedral churches…and see to their building…erect and institute the respective ecclesiastical dignities in their cities and dioceses, the canonries, prebends, and other ecclesiastical benefices…"[57] As per Spanish custom established during the Reconquest, those who founded churches in newly settled areas or transformed existing structures for Christian use were its legal patrons. By stating that the bishops would be charged with the establishment of the colonial church implied that they would hold patronage rather than the king. Considering increasing royal control over the church in Spain, Ferdinand's response to the bull was no surprise, but the king's absence from Spain would delay episcopal appointments in the newly established dioceses.[58] In 1508, Julius II conferred royal privilege of founding and organizing all the colonial churches for

several years.[59] In theory, the costs for the construction of churches was shouldered equally between the crown, the encomenderos, and native tribute.[60]

The 1512 Concordat of Burgos reemphasized the Crown's role in the colonial church, and restructured the collection of the tithes. Fernando restated the crown's right to establish colonial churches, to the tithes on precious metals, and the right of presentation.[61] However, he decreed that the colonial bishops would have rights to most of the tithe to fund the work of the church. The total would be portioned between the different dioceses according to custom: one fourth to the bishop, one fourth to the cathedral church, two ninths to the crown, four ninths to pastors and curates, three eighteenths for the physical maintenance and supply of churches, three eighteenths to the hospitals.[62] As Ferdnando legally had rights to all of the colonial tithes, he technically "redontated" the majority of the tithe back to the church.[63] This system was then extended to the mainland after expeditions into Central America began in 1513.[64]

The first diocese was meant to be established in the Yucatan, the area where the Spaniards first entered Tierra Firme. It was authorized by Pope Leo X in January 1518, as well as the royal nominee for bishop, Dominican Fray Julián Garcés.[65] The church would not be established there until a subsequent papal bull by Pope Pius IV in 1561, however. The establishment of the colonial church officially began when the first Franciscan friars, "the twelve," arrived in New Spain in 1524. However, Leo X also recognized potential expansion thus the probability of more dioceses in the future, "much more land will come under his [Charles V] dominion."[66] Fray Julián Garcés would actually become the bishop of the diocese of Tlaxcala, established and delineated by papal bull and royal decree between 1525 and 1526.[67] Juan de Zumárraga (1468-1548) was chosen as the first bishop of Mexico in

1527, and the first archbishop of Mexico, when the archdiocese was founded in 1546. Papal confirmation of the appointment was delayed until 1530, even though Zumárraga set sail for Mexico with the first audiencia in 1528. Zumárraga was officially consecrated as bishop in Valladolid in 1533, returning to Mexico City, when the diocese of Mexico was founded the following year. In order to accommodate the ongoing expansion, colonial authorities had petitioned the archbishop of Seville to consider creating two archdioceses in the Americas: one based in Santo Domingo on the Island of Española and the other in Mexico in New Spain.[68] The matter was originally considered by the Council of the Indies in 1536, and again in 1544. The papal bull by Pope Paul III, *Super universas orbis ecclesias*, authorized the creation of the archdiocese of Santo Domingo, Mexico, and Lima.[69] The dioceses suffragen to the Archdiocese of Mexico were Antequera (Oaxaca), Michoacán, Tlaxcala, Guatemala, and Chiapas.[70]

Fray Toribio Motolinía, one of "the twelve," recorded the friars actions within these first years in his *Memoriales*. He stated that after the fall of Tenochtitlan the Franciscans divided themselves among four areas: Mexico, Texcoco, Tlaxcala, and Huexotzinco, and for the first few years the conversion of the natives was very slow.[71] Motolinía claimed that by 1536 there were close to sixty Franciscans working in Mexico, and, by 1540, there were "nearly forty" Franciscan houses.[72] While he had mixed opinions of native spiritual capacity, Motolinía emphasized their eagerness for Christian baptism. He claimed that by 1536, "más de cuatro millones de ánimas" had been baptized.[73] However, it seems fair to assume that these numbers were highly exaggerated in order to bolster the reputation of the Order; for example, Motolinía implied that Franciscans were the only clergy baptizing natives, which seems unlikely given the fact that the Dominicans, Augustinians, as well as the secular clergy

were also in Mexico at the time he was writing.[74] According to Charles Gibson, the Franciscans controlled the Indian towns of Tenochtitlan, Tlatelolco, Texcoco, Tlalmanalco, Xochimilco; the Dominicans administered the Chalco province, Coyoacan, and Tacubaya; and the Augustinians were in Acolman, Culhuacan, Mixquic.[75]

Historians continue to disagree on the periodization of regular and secular control over the colonial church. Robert C. Padden argued that even though many of the dioceses were created during the first half of the sixteenth century, it is not accurate to conceptualize it as a secular institution prior to 1550, as much of the positions were staffed by Mendicants.[76] John Schwaller argues that the creation of the Spanish ecclesiastical hierarchy can be conceptualized in three stages. During the first stage, from the time of the conquest to about 1540, the church was not yet institutionalized. Priests worked independently with little ecclesiastical supervision, accompanied the conquerors and later served encomenderos without an official royal appointment. The second period, 1540-1575, realized the official establishment of many of the dioceses and cathedral chapters, and methods for appointing parish priests became regularized. The third stage spanned the years between the 1570s and the mid-eighteenth century; Schwaller argues that the most significant change of the 1570s was the enactment of the *Ordenanza del Patronazgo* in 1574, discussed below.[77]

Due to their early presence and knowledge of native languages, many Mendicants believed that they held religious authority, regardless of the establishment of the secular church.[78] Their ability to function more independently than their Iberian counterparts, was due to extensive papal privileges listed in the *Omnimoda* quoted at the start of the chapter.[79] The *Omnimoda* extended the privileges listed in a papal brief Pope Leo X released the previous year.[80] The brief had stated that in areas without bishops, regulars could administer

the sacrament of Confirmation, confer minor orders, and bless religious implements and structures.[81] These were tremendous concessions considering that, according to canon law, only ordained priests could administer the other five sacraments, and Confirmation and Ordination could only be performed by the Bishop.

Regular and seculars disagreed on many things, both temporal and spiritual.[82] As illustrated above, seculars were frustrated by the regulars' disregard for episcopal authority, while the regulars found seculars' disinterest in native languages appalling. Mendicant religious houses posed a threat to secular hierarchy because of the parochial functions that they served. While they were generally called *monasterios*, Mendicant houses erected chapels where local Christians could go to hear Mass and receive the sacraments. Mendicants largely used native languages rather than Spanish in their ministries, which frustrated many seculars who believed, like the Crown, that the natives should be compelled to learn Spanish.[83]

Mendicant contact with the natives, and their administration of doctrinas, also contributed to underlying division between natives and other racial groups. This division was not only expressed in terms of varied conceptions of subaltern piety, discussed in Chapter Four, but also in regards to group loyalties. Juan de Torquemada recorded an incident in his *Monarquía Indiana* which illustrated the potential consequences of divided community loyalties. According to Torquemada, there was a violent altercation involving secular clerics, Franciscans, and natives in Mexico City in 1569. The disagreement began over who would say the Mass for the Dia de la Asumpcion de Nuestra Señora. The friars had argued that they had always said the Mass on that day, and walked as a congregation, or Hermita, to the city's church, "llamada Santa Maria la Redonda que está en uno de los cuatro Barrios principales

de esta Ciudad."[84] However, the secular clerics, along with some civil officials, blocked the street, and refused to let them pass to the church.[85] According to Torquemada, the natives in the procession were offended by secular interference with the ritual and grew increasingly hostile towards the clerics, but the seculars persisted.[86] As tempered flared, the clerics tried to physically push their opponents from their path.[87] Seeing this, the Indians in the procession surged to protect the friars and attacked the secular clerics. Torquemada claimed that the entire barrio was in an uproar as they rioted against the Spanish officials and the secular clerics.[88] The town was finally quieted and it was reported to Viceroy Martín Enríquez, who could not make a definitive judgement on who was at fault, so no charges were filed.[89]

While Torquemada's version of events clearly show his bias as a Mendicant, it does give an example of the socially divisive consequences of tensions between the regular and secular clergy.[90] The natives in the procession clearly felt a greater degree of loyalty to the friars than to the seculars, and reacted violently when they felt that their religious rights were threatened. The role of the civil authority is also representative of later patterns; they sided with the secular clergy, but the viceroy opted for ambiguity rather definitively supporting one side or the other. As the secular ecclesiastic population grew, they began to challenge regular privilege more forcefully, which was augmented by a similar royal impulse to increase its control over colonial religious institutions in general.

The Three Powers and the *Ordenanza del Patronazgo*

Most of the clashes between colonial Church and State was expressed between clerics and royal officials and not necessarily clerics against the King himself. The king was the head of the church in America as well as the civil government, and therefore could serve as

mediator between the representatives of both colonial institutions. In this way, clerics could accept royal patronage in theory, but resist his royal officials in practice. According to Stafford Poole, the archbishop was "the only figure that equaled the viceroy in power and prestige."[91]

This is not to imply that the regulars and the civil authorities were a harmonious pair, however. Discussed in more detail in Chapter Four, regular orders members like Bartolomé de Las Casas and Fray Toribio Motolinía were ardent opponents of civil and encomendero attempts to exploit native labor. Motolinía spoke out against the civil authorities in several of his sermons because he believed that their policies were endangering the conversion of the natives.[92] According to Juan de Torquemada, in 1524 Father Martin de Valencia felt it necessary to place an ecclesiastical interdict upon Mexico City and remove the Franciscans to Tlaxcala because the government, represented by Gonzalo de Salazar, had violated the sanctuary of the monastery of San Francisco by arresting some of Cortes followers who hiding inside.[93]

In order to prevent either the colonial church or civil government from becoming too powerful, the Spanish monarchs intentionally blurred the jurisdictions and powers of one into the other, by passing contradictory decrees or altering policies on a case by case basis.[94] The viceroy was the representative of the king, and was charged with ensuring the colony followed the king's ordinances.[95] The audiencia was a corporate civil body that ranked just below the viceroy and also represented the king; it consisted of judges called *oidores* who administered their specific districts. The audiencia served two major functions: as a court independent of the viceroy and an administrative council for the viceroy. As a civil court, the

audiencia was subject to the Council of the Indies and its functions were separated into civil and criminal tribunals.

Some of the problems between the colonial secular church and civil government dealt with ecclesiastic privilege. According to Spanish laws, an ecclesiastic *fuero* meant that clerics were only subject to judicial actions by ecclesiastical courts, which prohibited secular judges from taking an judicial action against clerics. There was also canon law which protected clerics from any form of temporal punishment by civil courts. While most conceded that that the clergy were obliged to obey secular laws, canonists agreed that the state did not have the authority to force clerics to comply with civil laws.

There were different layers of legal authority within the colonial church, however. The highest level was the body of canon law, papal authority as Holy Vicar, and conciliar law. For example, canon law was the general term used for the corpus of law constructed over centuries, including Scripture, papal bulls, and the decrees of universal or provincial church councils, such as the Council of Trent (1545-1563) and the Mexican Provincial Councils (1555, 1565, 1585, 1777). A specific diocese was also subject to its original "bull of erection," which established the constitution of the diocese and governed everyday affairs. Most of these bulls tended to be very similar to create a type of standardized law between the dioceses, but local diocese could issue mandates and decrees within their own jurisdictions.[96]

The Archbishop had administrative authority over suffragen dioceses, and each diocese was administered by their elected bishop, and his staff.[97] In theory, the bishop was responsible for administering the sacraments of Confirmation and Ordination, visiting the parishes, and overseeing religious education within his episcopate.[98] Beneath the bishop and his episcopal staff was the cathedral chapter, *cabildo eclesiastico*, which was responsible for

administering the sacraments in the cathedral church, oversaw the collection of the tithes, and served as an advisory council for the prelate, and could govern the diocese in his absence.[99] The parish priests administered the sacraments within their parishes: Baptism, Marriage, Penance (confession), Eucharist (communion), Extreme Unction (last rights).[100]

Pope Pius V had asserted himself several times against Spanish King Philip II, so Philip waited until after his death in May 1572 to move forward with the Ordenanza del Patronazgo. In September 1572, Philip ordered his ambassador Don Juan de Zúñiga to proceed with the request for confirmation of the Ordenanza from Pius's successor, Gregory XIII. However, when the Pope threatened to turn over the decision for the proposal to the council of cardinals, Philip baulked and told Zúñiga to rescind it. The Ordenanza was part of the *Libro de gobernacion espiritual* created by the president of the Council of the Indies, Juan de Ovando, but was published separately and confirmed by the king in 1574. Its twenty-three chapters were intended to place the colonial church more firmly under the control of the monarchy. In theory, the crown maintained the right to present every ecclesiastical officer in the Indies, draw the boundary lines for all dioceses, collect the tithe, and no church or monastery could be founded or endowed without royal permission.

The Ordenanza also regularized the process of appointing episcopal benefices, or *beneficios*. These *beneficios* came with salaries that was guaranteed by the royal treasury, the cleric could hold that post for life, and could only be removed by the bishop in certain cases.[101] The church benefice, or appointment to a position within the church hierarchy, developed between the fifth and seventh centuries.[102] It consisted of three major rights and obligations: the obligation to care for the souls within its jurisdiction and the right to the fruits of the office such as tithe revenue and church properties. The medieval church was

supported by royal grants and tithe revenue, of which there were two forms: personal and praedial. Personal tithe were taxes on personal gain and production, while praedial tithes were taxes on products like mining, agriculture, or other resources.[103] Under canon law, the patron of the benefice had the right to present the cleric for the benefice, and the local bishop then judged his capabilities; if the bishop found the candidate capable, he then confirmed him through the act of collation. The *Siete Partidas* listed several requirements for bishop candidates and other higher ranking benefices. It stated that, while a man could not be "rejected for the reason that he is not possessed of great learning," a bishop or prelate needed to be educated and literate to carry out his duties. He also had to be at least thirty years of age and of legitimate birth.[104]

The Ordenanza mandated that once an archbishop declared a benefice open, candidate aptitudes would be examined in competition for the title, or *oposición*. The first *oposición* was convoked by Moya de Contreras in January 1575.[105] The examinations were supposed to narrow the field of candidates for the patron, which the Crown delegated to the viceroy. Certain requirements for candidates had been in place from the early years of the sixteenth century, however. For example, the Concordat of Burgos in 1512 included that recipients of vacant sees should only be granted to men who could read and speak Latin, and were "hijos legitimos de los vecinos e habitadores…y no a los hijos de los naturales."[106] The Concordat also mandated that candidates should be chosen via competitive examinations as was the custom on the peninsula.[107] The first and second provincial councils listed similar requirements.[108] During the *oposiciones*, examiners investigated the backgrounds of each candidate as well as their professional resumes. Candidates were tested on their knowledge of liturgy and their proficiency in native languages, "la lengua mexicana o otomí."[109] As the

competitions grew larger, the archbishop presented two names to the viceroy, and then viceroy would choose the candidate for the benefice. After the viceroy chose a candidate, the next step was the collation and the canonical institution, which granted the appointee the right to collect the revenues of the benefice and endowed him the right to exercise the office, respectively.[110]

For the election of a priest, the collation included the appointee taking physical possession of the parish; the ritual included the public announcement in the main village, after which the appointee physically opened the doors of the church, ascended the altar, and performed some liturgical act. According to John Schwaller, even though every post in the American church was mandated to be filled via competition and examination, *oposiciónes* were typically only carried out for episcopal benefices; the viceroy allowed the church to handle appointments to lower positions.[111] The archbishop still evaluated direct royal appointees, however. If they failed they could not receive the canonical institution, or the authority to administer the parish: "the royal provision gave him the rights to the fruits of the benefice but no canonical power to administer it."[112] The major objective of the Ordenanza was to place the Crown directly in the center of church administration. By mandating that both the regular and secular clerics had to get approval from the viceroy prior to establishing new churches and the appointment of its personnel, it increased the Crown's ability to both monitor and control church actions within the colonies. In essence, the Crown fashioned itself as the middle-man between the two religious institutions to make sure that neither could challenge royal power.[113]

The Ordenanza del Patronazgo also tried to bring the Mendicant Orders increasingly under royal control. It stated that no regular cleric could journey to Spain without royal

permission, and attempted to limited Mendicant communication with the papacy.[114] It also called for the secularization of the rural parishes; this wouldn't be achieved for centuries, however.[115] According to the Ordenanza, provincials and superiors had to disclose information about their activities, specifically who were their members and where were they working.[116] It also established that the regular orders would eventually leave parochial service and be placed under the authority of the local bishop; this would also not be easily accomplished.

Royal interference in the regular orders was more difficult to secure due to the nature of regular privileges in the Americas. As described above, the papacy had given the Mendicants episcopal powers as the first missionaries. The Crown had also supported their early involvement, and like the rest of their subjects, Mendicant missionaries technically had to receive official licenses to travel to the Spanish Indies; however, as the Mendicants emphasized, these temporal licenses held no authority over the Pontiff.[117] By challenging regular privilege, civil authorities also risked the ongoing missionary work. For example, the Franciscans protested several of the statutes listed in the Ordenanza soon after it was released.[118] The provincials of the Order wrote to Viceroy Martín Enríquez that if the Ordenanza was enacted they would be forced to suspend their evangelization of the natives.[119] Enríquez was aware of the potential negative consequences of the regular orders withdrawing from evangelization, so he proceeded with the royal mandates very cautiously, largely suspending implementation of all statutes which affected the Mendicants.[120] The following year, the orders sent representatives to Spain, and the king rescinded the instructions regarding the regulars and their doctrinas. However, at the suggestion of the

Council of the Indies, Philip II sent a cedula on Dec. 6, 1583 which stated that diocesan clergy were always to be preferred to regulars when parishes or benefices were vacant. The Ordenanza was not the first challenge to regular privilege, however. While there had been informal juntas apostólicas in New Spain since the earliest days of the conquest, it was only after it was raised to rank of a metropolitan see in 1546, that they could convene provincial councils. All bishops within the archdiocese were required to attend, and they discussed and voted on particular issues presented. The First Provincial Council in 1555, mandated that Mendicants had to secure episcopal permission before building monasteries of churches, or they would forfeit their ability to hear confession or give Mass, and both regular and seculars had to submit to episcopal examinations.[121] Mendicants challenged the practicality of these mandates in January 1557, and emphasized their potential to derail evangelization of the native population.[122] The king seemed to agree and suspended the council's decrees in March.

The Second Mexican Provincial Council in 1565 had been charged with implementing the new decrees from the Council of Trent (1545-1563), which in general bolstered the position of the seculars over other religious groups. For example, the twenty-fourth session of Trent declared that the Bishop had total rights within his diocese, including visitation of regular order monasteries.[123] In 1564, Pope Pius IV released the papal bull, *In principis apostolorum sede*, which revoked all regular privileges that did not conform to Tridentine decrees. The Orders protested again and the Crown was forced to ask the Pope to suspend implementation of Trent reforms in New Spain.[124] Neither the first nor the second Mexican Provincial Council was officially recognized by the papacy; however, many of the

decrees from the first two provincial councils were included in the Third Provincial Council convened in January 1585, which did receive papal confirmation.[125]

Conclusion

While scholars continue to disagree on the effectiveness of royal or secular clerical attempts to undermine Mendicant privilege, none deny that these efforts and related Mendicant protests, impacted the power dynamic within colonial society. The tensions between the three powers provide further evidence of the ways in which colonial religion and its administration shaped colonial society. While the Mendicant Orders were old institutions by the discovery of the Americas, the privileges granted to them by the papacy were quite different from earlier examples. This chapter has illustrated that these privileges severely threatened the power and position of the colonial secular church, and while the Church had dealt with both royal intervention and regular privilege before, the situation in the New World was a different matter altogether.

This triple power dynamic was also an example of another imperfect "translation" of older institutions in the Americas. Secular clerics most likely assumed that regulars would be required to recognize episcopal authority as they had in Iberia, while the Crown most likely expected to control the regular clerics indirectly through the secular church as it had done in Iberia. However, both were mistaken as traditional hierarchies were challenged once again, and once again they were forced to adapt to the unique circumstances of the New World.

Chapter Four:
Translating Race: The Role of the Catholic Church in Colonial Race Relations

> "…I, who am the voice of Christ in the desert of this island, and therefore it is fitting that…with all your heart and with all your senses, hear it…This voice said you are all in mortal sin and live and die in it for the cruelty and tyranny you use with these innocent people. With what right and with what justice do you have these Indians in such cruel and horrible servitude? With what authority have you made such detestable wars against these people…Why do you keep them so oppressed and fatigued, without eating or curing their illnesses…from the excessive work that you give them…they die, or rather you kill them, to acquire gold every day? And what care do you take to teach them to know their God and creator, be baptized, hear Mass, keep the feasts and Sundays? Are these not men? Do they not have rational souls? Are you not obliged to love them as you love yourselves? You do not understand this? Do not you feel this? How are you in so deep sleep…? Keep in mind, that in the state that you are, you can no more save yourself than the Moors or Turks who…do not want the faith of Jesus Christ."[1]

Introduction

Dominican Fray Antonio de Montesinos expressed this scathing accusation in a sermon on the island of Española in 1511. He was appalled by Spanish treatment of the natives, and his deliberately vitriolic message was meant to scare local Spaniards into changing their ways. While it seems that Montesinos's sermon was unsuccessful, his words reveal many of the different issues which shaped colonial society. The Spaniards had been charged with spreading the faith to the new lands, but this mission was challenged by imperial expansion. While scholars have illustrated the many ways in which clergymen influenced colonial policy, certain questions go unanswered. How did clerical perceptions of colonial piety influence the construction of the social hierarchy? How did perceptions of

subaltern piety influence race relations? In what ways, did Christian theology and practice shape racial concepts? Answering these questions will be the focus of this chapter.

According to Sherburne Cook and Woodrow Borah, central Mexico had a native population of around 18 to 30 million at the time of the first Spanish expedition in 1519.[2] While the Spanish population in Mexico would steadily increase, reaching around two to three thousand by 1521 and over 60,000 by 1568, the native population was decimated, declining to an estimated two to three million by that same year.[3] The colonial population also included Africans who were brought as slaves with the earliest Spanish colonizers or were later sold to the Spanish Indies via the Atlantic slave trade. Cook and Borah estimated that by 1570 the native population still represented about 97 percent of the colonial population, while the Spaniards were the next largest group accounting for 2 percent, with the remainder being those of African descent who numbered over 17,000.[4] Gonzalo Aguirre Beltrán estimated that by 1570, the total African population in colonial Mexico was over 18,000.[5] Despite Spanish attempts to simplify the racial composition of its colonies into neat categories in the *sistema de castas*, it became increasingly complex as the colonial period progressed. For example, Cook and Borah also estimated that by the year 1570, the mestizo population, those of native and Spanish descent, numbered around 2,000. In his study of the African population in Mexico, Aguirre Beltrán emphasized how those of mixed racial origins, or mestizos would quickly become the dominant group.[6]

Historians have illustrated how the racial demographic impacted colonial society, and have developed increasingly sophisticated interpretations of colonial understandings of race and how these ideas shaped interactions between the different racial groups and between those groups and the state. However, certain gaps in the scholarship persist. As illustrated

throughout the chapters, society in Spain and the Spanish Americas was shaped by both secular and religious institutions. While Church records have been important sources for historians for decades, especially after the rise of social history and demographic analyses, fewer historians have considered the role of the Church and clergymen in the creation of those records. Historians like Jonathan I. Israel, John K. Chance, Patricia Seed, and R. Douglas Cope used these meticulous records to reconstruct the colonial racial hierarchy, but did not consider the significance of the origins of these sources.[7] Early scholars like Magnus Mörner, Gonzalo Aguirre Beltrán, as well as more recent studies by Ann Twinam, have illustrated how racial mixing and racial "passing" creating an increasing complex racial system within colonial New Spain.[8] However, they did not consider the role of the Church in the creation of those racial categories or how racial categories were shaped by religion.

María Elena Martínez's research on the transmission of Spanish categories of *limpieza de sangre*, or blood purity, to the Americas is one of the few exceptions. She showed how the Spanish concept of blood purity, or the absence of Jewish or Muslim heritage, had evolved from medieval origins to a system based on racial purity in the New World.[9] However, Martínez did not fully delineate how these racialized categories influenced contact points between the Church and subalterns or the discourses and concepts that informed clerical practices. As illustrated by William B. Taylor, the influence of the church went beyond official dogma to encompass the everyday interactions between local clergymen and their parishioners.[10] Acting as "gatekeepers," local priests helped to define colonial Christian identity through their monitoring of Spanish and non-Spanish religious practices. Individuals who abided by church doctrine and practiced Catholicism were part of the Christian community, while those who did not were considered outsiders, though this marker

was not considered perpetual. The division between religious insider and outsider would evolve along racial lines in New Spain; Spanish individuals were expected to be Catholic, while non-Spanish individuals were considered more likely to stray from orthodoxy. These assigned traits shaped hegemonic perceptions of subaltern piety, which was an important component of colonial status.

Due to the close proximity of Africans and Spaniards, as well as African's political separation from the natives, many historians have omitted considerations of the native population within their studies of African religious experiences, and vice versa. For example Cook and Borah pointed out that society was first divided in two groups: tributaries (*indios*) and non-tributaries (*gente de razon*, or those subject to European law and canon law), which was the basis for the dual-government established within the Spanish colonies.[11] Research on African connections to the colonial Spanish Church is also largely subdivided into studies of the Church's impact on Latin American slavery and the relationship between Catholicism and African religions within the colonial setting. Studies like Herman Bennett's work on Afro-Mexican marriage and Nicole Von Germeten, in her study of African *cofradías*, or Catholic lay brotherhoods, emphasize that church membership gave slaves and freedmen a higher degree of autonomy.[12] Historians like Joan Cameron Bristol have illustrated how Afro-Mexicans utilized their knowledge of both traditional African and Catholic rituals to construct an alternative system of power.[13] While ultimately subjugated to Hispanic cultural norms, witchcraft and curing rituals, as well as denunciations of abusive masters to the Inquisition, was a way for free and enslaved Africans to subvert Spanish authority.

Some recent studies have attempted to bridge this historiographical gap. For example, Matthew Restall, in his study of Africans in colonial Yucatan, illustrates that Afro-

Yucatecans played interstitial roles between Spaniards and Mayas.[14] According to Restall, Maya were traditionally understood to be "the other" to both Spanish and Africans, making Afro-Yucatecans both inside and outside the societies of Spaniards *and* Mayas.[15] There have been even fewer studies that explore how the three races interacted within a religious space. Laura A. Lewis and Martha Few's research on Inquisition witchcraft trials illustrates that witchcraft served as a site for multiracial contact.[16] Matthew D. O'Hara's study of eighteenth century parish reform illustrates how Catholicism "served as both an integrative and divisive social force" because it created a "broad inclusive community of Christian subjects and divided that community into countless smaller flocks," typically along racial lines.[17]

As the previous chapters have illustrated, the Catholic Church and Christian theology were important cultural and intellectual sources for early modern Spaniards. Both secular and religious authorities and common Spaniards interpreted the New World via these and other related sources of knowledge. While Spaniards attempted to transfer old institutions to the Americas, it was never that simple; therefore, many of the institutions and social systems that developed in the New World were imperfect *translations* of older traditions. Perceptions of piety were important in this process, as an important component of colonial sociopolitical status. As discussed in the early chapters, the Spanish Church faced specific external threats which shaped its responses to circumstances in the Americas. However, the complex racial demographic that developed challenged earlier methods of social classification and threatened to undermine Spanish racial hegemony. In this way, racial mixing represented a type of "threat" from within society, or an internal threat.

According to scholars like Martínez, ecclesiastics conceptualized Africans and American Indians differently in their capacity for meaningful conversion. Generally,

American Indians were considered more likely to experience meaningful conversion because, according to the church, they had elected to convert. African slaves were understood to have come to Christianity unwillingly, making their conversion ultimately suspect. Furthermore, while legitimate mestizos could hold high status, illegitimate mestizo, mulato, and casta Christian status was far less secure, at least in the early stages of the colonial period. However, these perceptions were not static, but were changed according to specific circumstances. Africans, Afro-Mexicans, Indians, and *castas* also had their own notions of piety, as well as assigned notions of piety to other groups. These competing ideas highly influenced colonial race relations.

"The Known World:" Medieval Knowledge and Fantasy

Since the sixth century BC, Pythagoras and his successors had postulated that the earth was a sphere, and therefore its circumference could be measured, and, in the third century BC, calculations for the circumference of the earth were only off about one-seventh of the true figure.[18] It is believed that Pythagoras was also responsible for the idea that the earth was divided into distinct zones: a central zone surrounding the equator, temperate zones on either side of it, and then two polar zones.[19] The central zone was considered inhabitable because of the extreme heat, as well as the polar zones because of their intense cold, and the temperate zones were the habitable areas. This theory was repeated in the fifth century by Macrobius in his *Commentary on the Dream of Scipio*: "between the extremities…lie two belts…tempered by the extremes of the adjoining belts; in these alone had nature permitted the human race to exist."[20] While their calculations varied, most classic geographers agreed that the known world was largely divided into three different areas: Europe, Africa, and Asia.

This tripartite division would be repeated in the patristic and early medieval periods. For example, in his *De civitate Dei*, or City of God, St. Augustine (354-430) simplified this division even further by arguing that Europe and Africa constituted one half and Asia the other.[21]

However, the fall of the Roman Empire in the fifth century impacted geographical knowledge considerably. J. R. S. Smith argues that one of the biggest impediments to the science of geography in medieval western Europe was the limited number of scholars who could read Greek or had access to classic texts.[22] Therefore, much of the knowledge about these earlier theories came largely second-hand from specific Latin scholars. Modern historians have also illustrated that declining interests in classic science and philosophy was connected to the expansion of Christianity. These pagan theories often challenged Biblical teachings, and made Christian scholars less likely to incorporate them in their studies. For example, many Christian theologians, like Pope Gregory the Great (590-604), stressed the dangers of Christians reading classical works of philosophy and science, and others like St. Augustine and St. Jerome who appreciated their intellectual value argued that classical writings should only be studied as an intellectual exercise.[23] Medieval Christian scholars were unlikely to challenge the authority of the Christian Fathers, so advancements in the field of geography were limited until church reformers began to revisit classic writers beginning in the eleventh century. Medieval ideas about the known world were thus an indistinguishable mixture of "geology, geography, and theology."[24]

While the Crusades inspired medieval Europeans to travel for either war or pilgrimage, Christian conceptions of the world differed from those of classic antiquity. Christian geography fit the traditional tripartite division of Europe, Africa, and Asia, but its

orientation radiated out from the religious center of Jerusalem and aligned with Creation in the Book of Genesis, rather than empirical evidence.[25] According to the Book of Genesis, the three sons of Noah, Shem, Ham, and Japheth, divided, settled, and populated the lands of the world after the Flood.[26] Japheth's progeny was believed to have settled and populated Europe, while Ham's settled and populated Africa, and Shem's settled in Asia.[27] In this way, the world was still divided into three, but for much of the medieval period ideas about its evolution were shaped by Scripture.[28] Medieval encyclopedists like St. Isidore of Seville (560-636) echoed earlier theologians like St. Augustine and Orosius (385-420) and Latin scholars like Pliny the Elder and Solinus. For example, St. Augustine refuted the hypothesis that the earth had another, populated half, because, he argued, it contradicted Scripture. "It is utterly absurd to say that any men from this side of the world could sail across the immense tract of the ocean, reach the far side, and then people it with men sprung from the single father of all mankind."[29]

Essentially a compendium of contemporary knowledge, Isidore's *Etymologies* provides an important example of how theologians attempted to marry Christian dogma with their physical realities.[30] Isidore explained that the globe, or *orbis*, was named for its roundness "because it resembles a wheel," and the ocean surrounded it "on all sides."[31] It is apparent that Isidore did not consult classic sources because his terms for the shape of the earth were relatively ambiguous, like using "wheel" and "circle" rather than sphere, and omitting earlier estimations of its actual dimensions. While this may have been because he simply did not have access to those sources, it could have been an attempt to legitimized his work by complying with the teachings of the early Christian Fathers, which were his main sources. Therefore, it is difficult to know if he actually conceptualized the earth as a sphere

or a flat circle.[32] Whatever the reason, Isidore's work would influence European understandings of world geography through much of the medieval period.

While his description of the earth itself were rudimentary, Isiodore's *Etymologies* was part of an earlier theological tradition which emphasized the prophetic nature of Scripture by uncovering discursive meaning with the text itself. Isidore explained that "the globe was divided into three parts, one of which is called Asia, the second Europe, the third Africa," and illustrated how the Christian Creation myth explained the physical state of the known world.[33] For example, he used the Hebrew definitions of the names of Noah's descendants to explain the nature of their settlement areas, as well as the future of that specific familial line.[34] According to Isidore, the name Shem meant "renowned," which indicated his future posterity, "for out of him came the patriarchs and apostles and people of God…from his stock came Christ…"[35] Ham meant "warm" which indicated his eventual possession of "that part of the land which is warmer because the sun is near," and Japheth meant "width," as "from him were born the pagan nations, and because wide is the multitude of believers from among the gentiles…"[36]

Christian tripartite divisions of the world were also interpreted to fit older theories of the different "zones" mentioned above. It was believed that the climate within each of these zones impacted the nature and appearance of the people who lived there. The relationship between climate and human nature had been considered since Galen's study on the four humors and the Hippocratic treatise *Airs, Waters, Places*, and repeated by Aristotle then Pliny, and then by medieval scholars. These theories allowed for patristic and medieval scholars to account for differences in appearance and culture of people from different regions, as well as the presence of "monstrous races."[37]

While these ideas may seem a far cry from the discoveries of the fifteenth century, they would resonate with Christians into the early modern period.[38] Therefore, it is important to consider these influences to fully appreciate how these ideas were transmitted over the centuries and what impact they had on later discoveries. As established throughout the chapters, modern period divisions did not apply for medieval and early modern individuals; their knowledge was constructed through both secular and religious sources, academic scholarship, local custom, as well as communal memory. Medieval concepts about the world were inspired by pagan classic theories which were then augmented by Christian theology and passed down through the centuries to the early modern period. While many older theories would be abandoned over time, these ideas would still influence European expectations of the New World, as well as their perceptions of its native peoples, specifically their fascination with "monsters."

Europeans had been fascinated by the possibility of monstrous races for centuries, and imaginations were sparked by the "travels" of specific Europeans to the East.[39] Like many later medieval scholars, Isidore had borrowed extensively from the *Natural History* of Pliny the Elder, who offered an encyclopedic treatise of the various "monstrous races" that inhabited different parts of the known world. St. Augustine also borrowed from Pliny in his remarks about the "monstrous races."[40] Isidore cited Pliny extensively, specifically in his assertion that in Asia there existed Amazons and some Scythian tribes "who are monstrous and savage and live on human flesh and blood."[41] The unknown parts of Africa, generally called Libya, were home to "the legendary Antipodes," which were believed to be a race of men "whose feet grew backward."[42]

As illustrated by John Block Friedman, monstrous races were believed to inhabit the ends of the known world, which symbolically separated them from "civilization."[43] This boundary between "civilization" and "wilderness," "normal" and "monstrous" races would move as the centuries progressed, however. The social, economic, and political changes of the eleventh and twelfth century discussed in earlier chapters increased European contact with Eastern regions and provided opportunities for the exchange of ideas as well as material goods. Arabic editions of many classic Greek scientific writings such as Aristotle, Euclid, Galen, Hippocrates, and Ptolemy had existed as early as the eighth century, and Christian Europe began to translate both original Arabic scientific works and Arabic translations of classical Greek into Latin.[44] For example, after the Christian conquest of Toledo in 1085, western Europeans began travelling to the city in search of works on mathematics, medicine, and astronomy.[45]

As European travel and trade increased, the ends of the "known world" continued to extend further outward. Thirteenth century explorers and missionaries like Friar William of Rubruck (1215-1295), Marco Polo (1254-1324), and Friar John of Monte Corvino (1247-1328) challenged earlier assumptions of the impassability and inhabitability of the equatorial zones. They also discounted many of the tales of "monstrous races" in the East. This did not mean that medieval scholars completely abandoned the concept of monstrous races, however; they simply moved the boundaries. For example, in 1448, a Benedictine named "Andreas Walsperger" created a map of the world that claimed that the real lands of the monstrous races such as the Cyclopes, Blemmyae, men without heads but eyes and mouths in their chests, and Sciopodes were in the Antarctic pole, rather than Asia.[46]

Friedman and other scholars have also illustrated that while these myths continued, the classic and medieval indexes of Plinian races were largely simplified into one catch-all category, referred to as the "wild man," by the end the Renaissance.[47] This creature encompassed many of the typical characteristics assigned to the earlier monstrous races such as violence, sexual avarice, and lack of civility, but it was far less fantastical in its physiology.[48] For example, in the famous Valladolid debate between Dominican Bishop of Chiapas Bartolomé de Las Casas and royal historian Ginés de Sepúlveda discussed below, Las Casas contrasted the American Indians with the "wild men." He explained that the latter were the only true "barbarians," and thus the only race that legitimately met Aristotle's definition of "natural slave."[49] Las Casas argued that the "wild men" were "cruel, savage, sottish, stupid, and strangers to reason" who lived "a life very much like a brute animal."[50] However, God had endowed men with reason, so the wild men barbarians were "rarely found in any part of the world," because they were "mistakes of nature."[51] Therefore, Las Casas argued, to call the "countless numbers of natives across the ocean" barbarians was to imply that God had erred in his creation of most of the human race, which was by definition false.[52]

Legends of undiscovered "monsters," therefore, clearly persisted into the early modern period, but were reoriented with the discoveries of the New World. For example, in his letter to the Catholic Kings during his first voyage, Christopher Columbus seemed surprised when the new lands were not inhabited by "hombres monstruosos."[53] While Columbus said that he had not found any "monstrous races" in the new lands, it is clear that he still believed in the possibility. For example, he said that he had heard that the people on another island were "muy feroces, los cuales comen carne humana," which echoed earlier descriptions of the Scythian race described above; but Columbus noted that even this group

was not disfigured or abnormal in their physiology.[54] He also seemed to infer older tales of the Amazonian race in his description of the "mujeres de 'Matinino.'" Columbus reported that there were no men in the tribe and the women did not do "feminine practices," but instead used weapons like bows and arrows.[55]

Comparisons of American Indians to "monstrous" *others*, would be used by many Spaniards to support native subjugation during the early years of colonization. For example, arguing against Las Casas's *Defense of the Indians*, Ginés de Sepúlveda compared the American Indians to Pliny's Scythians to emphasize Indian "inhumanity."[56] Post-discovery, Europeans also tested old theories about the earth's composition. As the Spanish pushed further into the American interior, ideas about the "inhabitability" of the equatorial, or torrid, zone were disregarded. Scholars like Jesuit José de Acosta in his *Historia Natural y Moral de las Indias*, argued that the ancient scholars had been mistaken in their postulations of the "Torrid Zone;" it was not only habitable, but a healthy place to live.[57] Acosta did not completely abandon all of the old theories about climate's effect on human's bodies and temperament, however. In Book II, Chapter 14, he argued that if "paradise" did exist on Earth, it would need to be a place with "gentle and moderate weather."[58] He reasoned that because air was the element that humans experienced "the most intimately in our bodies" humans would thrive where they could enjoy "healthy" air.[59] He also stated that the mild winters and abundance found in the Indies meant anyone could live an easy and pleasant life there, if they were willing to live simply.[60]

Hierarchical Knowledge and the Idea of Just War

Columbus may have been shocked by the "normal" appearances of the American Indians, but he stressed their laudable qualities to the Catholic Kings. For example, he remarked in several of his writings about native gentleness, physical beauty, friendliness, and their willingness to convert to Christianity. His prediction of their conversion would not hold true, however, and both secular and religious authorities were forced to deal with the glaring contradiction between political subjugation and their "just" purpose to spread the faith. As illustrated in other chapters, the long sixteenth century witnessed tremendous political, religious, and intellectual changes which meant that the discovery of the Americas and Spanish concepts of their relationship to American Indians were influenced by various, and often opposing, factors.

While pagan classic writings were initially rejected by early Christians, this would change with church reforms beginning in the twelfth century. As mentioned in Chapter One, a major goal of the Roman Catholic Church during the twelfth, thirteenth, and fourteenth centuries was to standardize Christian doctrine. As seen in the outpouring of theological "commentaries" during the period, contemporary theologians emphasized that Christian belief was inherently rational and therefore endeavored to create a systematic justification of those beliefs; this trend is commonly referred to as scholasticism. In 1263, Pope Urban IV (1261-1264) revived earlier efforts of Pope Gregory IX (1227-1241) to incorporate Aristotelian philosophy into Christian theology in order to match the similar trend among Muslim intellectuals.[61] However, incorporation of scientific reasoning and logic into Christian theology was not a simple undertaking. Medieval theologians had to find a way to integrate tangible "truth" without challenging the basic intangibility of "faith." In other

words, they were attempting to combine a form of knowledge based on self-evident "proof" with another form of knowledge fundamentally defined by the absence of proof.[62]

St. Anselm (1033-1109), named Archbishop of Canterbury in 1093, is considered one of the founders of the scholasticism movement.[63] He wrote many of his theological treatises but arguably the most famous is the *Proslogion*, written between the years 1077 and 1079. While expressly interested in matters of faith, Anselm's work was unique because, like his inspiration St. Augustine, he approached theological questions via philosophical and logical reasoning.[64] St. Augustine had argued that the existence of reason was proof of the existence of God, even if man's knowledge of God was ultimately imperfect.[65] He also argued that God implanted reason in man, making him superior to the rest of his creations.[66]

In the *Proslogion*, Anselm outlined an argument for the existence of God as "that than which nothing greater can be conceived."[67] While scholars continue to debate the true meaning of his theories, Anselm's writings were foundational to the scholasticism movement because of the lines of inquiry that he inspired, such as the rational nature of God's existence and man's ability to understand at least part of that existence via his own rationality. While his work did not receive much attention during his lifetime, later theologians like St. Thomas Aquinas revisited Anselm's writings in the early thirteenth century. Like Anselm, many of these later writers were influenced by Aristotelian principles, and used them to "prove" the rational nature of Christian theology. For example, Aquinas's adaptation of Aristotelian philosophy would influence Christian doctrine for centuries.

Born in Italy in 1225, Thomas Aquinas studied at the University of Naples prior to entering the Dominican Order in 1244. He then moved to Cologne to study under Albert the Great from 1248 to 1252. He graduated from the University of Paris in 1256, where he would

teach for a few years before returning to Italy in 1259.[68] From 1252 to his death in 1274, Aquinas produced numerous works on Christian theology. While his most famous work, the *Summa Theologiae*, was ultimately left unfinished, an earlier example, his *Summa Contra Gentiles*, also known as *On the Truth of the Catholic Faith*, written from 1259 to 1264. This work is important when considering notions of "religious difference" among medieval Western Christians, as well as being an example of Christian incorporation of Aristotelian philosophy. By Aquinas's own admission, he had intended the *Summa Contra Gentiles* to serve Christian missionaries in their attempts to convert Muslims, which some scholars speculate it was meant specifically for the use of missionaries in Muslim Spain.[69] Aquinas echoed St. Augustine and reasoned that the "first author and mover" of the universe, God, was an intellectual being whose aim was the good of that universe, and that good should be understood as truth. Therefore, God and truth were one in the same.[70] While God gave man the gift of reason so that he may "approach to a likeness of God" and "join God in friendship," Aquinas acknowledged that man's ability was inherently limited.[71]

While explained in more detail in his *Summa Theologiae*, Aquinas conceptualized "knowledge" as a hierarchy between God, Angles, and men.[72] He reasoned that just as there were different levels of intellect among men, there were also different levels between angels and men, with angels being below God, but considerably higher than men in their intellectual capacity.[73] However, men were above non-rational creatures because "only the intellectual creature reaches the very ultimate end…through his own operation, which is the knowing and loving of God; whereas other creatures cannot..."[74] For Aquinas, rationality was necessary for faith, or more specifically the *right* faith: "for no falsity can be proposed to man by God who is truth…he who believes something false does not believe in God."[75] According to

Aquinas, the way in which a man worshipped God was paramount to his salvation, and the only way to truly reach that "very ultimate end" was through the Catholic faith.[76]

The distinction between believers, or Catholics, and non-believers, which in this case meant Muslims, was emphasized throughout Aquinas's discussion. For example, while Aquinas recognized the commandment "love thy neighbor" as law, his definition of neighbor was decidedly more inclusive. He argued that "there should be a union in affection among those for whom there is one common end." However, as Aquinas explained, the only way to reach this "end" was via Catholicism, which implied that the "mutual love prescribed for us" was specifically between Catholics, rather than between all men.[77] Aquinas was not a pacifist, however. He argued that extreme measures like corporal punishment and execution were acceptable in order to protect the sanctity of the Christian community, and while Aquinas acknowledged that execution should not be taken lightly he had little confidence in rehabilitation. "Finally, the fact that the evil…can be corrected from their errors does not prohibit the fact that they may be justly executed, for the danger…from their way of life is greater and more certain than the good which may be expected from their improvement."[78] Error did not necessarily mean overt heresy either. Aquinas argued that while man could not receive divine grace by choice, he could knowingly "impede the reception of divine grace," which made a nonbeliever ultimately responsible for his or her sins.[79]

It is important to note that while scholasticism had declined for most of Europe by the sixteenth century, this was not the case in Spain. Many Spanish intellectuals had been inspired by humanism, as seen in the popularity of Erasmus and Luis de León, but scholasticism continued to be a key component of Spanish academic study. For example, the University of Salamanca, famous for its study of civil and canon law, experienced

"unprecedented" growth and prestige in the sixteenth century with "more than 6,000 students and eleven chairs of theology."[80] Key legal scholars of the period such as Francisco de Vitoria, Domingo de Soto, and Melchor Cano were all educated there.

One possible reason for this trend was that scholasticism and associated theology addressed Spanish realities better than humanism, specifically after the discovery of the Americas. As seen in other chapters, humanism was a potential threat to church and state goals for religious conformity and political stability. Humanism emphasized human perfectibility and capacity to master certain aspects of secular and religious learning that had for centuries only be available to a select, learned few. Christian humanism was the branch of the movement that flourished in Spain. While Christian humanists recognized the sanctity of the Holy Sacraments, they also undermined the traditional hierarchy that separated man from God. Ironically, this was one of the main reasons the Spanish Church had initially embraced the movement. The idea of personal experiences with God revived Catholic practice among both literate and illiterate individuals, inspiring many to become more educated and active in the faith. The church recoiled, however, when these concepts began to evolve into more extreme practices of *recogimiento* and mysticism. These practices were potentially dangerous to Christian orthodoxy because they left too much open to individual interpretation and ultimately undermined the roles of priests. As the sixteenth century progressed, Inquisition cases of mystics increased and the Spanish Church officially banned previously supported humanist literature.

In addition to religious conformity, Christian humanism did not easily fit the business of imperial expansion. In theory, by advocating man's spiritual capacity, humanism supported a Christian mission to convert American Indian populations. However, the issue

was the political implications of native conversion. Those in the business of empire would not easily relinquish native labor, and they were therefore not likely to emphasize spiritual equality between Spaniards and natives. While *enconmenderos* may have justified their use of native labor in religious terms, they could not recognize native capacity for Christian piety without threatening their own livelihood. If Indians had the same Christian status as Spaniards, then Spanish exploitation of native labor was unjust.[81] Spaniards required a justification that rested on theories that were more hierarchical in nature, a fundamental component in theological scholasticism.

Furthermore, Spanish traditional methods of categorization were challenged with the discovery of the American peoples. While they had centuries of experiences with religious and political "others" like Jews and Muslims, they would be confronted with groups that did not fit into these traditional categories, especially after expeditions into Mexico uncovered the tremendous size and complexity of its local native populations. The "difference" between the unbelievers of the Old World and the unbelievers of the New World hinged on the perception of native rationality. Therefore, both Spanish civil and religious authorities looked to earlier theories which specifically dealt with rationality and Christianity.

These sources were important evidence in the debate over Spanish relations with the American Indians. Ironically, theologians like Bartolomé de Las Casas, Ginés de Sepúlveda, and others cited Aristotle, Augustine, and Aquinas on issues these scholars did not overtly address. While Aristotle reasoned that the universe was created by an inherently logical being, he was not concerned with spirituality, and his idea of "natural slavery" was not conceived in religious terms. When they did discuss Christian relations with unbelievers, neither Augustine nor Aquinas spent much energy establishing the rationality of the

unbeliever. For example, scholars have refuted the idea that the *Summa Contra Gentiles* was a missionary manual because it was "too intellectual," however, the reader quickly realizes that this was intentional. Aquinas clearly accepted the rational nature of the unbeliever, and needed a method for conversion that appealed to this nature. "Thus, against the Jews we are able to argue by means of the Old Testament, while against heretics we are able to argue by means of the New Testament. But the Mohammedans and the pagans accept neither the one nor the other. We must, therefore, have recourse to the natural reason, to which all men are forced to give their assent."[82]

The concept of rationality was also important in considerations of more secular matters, such as international law and "just war." Dominican friar and jurist Francisco Vitoria (1486-1546) is considered one of the founders of modern international law, and in his treatises and lectures he considered important legal issues using both secular and religious sources. Little is known about Vitoria's early years, but he entered the Dominican order at age twenty, studied at the University of Paris, then served as Chair of Theology at the University of Salamanca from 1526 until his death. Arguably his most famous work considered the requirements for "just war," and whether the Spanish had followed these parameters in their subjugation of the American Indians. His lecture titled *De Indis*, or *On the American Indians*, was written in 1537-1538, but it was not given until 1539. In theory, it was meant to serve as the first of three parts, the second installment entitled *On the Law of War* was delivered a few months later, but did not overtly address the two remaining parts. The parts were organized as the following questions: by what right were the barbarians subjected to Spanish rule; what powers did the Spanish monarchy have over the Indians in

temporal and civil matters; and what powers did either the monarchy or the Church have over the Indians in spiritual and religious matters?[83]

In *De Indis*, Vitoria presented a more nuanced interpretation of Aristotle's "natural slavery." Vitoria argued that Aristotle was right in his assertion that some men were more fit by nature to govern others, but, Vitoria argued, this did not mean that the less fit were to be turned into perpetual slaves or denied their property. He also argued that the Indians did have true dominion prior to the arrival of the Spaniards, and thus could not be regarded as slaves, according to Aristotle's definition.[84] He also refuted most of the prevailing justifications for Spanish claims to the Indies, and listed "just titles" for Spanish rule such as natural partnership and communication, spreading the Christian religion, protection of converts, papal constitution of a Christian prince, defense of the innocent against tyranny by true and voluntary election, and the mental incapacity of the natives.[85]

Vitoria was relatively ambiguous in his discussion of the last "title," however. "It may strike some as legitimate though I myself do not dare either to affirm or condemn it out of hand."[86] He argued that if it were the case that Indians were mentally handicapped then it would be lawful for Spaniards to intervene, but even then it was only valid if everything was done "for the benefit and good of the barbarians, and not merely for the profit of the Spaniards."[87] However, this was not conceptualized as a perpetual state. In his final thoughts, Vitoria offered a type of legal clause that allowed for continued Spanish presence in the Indies: "it is clear that once a large number of barbarians have been converted, it would be neither expedient nor lawful for our prince to abandon altogether the administration of those territories."[88]

As discussed below, a major concern for the legality of Spanish claims to the New World was whether the natives had the capacity to choose to accept the Christian faith. Since the patristic period theologians had insisted that only voluntary conversion was legitimate, therefore, ecclesiastics were aware of both the political and spiritual implications of involuntary baptism. For example, a seventeenth century priest's manual written by Fray Pedro de Contreras Gallardo for clergymen in New Spain provided instructions for administering the sacraments to the local natives. In the baptismal ceremony, the priest asked the individual if an adult or the godparents if a child, if he or she had chosen to receive the faith, if they truly believed in the articles of the Catholic faith, or if the godparents were prepared to "enseñar la doctrina cristiana" to the child.[89]

This emphasis on understanding as a precursor to Christian conversion was also repeated in contemporary manuals on native Christian education. One example was written by Fray Bartolomé Roldán, and published in 1580.[90] While the manual written by Contreras was concerned with the administration of the sacraments, the manual written by Roldán provided a bilingual compilation of Christian doctrine, instructions on how to teach it to Huastecan natives, and how to ensure that they understood and retained that information. The book includes most of the major Christian teachings from a list of the Ten Commandments, to the Holy Sacraments, to Christian sins and virtues; this is followed by a matching list of questions used to test native converts retention of that knowledge.[91] It also sheds light on the connection between Christian piety and identity in Spanish worldviews. For example, in the question section of the book, several pages focus on "de como es cristiano, de apellido de cristiano...el señal de cristiano."[92] In this section, native converts were asked not only asked if they were Christians, but also what it meant to be a Christian.[93] The expected responses:

"Soy cristiano. Quiere decir cristiano: hombre de cristo."[94] The native was then asked to show "la señal del Cristiano," and he or she was expected to perform the sign of the cross, as well as the explain the meaning behind that practice. In this way, the clergymen was not only interested in native Christian understanding, but also asked them to openly identify themselves as Christians.

In his second lecture on "just war," titled *On the Law of War*, Vitoria outlined the "just causes," as well as the "canons" of war. Vitoria argued that any person, secular or religious, royal or peasant, had the right to declare war to defend themselves or protect the good of the commonwealth. "The sole and only just cause for waging war is when harm has been inflicted," even though not every injury was sufficient ground to wage war.[95] Therefore, declaring war for reasons of differences in religion or enlargement of empire or personal glory were not "just causes."[96] According to Vitoria, the three rules, or "canons," of war were as follows: princes should strive to prevent war; wars should be waged not for the destruction of the opponent, but for the pursuit of justice and reestablishment of peace; and a prince must use his victory "with moderation and Christian humility."[97] These last points exemplify Vitoria's general perception of the role of law in civil society. Coming of age during the initial decades of the Reformation period, Vitoria had witnessed the dangerous effects of religious wars, thus discouraged any action that would cause "great provocation and unrest." For example, he discussed the legality of mandated conversion in his lecture on Aquinas's *Summa Theologiae* in 1534. He argued that, other than the fact that true belief could not be compelled, one of the greatest issues with forced conversion was that it caused "fierce indignation and unrest" among "the heathen."[98] While Christian kings could coerce their own subjects to be converted to the faith, it was only lawful if they could ensure that no

provocation or unrest was caused by their conversion. Debates over native rationality continued throughout the first half of the sixteenth century, leading to the famous meeting between Dominican Bishop of Chiapas Bartolomé de Las Casas and royal historian Ginés de Sepúlveda before the Council of the Indies at Valladolid in 1550.

Perceptions of Native and African Rationality and Piety

The primary issue posed before the Council was Spanish treatment of the Indians within the encomienda system. Encomiendas had existed in the New World from the first years of Spanish settlement. An encomienda essentially granted the owner, or *encomendero*, access to native labor, in return for his obligation to teach those natives the basic tenants of Christianity.[99] These obligations were outlined in the Laws of Burgos passed in 1512. These laws were intended to solve the problems, "se busque algun remedio," of native conversion, but were ultimately unsuccessful. They failed to regulated the treatment of natives largely because enforcement of the laws depended on the encomenderos. For example, the laws mandated that two inspectors, or visitors, would inspect each community twice a year to ensure that encomenderos were abiding by the new regulations. However, the visitors were chosen from the local Spanish population by the local government, who were likely encomenderos themselves and therefore opposed to royal interference.[100]

In November 1526, Charles V released several ordenanzas concerning the "buen tratamiento de los indios" which officially recognized the encomienda system. It also outlined the obligations of the encomenderos to their Indian tributaries. Charles repeated that encomenderos were to treat the natives as *vasallos* of the king rather than slaves, which hints to the ineffectiveness of the Laws of Burgos to ensure this treatment.[101] During the 1530s,

subsequent orders were sent for the gradual suppression of the encomienda, but their impact was limited. These attempts were also mirrored by the papacy. In June 1537, Pope Paul III issued two papal bulls concerning the Christian status of American Indians: *Veritas ipsa* condemned native slavery and *Sublimis deus* proclaimed native spiritual capacity. While neither bull had any real effect in Mexico, both would be used as ammunition against the encomienda by its opponents. In *Sublimis deus*, the Pope decreed that God had endowed all men with the capacity to receive the faith, which included the American Indians. The bull also reemphasized the rights of nonbelievers. "…the said Indians…are by no means to be deprived of their liberty or the possession of their property, even though they be outside the faith of Jesus Christ…nor should they be in any way enslaved."[102]

The encomienda system also gained its most vocal opponent, Bishop Bartolomé de Las Casas, during this time. In 1539, the Council requested that Las Casas attend an upcoming junta in Valladolid. The assembly gathered in 1540 and Las Casas presented his *Brevísima relación de la destruyción de las Indias* and a list of possible "remedies." These remedies would be considered by two subsequent assemblies, which then drafted Las Nuevas Leyes (1542-1543), New Laws. Originally, the laws stated that under no circumstances were the Indians to be made into slaves, nor could Spaniards force them to work against their will.[103] The Laws attacked the privileges of the local viceroys, governors, and other persons of authority who had used their power to extract more tribute. While they did not outlaw the use of Indian labor completely, they attempted to regulate the number of tributaries allotted to each encomendero, and empowered the Audiencia to deny a Spaniard's right to tribute if found guilty of maltreatment.[104] Lastly, the laws prevented the creation of new encomiendas

and dramatically curtailed the rights of discovery, mandating that conquistadors no longer had unlimited rights to the spoils.[105]

These New Laws were met with considerable opposition from encomenderos who pushed the colonies to the brink of rebellion over their enforcement. This caused the Crown to relinquish many of the strict regulations on native labor. For example, on October 20, 1545, Charles V revoked the article that restricted the creation of new encomiendas.[106] Many of the clergy also supported the encomienda, even if they openly condemned harsh treatment of the natives, because they also depended on native labor for their own livelihoods.[107] The continuation of the encomienda culminated in the famous debate between Bishop of Chiapas Bartolomé de Las Casas and royal historian Ginés de Sepúlveda before the Council of the Indies at Valladolid in 1550.

Many historians have examined this event so another rendition here is not necessary. However, it is important to consider the ways in which both men qualified native rationality and Christian piety. Sepúlveda emphasized the Indians' "sinful nature." He became famous for his comparison of the "laudable" Spaniard to the "barbaric" Indian. "In prudence, talent, virtue, and humanity they are as inferior to Spaniards as children to adults, women to men, as the wild and cruel to the most meek…as monkeys to men."[108] His argument rested on several points: Indian mental incapacity, their lack of written language or government, their practice of human sacrifice, and the fact that their subjugation ensured peace within the colonies.[109] Spreading the Christian faith was a "just cause" for war, so much of Sepúlveda's argument centered on illustrating that point. While he did acknowledge the basic law that men could not be forced to convert, or be baptized, he made it clear that war and violence were legitimate ways to "encourage" people to the faith. He also refuted Vitoria's earlier argument

that kings could only compel their own subjects to the faith. "The greatest philosophers declare that such wars may be undertaken by a very civilized nation against uncivilized people who are more barbarous than can be imagined, for they are absolutely lacking any knowledge of letters, do not know the use of money, generally go about naked, even the women…"[110]

Las Casas responded in grand fashion with his extensive *Defense of the Indies*, which refuted in detail each of Sepúlveda's points. He described the natives as "harmless, ignorant, gentle, temperate" who had "important kingdoms…great cities, kings, judges, and laws…"[111] He argued that this clearly illustrated that the natives were not "barbaros" in the strictest sense of the term, but capable, intelligent people who deserved full rights and protection under the law.[112] He also argued that they learned quickly and were very talented in the liberal arts, as well as eager to accept Christianity.[113]

Each argument detailed here represented a different Spanish opinion of the nature of the American Indians. The goal of the chapter has been to illustrate that assigned traits were highly influenced by religious sources, rooted in ancient traditions but shaped by changing circumstances. However, each colonial individual internalized this knowledge via his or her own lived experiences and assumptions. Aware of the dangers of generalization, it would be just as inaccurate to assume that social stigmas do not affect social interactions, especially within a society largely based on externally proscribed values such as honor and reputation. In other words, social status in colonial New Spain was largely dependent on the perceptions of others; a man or woman could consider him or herself honorable, but this status had to be legitimized by others in their community. Religion, specifically being considered a "good" Christian, was an essential component in these distinctions. Therefore, it is important to

understand how prevailing notions of subaltern piety impacted colonial sociocultural interactions and how these ideas helped to construct the social hierarchy.

Ecclesiastic perceptions of native capacity and piety varied. Those like Las Casas believed that the American Indian were endowed with the same rationality as Spaniards, because both were equal in the eyes of God, but as illustrated at the beginning of the chapter, perceptions of native capacity were initially shaped by older myths and fantastical stories. It was obvious that the natives were not the legendary "monstrous races," but neither, as many clerics believed, did they abide by European custom nor met the traditional criteria for social inclusion. American Indians therefore forced Spaniards to revisit and reconsider how they defined themselves as well as "others." Were the natives more like Spaniards or more different? How could either opinion be supported by contemporary knowledge?

One important question for ecclesiastics was where did the Indians come from? Was their existence explained in Scripture? For example, clerics like Diego Durán (1537–1588) argued that the natives were descendant from an ancient Hebrew line.[114] While he was born in Seville, around the year 1537, his family had emigrated to Mexico soon after, and he was raised in Texcoco and Mexico City. He was fluent in Nahuatl which allowed him to gather tremendous information about native culture. In his *Historia*, Durán postulated that natives were likely descendant from Jews; he argued that natives' "strange ways, conduct, and lowly actions are so like those of the Hebrews."[115]

Another writer, one of the original twelve Franciscan friars that came with Martín de Valencia to Mexico in 1524, Fray Toribio Motolinía provided a summary of prevailing theories on native origins in his *Memoriales*. He cited Aristotle's story of the Carthaginians; after travelling west through the straits of Gibraltar, the "straits of Hercules," for 60 days,

they had supposedly found fertile lands. Motolinía postulated that this land could have been the island of Cuba. However, Motolinía agreed with the more commonly held opinion that the natives had come to the Americas during the original peopling of the earth by the sons of Noah.[116] The theory that the American Indians descended from Jews would be challenged repeatedly, but the idea that they were of the original descendants of Noah persisted.

For example, Franciscan Fray Juan de Torquemada (1562-1624) included a detailed refutation of the Hebrew theory in Chapter 9 of his *Monarquía Indiana*. He agreed that the natives had ancient origins, but questioned the "similarities" between native and Jewish customs.[117] He also thought the theory that the natives simply "forgot" their Jewish customs was inherently weak. "Pues si estos Indios, fueran Judios, por qué solo en estas Indias, se les había de haber olvidado su lengua, su ley, sus ceremonias, su Mesías, y finalmente, todo su Judaismo?[118]

José de Acosta made a similar argument in his *Historia Natural y Moral*. Acosta argued against the theory that the Indians were descendants of Jews, which was largely based on stereotypes proscribed to Jews rather than specific religious correlations. For example, Acosta remarked that the Indians had been likened to Jews in their clothing, dedication to ceremony, as well as their "cowardice, cunning, and lying." He then asked if the Indians were descendant from Jews, why did they not have a written language, circumcise their male children, speak Hebrew, or adhere to any of the ancient ceremonies other Jewish communities had preserved for centuries? Acosta argued that it was more likely that the natives came from the Old World (Africa, Asia, or Europe), but ultimately reasoned that their true method for reaching the New World would likely never be known.

Acosta and his predecessors before him looked to Scripture and the writings of theological authorities to explain their reality, and the way they interpreted those texts influenced their actions within those circumstances. For example, both positive and negative opinions of native capacity were constructed and supported via accepted sources of knowledge like Holy Scripture. These sources held authority for both secular and religious Spaniards, so citing them gave an argument power.[119] While the arguments of those who advocated native capacity differed, they all emphasized an ancient connection between Spaniards and American Indians which not only explained their differences in culture and physiology, but also justified the Church's evangelical mission, as well as its potential. Both secular and religious Spaniards thus relied on established knowledge to understand the people and things they encountered in the New World. Essentially, they were attempting to incorporate a "new" group, the natives, into their conception of "society" via accepted social parameters, thereby establishing an ancient link between them that helped Spanish ecclesiastics make sense of their new circumstances.

As mentioned above, there were also ecclesiastics who were less optimistic about native ability to overcome certain "natural" traits. For example, while Acosta believed that Indians could be "uplifted" as Christians, he had little hope in their progress without Spanish intervention. In his *De Procuranda Indorum Salute*, Acosta claimed that the difficulty missionaries faced in their evangelization of the natives was not due to nature, but nurture, because native customs led to a "life not that dissimilar from beasts."[120] This aligned with prevailing opinions that natives were prone to idleness and vice. Acosta stated, "the reason why we must induce the Indians to work is not at all hard to understand, because the barbarians are all of a servile nature, and…as Aristotle observes, slaves should never be left

in idleness, because idleness makes them insolent."[121] Dominican Domingo de Betanzos became known for his scathing assessment of native capacity. He compared them to beasts who were not capable of salvation, but like a child were better served as wards of the Church.[122]

While extreme pessimism was likely the minority view, many regular and secular clerics agreed with Betanzos's opinion that native men should not be ordained. They believed that native men would not be able to command the respect of the people, i.e. Spaniards, and their conversion was too recent for them to be able to teach others in matters of the faith.[123] This is illustrated by the short-lived efforts to establish native Christian education in New Spain. In 1523, Fray Pedro de Gante founded the first school for native boys at Texcoco. Fray Martin de Valencia established a similar school in Mexico City in 1525. Fray Juan de Zumarraga founded the Colegio de Santa Cruz de Tlatelolco in 1534 for the sons of native caciques. There were also schools which catered to the mestizo children born from the early years of Spanish conquest. However, most of these schools ended within two decades.

While Toribio Motolinía had been an ardent supporter of native capacity, he too had doubts about their potential for monastic profession or ordination. He explained how some of the natives had been inspired to take unofficial religious vows, and the friars, moved by their religious zeal, allowed "three to four youths" to take the habit in 1527. However, Motolinía explained that this experiment was a failure because they were "tested too soon" and "did not have the strength" to endure monastic life; many friars cautioned against native ordination thereafter.[124] In a case brought before the Inquisition in 1544, a Indian cacique in Oaxaca had come under suspicion for idolatry and religious backsliding.[125] In his report, visitador Pedro Gómez stressed the severity of the case because the potential for this "mal ejemplo" to spread

to other pueblos could cause "gran daño de la conversion de los naturales." He argued that if the natives, "gente flaca y pobre," continued practicing their old rituals and ceremonies, it would certainly lead to the destruction of "esta nueva iglesia y doctrina."[126]

Spaniards also made distinctions between those they considered "bad" Indians and "good" Indians, those who could and could not be justly enslaved. Since the time of the Romans, it was illegal to enslave peaceful peoples, but the enslavement of rebels or combatants was considered legal and just. Opponents of the encomienda system were aware of this precept and therefore emphasized the peaceful nature of the American Indians. In a memorial written to the Catholic Kings during his second voyage, Columbus suggested that enslaving the warlike Caribs could benefit both the Crown as well as the peaceful natives he had described in his earlier letters.[127] He had sent "some of these cannibal men and women, as well as some children" back to Spain, and advised their Highnesses to place them "under the care of persons who could teach them the language, while they served them."[128] Columbus argued that removing these "caníbales" from the island would not only aid in their conversion, but would resolve many issues in the colony, protect the peaceful natives, thus ensuring Spanish "peaceful settlement" of the island.[129] He also emphasized the differences between the "peaceful natives" who suffered at the hands of the Caribs.[130] While the peaceful natives were timid and aided the Spaniards willingly, the Caribs were "fierce and cruel" and rebelled and frustrated Spanish attempts at settlement.[131]

Cortés also made a similar distinction but between island natives and natives in Mexico. In a letter to Charles V in May 1522, he wrote that "los naturales de estas partes eran de mucha más capacidad que no los de las otras islas, que nos parecían de tanto entendimiento y razón cuanto a uno mediamente basta para ser capaz."[132] José de Acosta

made a similar distinction between the "cruel" Caribs and the other native groups; however, all could be brought to the faith, albeit by different means.[133] For example, while Acosta believed that the best method was to peacefully persuade the natives to convert, specifically from an early age, they could be forced if they refused.[134] "De este género de bárbaros trató Aristóteles, cuando dijo que podían ser cazados como bestias y domados por la fuerza."[135]

This distinction between "good" and "bad" Indians were thus influenced by similar qualifiers such as "good" and "bad" Christians. It was believed that the "peaceful" natives would be converted more easily, because they already possessed some of the traits needed to be "good" Christians such as gentleness, modesty, and charity. The warlike Caribs were more difficult to convert because the exhibited traits such as cruelty, savagery, and depravity, and therefore their forceful subjugation was justified. While these descriptions were totally subjective, they would be used interchangeably in Spanish conceptions of American Indians.

Ecclesiastics were not the only ones with opinions about native capacity. As the tales of Fernando Cortés and his exploits in Mexico spread throughout Europe, Spaniards received conflicting stories about the American Indians. While Cortés was not always forthcoming with the exact numbers of natives who aided his conquest, he often described them as honorable warriors and allies. However, this was juxtaposed by stories of native treachery. For example, in his third *carta de relación*, Cortés relayed the story of the gruesome death of five horsemen and forty-five foot soldiers reported by *alguacil mayor* Gonzalo de Sandoval in early 1521. Sandoval believed that the men had been ambushed in the town of Zultepec, on the borders of Tlaxcala on their way to Tenochtitlan. The town was believed to be subject to Texcoco who were considered Spanish allies. Sandoval believed that the locals had sacrificed the soldiers: "…hallamos en los adoratorios o mezquitas de la ciudad los cueros de

los cinco caballos con sus pies y manos y herraduras cosidos y…adobados…y hallamos la sangre de nuestros compañeros y hermanos derramada y sacrificada."[136] He also believed that the native "traidores" had welcomed the soldiers to their town, only to lead them into a trap.[137]

While relatively small in comparison to other skirmishes with the natives, this incident reveals quite a bit about Spanish ideas about native morality, as well as perceived differences between Spaniards, who Cortés repeatedly referred to as "los cristianos," and the natives. For example, the details of the incident were somewhat speculative, as none of the Spaniards involved were around to bear witness, but there was enough evidence to spark Spanish imaginations.[138] The bloody scene and the "mucha ropa y cosas de españoles" found in the town itself easily convinced the Spanish observers of foul play; a message written on a wall in a town in between Texcoco and Zultepec which read: "Aquí estuvo preso el sin ventura de Juan Yuste" was further proof.[139] Yuste was one of the five horsemen. Sandoval reported that when he and his men had arrived, the inhabitants fled and those that the Spaniards left alive ultimately admitted to sacrificing the Spaniards. Cortés stressed Sandoval's compassion, despite native "treachery." While his men killed and enslaved many of the local natives, Cortés noted that Sandoval "movido a compasión, no quiso matar ni destruir cuanto pudiera…"[140]

Stories like these, as well as early reports from Caribbean settlements did much to influence Spanish opinions. In 1516, three Jeronymite friars were sent to Española to conduct an investigation of the "Indian problem" in an effort to create a better policy.[141] Their report was recognized and confirmed by royal cedula July 23, 1517.[142] The main objective was to "discover whether any Indians were…capable of living by themselves, and to set free all

such Indians, as provided for in the Laws of Burgos."[143] They arrived in December 1516, and in April 1517 they conducted their official inquiry consisting of seven questions to the oldest inhabitants of the island.[144] All of the colonists had similar replies: the Indians "no tienen capacidad para poderse regir," or "no es gente para ponerse en libertad."[145] Antonio de Villasante, who had lived on the island since 1493, believed that neither native men nor women knew how to govern themselves "as well as the rudest Spaniard." He also added that if allowed their freedom they would revert to their "idleness, nakedness, drunkenness, improvidence, and gluttony."[146] These sentiments illustrate some of the many popular Spanish perceptions of the native population.

The natives were not the only group subject to proscribed traits. The colonial demographic was made even more complex with the steady importation of African slaves. However, the relationship between Spanish civil and religious authorities to this group was markedly different. Scholars have since challenged earlier interpretations of the "benign" nature of Latin American slavery, revealing that slave lives were impacted by a multitude of factors, and the realities of slavery were ultimately as varied as the owners and slaves themselves.[147] In many ways, the status of Africans and Afro-Mexicans was far more ambiguous, and less secure than the natives. First, the institution of slavery was legal and widely accepted, and, as property, owning slaves was protected by civil law. As explained in Chapter One, medieval Europe had experienced a revitalization of Roman law alongside Church efforts to standardize canon law. A key component of Roman law was the legal concept of *dominion*, or rights over property, which argued that not even rulers could interfere or dispossess someone of their legal property.

Historians have since revisited the evidence, such as the *Siete Partidas* and the role of the Catholic Church, cited in the "benign slavery" interpretations. According to the *Siete Partidas*, a master had "complete authority over his slave," but it was unjust for a master to deprive or punish his slaves excessively.[148] Slaves could also report their masters to civil judges, and, if the master was found guilty of maltreatment, the judges could legally sell the slave to another owner.[149] Later historians argued that, contrary to earlier interpretations, the law was too ambiguous to actually challenge the dominion of the master over his slaves. For example, it did not outline a method for inspection or investigation into the slaves' treatment, nor did it specify what types of treatment mandated a slave's removal from their masters. The law implied that a slave would have to seek civil intervention before any investigation into the abuse could begin. Therefore, a slave's treatment was ultimately under the master's control. For example, in 1545, the Crown released a royal cedula concerning the treatment of black slaves. Owners were required to provide for the spiritual needs of their slaves, such as baptism, Mass, and at least a basic education in the faith.[150]

However, the cedula also revealed Spanish fears of a growing black population. Ten years earlier, free blacks had been prohibited from carry firearms, described as a "insulto, y delito, en deservicio de Dios."[151] This was repeated in the cedula of 1545 along with other restrictions: slaves could not ride horses, they could not leave their master's property without written consent, nor be outside of their master's property at night.[152] If any person was found aiding or hiding a runaway slave, both he/she and the slave would be whipped publicly.[153] In theory, the Catholic Church had no jurisdiction over temporal matters, such as the personal property of its parishioners. However, both imported slaves and those born in Americas received baptism, so priests and friars could technically intervene on behalf of Christian

slaves; but, as illustrated above, the church, typically the Holy Inquisition, could only intervene if it received reports of maltreatment. Furthermore, an indictment from the Inquisition was not likely to change the legal status of the slave nor remove him or her from that particular owner.

Furthermore, the justification for colonizing the Indies was Christian conversion of the native populations. Africans were not native to the Americas and most were brought there against their will, so proselytizing African slaves was not an official priority. As other historians have illustrated, free Africans' in-between status could provide social flexibility, but not necessarily security. Their status was shaped by the institution of slavery and therefore they were considered below Spaniards, but Africans had had centuries of interactions with Europeans, unlike the American natives who had been totally foreign to them.[154] It also seems that native labor could be used to justify African slavery, and vice versa. Indian laborers were called tributaries, and from the earliest years of Spanish settlement both civil and religious authorities made legal distinctions between native tributaries and black slaves. Encomendero submission to increased pressures against native labor is debatable, nevertheless, pressure against native exploitation did exist. This was not the case for African labor which was considered a necessary replacement labor source, specifically in sugar mills and other cash crop production. Contemporaries could compare one labor institution to the other in order to justify each. In other words, native labor was justified because it was not slavery, and African slavery was justified because it was needed to make up for the decreasing access to native labor.

Historians of the African Diaspora had largely ignored the history of slavery in Mexico through much of the twentieth century, overshadowed by the tremendous slave

populations in the Spanish Caribbean and Brazil.[155] However, beginning with the work of Aguirre Beltrán in the 1970s, scholars began to uncover the lives of black slaves and free men and women in colonial Mexico.[156] They argued that while slavery in New Spain was not traditional plantation slavery, because much of the African population in Mexico were in urban areas, it was a slave society.

African slaves had been in Europe since the medieval period. Spanish and Portuguese had access to African slaves through their interactions with Muslim traders along the northern edge of Africa, which steadily increased with Portuguese exploration of the African west coast in the fifteenth century. With the growth of sugar production in the Caribbean and increasing tensions over native labor, Portuguese merchants commercialized the African slave trade by utilizing existent slavery practices, eventually expanding to an international scale.[157] Men, women, and children were captured by African slavers in the country's interior and marched to the seaports on the West coast, lasting from a few weeks to several months. Close to one quarter of slaves perished on this portion of what would be later termed the "triangular trade." At the western ports, they would likely be separated from their families, branded, and housed until they could be placed on ships headed for the New World. Transportation of slaves to the Spanish Indies began as early as 1501, mentioned in royal instructions to governor of Española Nicolás de Ovando.[158] Fernando and Isabel and their successors were ultimately unsuccessful in undermining the Portuguese monopoly of the Atlantic slave trade, so they settled for outsourcing to foreign trading firms in the form of licenses, or *asientos*. This contract allowed foreign merchants to trade to the Spanish colonies in exchange for their transportation of slaves to specified destinations.[159]

African slavery had thus existed in the Spanish colonies from the earliest years. Scholars estimate that between 9 and 11 million Africans were transported to the New World from the late fifteenth to the early nineteenth century, the majority arriving during the eighteenth century. Philip D. Curtin estimated that about one third were sold in Brazil, one half in the Caribbean, and about 10 percent in Spanish America, with the remainder sent to British North America.[160] Once purchased for sale in the Indies, slaves were transported via ships with thousands of others below deck, where they would remain for most of their journey.[161] Those sold in the Spanish Caribbean, coastal areas along the Gulf of Mexico, and Brazil were sent to work in the sugar mills, or *ingenios.* Many were also sold to rural haciendas, others were sold as domestic servants, and others were used at times to augment declining native labor in the silver mines in Mexico.[162] Most Africans in central Mexico served as domestics, skilled labor, porters, coaches, as well as laborers. Other than female reproductive labor, gender labor distinctions were blurred between enslaved men and women. "Slavery and the slave trade, providing as they did a crude leveling off of sexual distinctions, ensured that the woman too shared every inch of the man's physical and spiritual odyssey."[163] In the first century of Spanish settlement, over 110,000 enslaved Africans were brought to Mexico.[164]

For much of the twentieth century, historians believed that the trauma Africans suffered in the Atlantic trade stripped them of their cultural identity and traditional customs.[165] However, scholars like Gonzalo Aguirre Beltrán emphasized the impact of African culture on colonial society, as well as African genealogical contributions. Aguirre Beltrán argued that one of the reasons why the African element of Mexican heritage had been dismissed was because of complex racial mixing and the act of racial "passing" which

increased during the Bourbon period.[166] Due to negative Spanish opinions of "blackness," those of African descent learned quickly that by denying their African heritage and emphasizing their Indian or Spanishness, they could achieve a higher status within society.[167]

This is only one of the many reasons that colonial Africans are such elusive historical figures, however. First and foremost, due to their legal status as property, records of slaves were dependent on merchant manifests and owners' personal records.[168] Free Afro-Mexicans were also largely prohibited from entering professions, civil office, merchant guilds, etc., that would leave documentary evidence. Lastly, racial classifications of free and enslaved Africans were equally as complex. Africans carried multiple identifiers beyond their skin color. For example, slaves were identified by their homeland in Africa, even if inaccurate. They were also identified by how long they had been in the Americas. A *bozal* was the term given to those who had newly arrived from "Guinea," the general term for the West coast of Africa, whereas *ladinos* were those who had lived in the Americas long enough to adopt certain Spanish customs, or more specifically speak Spanish.[169] As illustrated by Aguirre Beltrán, these terms were further complicated by racial mixing; therefore, someone of African descent could also mean someone of Spanish or Indian descent and any degree in between. The combinations of social classifiers are dizzying, as illustrated by the increasingly complex casta paintings during the later stages of the colonial period.[170] However, there are some consistencies. The social markers *negro/negra* were weighted with cultural significance shaped by both religious and secular influences. For the purposes of this study, it is then important to understand how these assigned characteristics impacted prevailing notions of subaltern piety and the established racial hierarchy.

Over the last fifty years, scholars have challenged interpretations which emphasized the Church's power to intervene on behalf of Latin American slaves.[171] Some like Colin Palmer emphasized that slaves were legally defined as property, and even though both owner and slave may have identified as Christians, the church did not often intervened in master-slave relations.[172] While the church's power to intervene on behalf of the Indians was officially recognized by the middle of the sixteenth century, this was never officially extended to black slaves. However, others like historians Herman Bennett and Joan Bristol have shown that there were ways for slaves to illicit church intervention through either petitioning for their rights for Christian marriage or denouncing themselves or their owners to the Holy Inquisition.[173] Denunciation was a potentially dangerous tactic, however. An owner falling under the suspicion of the Holy Office did not change the status of a slave, and any punishments their owners incurred from inquisitors, were likely to be delivered twofold to slaves.

Just as Aristotle's "natural slavery" and Aquinas's "hierarchy of knowledge" had been used in the debates over native labor, similar justifications were accepted in the perpetuation of African slave labor. However, because of medieval slavery traditions these theories were more easily accepted. Juan de Torquemada included a short treatise on the origin of African peoples in his discussion of American Indians, largely based on the Old Testament. Africans were considered the descendants of Ham, the second son of Noah, whose son Canaan was cursed for Ham's sins. "And he said, cursed be Canaan; a servant of servants shall he be unto his brethren."[174] As explained early in the chapter, theologians interpreted this passage as a prophecy which foretold the eventual servitude of the African peoples, as the descendants of Japheth were destined to be Gentiles and those of Shem were

to be Hebrews.[175] However, Torquemada refuted the claim that natives' darker skin meant that they were also Ham's descendants, nor was their skin due to their climate zone.[176] He ultimately concedes that only God knew how or when the natives got to the Americas, and he was content to leave it at that.[177]

Torquemada's ambiguity aside, these scriptural references had shaped European notions of Africans for centuries. They then brought these concepts with them to the New World. For example, while the Catholic Kings may have initially considered Spanish men marrying native noblewomen, the lines between Spanish and African were not so easily crossed, especially as colonial society began to emphasize *limpieza de sangre*, or blood purity.[178] As proscribed characteristics served as justification for the subjugation of the Indians, certain "natural" traits of Africans were cited to justify their enslavement. Both enslaved and free blacks were popularly stereotyped as less intelligent, "vile, treacherous, lazy, prone to drunkenness, and immoral."[179] José de Acosta used the perceived separation between the mental capacities of Europeans and Africans to illustrate his argument of nurture over nature. He argued that "even African children," if raised in the proper environment could learn quickly and if "you were to remove their color, you would take them for one of us."[180] Free blacks could increase their status through specific deeds, such as military service, but this opportunity was individual, and therefore did not alter prevailing perceptions of Africans as a group.[181] María Elena Martínez argued that slaves' sociopolitical status, as well as the status of free blacks, were influenced by the fact that they were baptized and made "vassals" of the Spanish Crown as individuals, unlike the natives who were recognized en masse.[182] According to Martínez, those of African descent, even if born in the colonies, retained their *outsider* status simply due to the fact that their ancestors were originally forced

to emigrate to the New World, and thus their conversions where inherently suspect.[183] However, it appears that this general division was not as concrete in practice, specifically in regards to participation in Christian sacraments, discussed below.

Frederick Bowser argued that over the centuries of interactions with Muslims in Africa, Spaniards began to associate Africa with Muslims and vice versa. Africans were "vaguely identified with Islam in the Iberian mind because the first black slaves were captured from the Moors during the reconquest or were obtained from Moorish traders who travelled the Sahara route between the Mediterranean and West Africa."[184] In the fifteenth century, as Spaniards and Portuguese explored the West African coast, they learned that the Muslims had converted the locals. The Catholic Kings, therefore, stipulated that only black slaves "que hayan nascido en poder de cristianos," specifically Castilian Christians, were allowed to travel to the Spanish American colonies.[185] These limitations were ultimately lifted with the expansion of the Atlantic slave trade, but they illustrate how perceptions of religious difference shaped colonial policy.

It seems that Africans were also aware of these ideas, exhibited by the 1597 Inquisition case against a mulato slave named Augustin Alonso in Mexico City.[186] Witnesses testified that the seventeen-year-old Augustin had twice blasphemed while being whipped by his master Andres Bueno Batihoja. Augustin had allegedly denied the existence of God, as well as the Devil, and said that he was a Moor. As illustrated by Joan Cameron Bristol, most Africans and Afro-Mexicans came before the Inquisition for similar cases. Blasphemy was another form of slave resistance because many blasphemed during physical punishment, which, if the blasphemy was reported, would incite the intervention of a higher authority.

Augustin's case is representative of many of the underlying issues symptomatic of slave societies, as well as proscribed behaviors. He was whipped because he had been accused of stealing clothing, but his blasphemy only enraged his owner; he forced Augustin to the ground and covered Augustin's mouth with his foot to prevent him from further blaspheming. The witnesses reported that when Bueno removed his foot, Augustin denounced God again, to which Bueno responded "Perro! Reniegas a Dios que te redimió!" and then whipped him until Augustin fell silent.[187] Miguel Gomez testified that Augustin had also said "no soy mulo, sino moro."

While the initial accusation was made in November 1597, Augustin was not brought before Inquisitors until April 1600. During their interrogation, the inquisitors probed Augustin's knowledge of the faith and his Christian practice. He claimed that he had been baptized and confirmed in the bishopric of Guadalajara, and attended Mass and confessed according to church regulations. He was also tested on his knowledge of the basic prayers (Pater Noster, Ave Maria, Credo, and Salve Maria); he knew all of them. Augustin ultimately confessed to each accusation, and told inquisitors that he did not truly believe in the denunciations, but was pushed to blaspheme because of the abuse he suffered. There is no way to know for sure why Augustin said that he was Moor, but it illustrates the power of these religious concepts. Augustin had clearly been educated in the faith and observed Christian practices, so his blasphemy and identification as a Moor were all the more insulting to this master, as illustrated by Bueno's response. Augustin thus resisted his enslavement on several different levels: he insulted his master despite his show of force, he decided, rather than simply accepted, a religious identity, and he garnered the attention of an authority above his master.

Agustin had been incarcerated during the investigation, and he received his punishment at an auto de fe on March 25, 1601, where he recanted his blasphemy publicly. In traditional fashion, he was stripped to the waste and lead through town "sobre una bestia" and received 100 lashes. As mentioned above, the church could only intervene in cases of slave mistreatment if it was reported. As outlined in the *Siete Partidas*, a judge could sell a slave to another owner in cases of extreme mistreatment, therefore Inquisitors had also investigated the whipping itself. It was reported that Bueno had whipped Augustin several times with a strap of a saddle. The witnesses were asked if they thought Bueno's punishment was excessive or cruel, but all replied that they considered the punishment to have been in moderation.[188] Furthermore, church intervention did not change Augustin's slave status, nor remove him from his original owner. In his formal abjuration, Augustin still identified himself as "esclavo de Andres Bueno Batihoja."[189]

Even though enslaved and free Africans and Afro-Mexicans were legally considered *gente de razón*, this meant little in practice. Those of African descent were ineligible for civil office and were routinely denied formal education. In 1549, a royal cedula forbade mulattoes from holding public office, receiving grants of Indian labor, or entering the priesthood.[190] Their distinction as *gente de razón* was further obscured by a royal cedula released in 1574. The Crown required all free blacks and mulatos pay annual tribute. It mentioned the growing free black population in the colonies and their alleged "muchas granjerias y riquezas." For this reason and a vague reference to "muchas causas justas y particularmente por vivir en nuestra tierra," they were required to pay an annual sum to the monarchy.[191] It does not seem likely that these characterizations of mulato wealth were true considering established

limitations on black enfranchisement, but it could speak to growing Spanish frustrations by the attempts of a growing Afro-Mexican population to circumvent their hegemony.

While the experiences of Afro-Mexicans and Indians could be very different within colonial society, they would have had similar experiences in Christian observances. While they may have not attended the same Mass or been baptized under the same circumstances, the Holy Sacraments were mandated for all Catholics and thus offer a space to observe how racial concepts influenced religious practices and vice versa. For example, as described in Chapter Two, the sacraments were a topic of incredible debate during the Reformation period. In an effort to combat Protestant challenges, popes of the period, reforming Catholic clergy, and the Council of Trent attempted to reassert the authority of the sacraments in religious practice. Most Protestants and Catholics alike believed in the sanctity of holy baptism, but Luther and others had challenged the sacrament of the priesthood, the "sacrifice" of Holy Mass, and the Eucharist. For example, in 1520 Luther had denied the priests role in transubstantiation. He argued that the body of Christ was ubiquitous and therefore it was already present in the bread and the wine without a priest's blessing. The Catholic Church had adamantly denounced this as heresy. In the thirteenth session of the Council of Trent, held in October 1551, the council issued their response against those who said that the Eucharist was a "merely symbolic gesture."[192] The Council reaffirmed the priest's role as intermediary in the transformation of the ceremonial bread and wine into the actual body and blood of Christ.[193] It also argued that taking the body and blood of Christ replenished Christian souls and preserved them from mortal sins, therefore emphasizing its importance in Christian observance.[194]

Toribio Motolinía explained prevailing opinions on administering the sacrament of the Eucharist to the natives in his *Memoriales*.[195] He explained that despite papal mandates to treat the native converts as full Christians, many Spaniards believed that natives were "too new" to the faith and "too prone to vice," to receive the Eucharist.[196] "Many Spaniards are so scrupulous that they think they are right against [native] communion, saying that they are not worthy in which they seriously err and deceive themselves, because if it were based on merits, neither angels nor saints would suffice…"[197] Others were more lenient and argued that the sacrament could be given to native converts four or five years after their conversion, with permission of their confessor.[198] They argued that this was meant to ensure that the new converts fully understood the spiritual meaning behind the sacrament as well as the "fe, cristianidad y buena vida" necessary to receive it appropriately.[199] Motolinía stated that he could see no reason to deny the natives the body and the blood of Christ because it was a vital component of the faith. Christians believed that the Eucharist replenished the soul.[200] The church had always set age requirements for communion, typically between the ages of twelve to fourteen, but it did not exempt new converts. Motolinía argued "the Church makes no difference from the rich to the poor, nor from slave to free" and therefore "they cannot persuade me not to give this blessed sacrament" to adult natives. He implied that most of those opposed to native communion were poor judges of native piety because they were not fluent in native languages, nor did they have much experiences with native Christian observances.[201]

Motolinía included this story to illustrate his point. In Huexotzinco, in 1528, a young Indian man named Diego became very sick. He had been taught at one of the schools established by the Franciscans, and being close to death, wished to receive the Eucharist. He

asked the prelates many times, ever more forcefully, but he was denied. He was later visited by two Franciscan friars who administered the sacrament and then mysteriously "disappeared." When the father came to bring him food, he responded that he had already eaten that "which he had desired and needed nothing further." Amazed, his father asked who had brought him food, and the son responded "no vistes aquellos dos padres que salieron de aquí ahora? Aquéllos me dieron lo que yo deseaba, y tantas veces lo había pedido."[202] The son died shortly thereafter.

In 1573, Fray Pedro de Agurto expressed a similar opinion; he wrote a short treatise arguing in favor of administering the Eucharist and Extreme Unction to the natives.[203] In his introductory letter to Don Martin de Enriquez, Viceroy of New Spain, Agurto argued that these sacraments were a "remedio no solamente en lo temporal, pero aún mucho más e lo spiritual de los indios de esta Nueva España."[204] While clergymen were right to revere this Holy Sacrament, Agurto argued that to protect it to such an extent as to exclude such a large population of Christians (*indios*), went against God's wishes.[205] He emphasized the enlightening benefits of communion, and if the natives were given that opportunity "their eyes would be opened" to the miracles of the faith. [206] "Si que remos calor, buscamos fuego, si que remos luz, buscamos luminoso. Si queremos sanidad, buscamos medicina. Si es así, que pretendemos efectos buenos y virtuosos en las animas de estos naturales, no es razón les privemos…"[207] For Agurto, the Eucharist was a way in which to bring the soul closer to God and thus strengthen it against malignant forces. He cited the Tridentine law which required nuns to take the Eucharist once a month in order to strengthen them against temptation, "sustenta, aumenta, repara, y deleita." Agurto concluded that it would be foolish to deny this

same benefit to the natives, who, as new converts, required the protection that the sacrament awarded.[208]

It seems that throughout the early colonial period, ecclesiastics continued to debate administering the Eucharist to natives. For example, in the 1638 priest manual cited earlier in the chapter, it included instructions for administering the Eucharist to sick natives. However, it did not include the procedure for more typical communion such as at Easter, the basic annual requirement for all Christians.[209] A book of sermons created by the Dominicans in 1550 also outlined the spiritual benefits of the Eucharist. It was organized as a compilation of "sample" sermons, written in both Spanish and Nahuatl, that missionaries could use to convert the Nahua peoples. The sermons on the Eucharist explained the power of Jesus Christ to give his body and blood to the faithful to strengthen them against temptation and sin. However, it cautioned that the native listeners would receive this sacrament "cuando en nuestra fe católica estéis fuertes: y cuando viváis bien en esta vida vosotros y aborrezcáis para siempre los pecados."[210]

It appears that ecclesiastics did not feel this same apprehension in administering the Eucharist to Africans, however. In the 1545 royal cedula mentioned above, it listed the Eucharist as one of the Christian rites owners were obliged to provide for their slaves. In the Inquisition cases against Africans and mulatos studied, all claimed that they had been baptized and most had received communion at some point. The question becomes, what was the reason for this discrepancy in the church's actions with these two groups?

Another seemingly glaring contradiction were ecclesiastical debates over subaltern ordination. The original twelve Franciscan friars, and others like Juan de Zumárraga, initially founded schools for native children with the hope that native men could one day reach

profession or ordination. While plans to educate native male children quickly lost steam, native ordination was a highly debated topic throughout the colonial period.[211] More than a few clerics believed that native ordination was possible and in many ways was the ultimate goal of their evangelization mission. While some natives would serve as tertiaries or other subordinated positions within the church, secular ordination would not happen until after the colonial period for a number of reasons.[212] Afro-Mexicans were not included in these discussions, however. Mestizos were also largely barred from ordination, but this seems to have had more to with their birth status rather than racial prejudice.[213] For example, the Crown gave special permission for mestizo Diego de Garay for ordination in Peru in 1586. The church had petitioned the king to allow Garay to become ordained, emphasizing his qualification despite his race. The King ultimately gave his consent due to the fact that he was "hábil y suficiente, honesto, y de buena vida y ejemplo y teniendo dispensación sobre su legitimidad."[214] For much of the colonial period, free, criollo Afro-Mexicans were barred from obtaining formal education, and were prohibited from taking religious vows. As late as 1739, Pope Clement XII stated that mulattoes were "individuals generally despised by society, unworthy of holding public office and of directing the spiritual life of others."[215]

Mixed-race individuals also occupied a precarious position in colonial society, at least during the early stages. As mentioned in the beginning of chapter the mestizo population numbered in the thousands by the end of the sixteenth century. As illustrated by Aguirre Beltrán, these could be any number of racial combinations of Indian, African, and Spanish, and the colonial authorities struggled to organize the increasingly complex colonial demographic. For example, in the beginning, the Crown had initially supported the idea of Spanish men marrying native noblewomen in the Caribbean, hoping that it would strengthen

Spanish claims to the new lands.[216] However, it soon found that the children of these unions, or mestizos, had rights in both of the two *repúblicas*; therefore, especially in the cases of noble native families, they could potentially circumvent Spanish power. As both Spanish and mestizo populations grew, mestizos faced increasing social and political limitations. In 1536, the Crown ordered that only legitimate children could inherit an encomienda, which essentially disqualified a majority of the mestizo population.[217] Illegitimate mestizos were also included in the 1549 list of those barred from receiving native tribute labor or holding public office. Spaniards also distrusted mestizos, mulatos, and castas for their ability to "pass" as racially "pure." Concepts of mestizo, mulato, and casta piety were equally insecure. While Spanish blood supposedly engendered "good" Christian qualities, Indians were believed to possess both redeeming and condemning traits. Those of African descent were expected to be "good" Christians as la *gente de razón*, but the institution of slavery dramatically influenced notions of African piety, thus castas were viewed with great suspicion.

Another aspect which has up until this point been only alluded to, is the role of everyday priest decisions within the construction of racial categories. While friars were allowed to administer certain sacraments in the Americas, administration of the sacraments had traditionally been priests' responsibilities. As illustrated above, observance of the holy sacraments provided a shared space for every colonial racial group, therefore study of the administration of the sacraments provides another method for understanding colonial race relations. The writings of important clerics and canonists can reveal larger intellectual trends, but colonial religion was experienced through ordinary, everyday interactions between clergymen and their parishioners. And, as William B. Taylor has illustrated, while priests

were expected to abide by prevailing church standards, they exerted considerable autonomy within their own parishes.[218] Local parish churches not only housed community records, but priests were responsible for recording them; therefore, the racial labels assigned to each parishioner were largely up to the discretion of the priest writing the ledger. For example, in the sacrament of marriage, priests not only performed the ceremony, but made decisions on behalf of the couple and their families. As illustrated by Patricia Seed and others, priests could intervene or impede certain unions if they felt that something was amiss, which could quite literally determine the racial composition of a specific community.[219]

Once a couple agreed to marriage, they would file a petition to their local priest who officially acknowledged the agreement and would administer the marriage through a formal ceremony. Witnesses were required to speak on the couple's behalf, attesting to the consent of both parties to the marriage. What is interesting is the fact that not only the racial statuses of the couple were recorded, but also the racial statuses and occupations of the witnesses; therefore, these records can be used to shed light on everyday race relations in colonial society. While scholars have used to these records to document the racial status of the bride and groom, they have paid considerably less attention to the connections between the racial statuses of the witnesses to those of the couple.

In a random sample of one hundred marriage petitions recorded from 1631 to 1633 in and around Mexico City, certain patterns emerge.[220] Out of the 100 petitions, 51 were marriages between black slaves, 6 were marriages between Spaniards, and 11 were marriages where either the bride or the groom were listed as mixed-race.[221] All of the witnesses of slave marriages were also slaves, or "negros esclavos;" slave witnesses were only listed for two free couples: one couple was classified as "mulatos libres," the second was between a

"mulato libre" and a "mestiza." Spanish witnesses were listed for most of the marriage petitions for Spanish couples. While the similarities between the racial statuses of the couple to those of the witnesses in these cases seem to illustrate the social divide between Spaniards and black slaves, the petitions of mixed race couples were equally significant. Most of the witnesses for mulato couples were either free and enslaved men and women of African descent, while the witnesses for mestizos ranged from "españoles," "mestizos," and a few "indios."[222] For example, in the marriage of Spaniard Juan Corbello to mestiza Luisa de Los Reyes, one mestizo and two Spaniards served as witnesses.[223] More work needs to be done, but this sample illustrates how race relations could be revealed in religious spaces like the sacraments.

Conclusion

The contradictions within ecclesiastical perceptions of subaltern piety are obvious, but this was not necessarily the case for colonial clergymen. In hindsight we may ask the obvious: why not native ordination; why didn't the pope or most clergy openly condemn the African slave trade for much of the colonial period? As illustrated by María Elena Martínez, colonial social categorization and hierarchy were rooted in older Spanish systems of classifications based on religious difference. However, incorporating the colonial demographic into the traditional system was an imperfect *translation* of both old and new information, established traditions, and contemporary circumstances. As evidenced throughout the chapter, Europeans turned to older accepted systems of knowledge in order to make sense of the New World, and when the older ways were no longer viable, they altered them to fit their new needs. Ecclesiastics attempted to construct their own notions of native

identity through traditional sources like Scripture and theology, and they pushed natives to adopt Christian identities. Therefore, religious concepts and practices were influenced by colonial circumstances and colonial circumstances were influenced by religious concepts and practices. Returning to the questions posed at the start of the chapter, it is clear that the racial hierarchy and the status assigned to each racial category were highly influenced by ecclesiastic perceptions of subaltern piety. An individual's status was influenced by community perceptions, and it could be influenced by additional qualifies such as "good" or "bad" Christian, pious or impious.

One of the primary goals throughout the chapters, has been to illustrate that historians cannot consider religion as separate, or above, the society in which it is practiced. As a cultural center, the Spanish Catholic Church was charged with preserving important traditions and social mores. However, it would be a mistake to think that the institution did not also undergo a type of translation once established in the New World. As society changed, the church evolved along with it. Essentially, institutions like the church straddled both the old and the new, tradition as well as innovation. This conceptual framework accommodates seemingly contradictory opinions and actions taken by the Spanish American church, without losing sight of the complexities of colonial society. Spanish clergymen could not allow for native ordination without ultimately undermining the higher status of Spanish Christians, nor their own participation in an all-Spanish church. They also could not condemn slavery without losing their own slaves and alienating much of their Spanish parishioners who depended on slave labor. In this way, the consequences of racial mixing were another type of "threat" that developed from within the colonial society that challenged traditional Spanish institutions like the Spanish Church. Priests and friars were men who

were shaped by their environment, which accounts for the array of opinions on subaltern capacity and piety citing essentially the same sources. While Holy Scripture may serve as a constant, man's interpretation of those texts are ultimately conditional. Notions of piety were also influenced by traditional concepts of gender, which impacted the lives of both "sanctioned" and "unsanctioned," Spanish and non-Spanish, religious women in colonial society; the subject of the next chapter.

Chapter Five:
Translating Gender: Colonial Convents and Traditional Notions of Female Piety

> "In Mexico City…full of mestizos, blacks and mulattos, as well as a multitude of venial Spaniards, there are hundreds of Indian women who, despite their advanced age are still virgins and whom Divine Grace has preserved in their purity and cleanliness for all those years. Other young girls, who cannot avoid going out to the markets to sell or buy things, have their virginity as intact as that of the daughters of Spanish gentlemen who are secluded behind twenty walls. Their preservation of chastity is admirable in a people who have been so downtrodden and mistreated and put in so many difficulties and dangers by this evil world."[1]

Introduction

Writing in late sixteenth century Mexico City, Fray Gerónimo de Mendieta (1525-1604) recorded his experiences in colonial New Spain. Like his predecessor Fray Toribio Motolinía, he praised the virtues of Indian women and their capacity for Christian piety. Both men emphasized how these women possessed similar qualities to Spanish nuns and *beatas*, such as obedience, chastity, and modesty, and applauded their roles during the early years of native conversion. The question then becomes, why would it be close to two centuries before Indian women were allowed monastic profession?[2] Similar to male Indian ordination, many sixteenth century clerics were apprehensive about non-Spanish women becoming nuns. Wider notions of subaltern piety were influenced by evolving notions of *calidad*, based on class and race, as well as proscribed gender norms. Indian, Afro-Mexican, and *casta* women, therefore, faced additional obstacles. For example, while Indian women were eventually allowed to profess, few if any Afro-Mexican women were considered for profession.

Today, gender is a basic theme for scholars in a variety of disciplines, but this was not always the case. Prior to the social histories and anthropological studies of 1970s and 1980s,

women's roles in past societies were marginalized to the few "exceptional" women or royals.[3] Early social historians were interested in society in its entirety, and opened the door for more sophisticated analyses of marginal groups.[4] Social historians in the 1980s reversed the traditional top-down approach to history, which conceptualized social norms and laws as something that trickled down from the elites to the lower classes.[5] They argued that history should be understood from the perspective of individual and group experiences, or a bottom-up approach. Discursive analyses and cultural symbols inspired many scholars to emphasize the agency of their subjects and uncover the voices of traditionally invisible historical actors: women, lower classes, and marginalized ethnic/racial groups.[6] They also challenged the existent "herstory." Scholars like Joan Scott argued that by simply including women, earlier studies did not challenge traditional paradigms, and only by incorporating new analytical categories like gender would scholars be able to rewrite a history that fully acknowledged female agency.[7] In the field of Latin American history this transition was not until the 2000s.[8] More recently, Latin Americanists have incorporated considerations of race and ethnicity in their analyses of women.[9]

The study of religious women has followed a similar path. Today, scholars have revealed a far more nuanced interpretation of the lives of both religious and secular women during the medieval and early modern periods. They have challenged traditional ideas of the "impermeable cloister," to illustrate that nuns continued to play important roles within their larger communities despite the official enclosure policies of the Catholic Church.[10] Recent scholars have allowed these religious women to speak for themselves, as many female hagiographies, or spiritual biographies, from the time period have been translated and published. Scholars like Electa Arenal, Kathryn McKnight, Kathleen Myers, Lisa Vollendorf,

Asunción Lavrín, and others have studied these hagiographies extensively and have illustrated that nuns balanced between obedience and autonomy in their writings.[11] These scholars argue that nuns had considerable control within the convent walls, despite being officially subordinate to male clerics. Others disagree, however. Jean Franco argued that while convents did create a space for some female empowerment, this empowerment was conditional.[12] Franco stressed that the convent was just another example of female subjugation within a patriarchal gender system.

While the debate continues, most scholars agree that nun hagiographies were highly constructed documents of femininity and female piety. Profession provided women an alternative to marriage, a chance for independence from their families, the ability to serve their religious vocation, and, within the cloister, the ability to govern themselves.[13] However, despite the physical barrier of the convent walls, convents were not removed from their larger societies. After a women professed, she was considered separated from her family and the outside world, but she still retained her cultural identity and social norms. Furthermore, as convents were ultimately under the supervision of male clerics, gender norms persisted within the cloister. Just like their sacred biographies, nuns' lives were highly conscripted, making the cloister an important space to observe fundamental social values and hierarchies. Concepts of Christian piety were also highly gendered.[14] These norms were shaped over centuries and periodically reinforced by the church during periods of religious insecurity.

Spaniards would take these gender norms with them as they settled in the Americas.[15] As mentioned, Spanish colonization of the Americas was a religious, as well as a political, process where Spanish traditions were translated according to colonial circumstances, and concepts of race and gender were important to this process. In addition to the several external

threats discussed in the early chapters, the Spanish Church as a cultural center also faced specific internal threats. As illustrated in Chapter Four, the complex racial demographic that developed in the Spanish Americas challenged earlier methods of social classification and threatened to undermine Spanish racial hegemony, and Spaniards looked to traditional cultural knowledge like Christianity to deal with these issues. A similar pattern emerged in the development of colonial gender norms. Gender non-conformity was perceived as an incredible threat to not only Spanish traditions, but colonial social stability. "Accepted" gender norms where also highly influenced by Christianity, and notions of female piety were highly shaped by proscribed gender norms.

In order to fully appreciate the role of religious women in early colonial New Spain, it is important to first understand how their contemporaries functioned in the Old World, as well as the normative discourses that influenced these functions. Therefore, the purpose of this chapter is to understand how the colonization process impacted traditional notions of gender and piety, specifically the nature of Spanish and non-Spanish relations. For example, historians like Asunción Lavrín have illustrated that native, African, and casta women faced an additional obstacle than their Spanish counterparts.[16] While women's piety was revered, it was an inherently insecure concept within the minds of most male clerics, due to "natural" feminine traits. Non-Spanish women carried the additional stigma of their specific race. It is also important to consider how the relationship between notions of piety and gender within "sanctioned" forms of spirituality may have affected colonial perceptions of "unsanctioned" spiritualty and women's roles within those practices.[17] For example, Martha Few illustrates that procurement of "magical healing" and sorcery facilitated multiethnic interactions where female witches and their male and female clients negotiated systems of power apart from the

established colonial hegemony.[18] However, clerical fears of these "unorthodox" practices inherently recognized their spiritual power, and while they may have denounced magic in public, colonial men and women continued to use the services of these practitioners. While both practitioners and procurers used concepts of race and gender, and "orthodox" and "unorthodox" spiritualty, to their advantage, the "threat" of gender non-conformity would prevent non-Spanish profession, as well as delegitimize "unsanctioned" female spiritualty, for much of the colonial period.

Female Piety in Western Christianity

Women's participation within the Christian religion has existed since the apostolic period, but women received considerably less historical attention until recently. Over the last few decades, scholars have challenged women's traditional absence from the history of early Christianity. They have uncovered evidence throughout the New Testament of women's participation, and illustrated that women were instrumental in the early expansion of Christianity among both the elite and lower classes. [19] While it came with risks, an ascetic life was a profound way for women to express their faith, and provided them with new opportunities. It was an alternative to marriage, a way for women to continue their education, as well as offering the potential to travel and live with like-minded individuals. The monastic system did not take root in Spain until the sixth century, and female religious houses were established alongside male institutions from the beginning. Many scholars argue that connected male and female religious houses, or double monasteries, within Christian communities developed because of the theological link between the two sexes.[20] Scholars have also uncovered that early medieval female abbesses wielded as much control over their

communities as their male counterparts. However, these scholars do not deny the struggles women faced within the ultimately patriarchal Christian societies, nor the fact that women's roles within the church faced increased scrutiny throughout the medieval and early modern periods.[21]

While some women were revered for their pious works in early Christianity, female piety was never entirely secure in the minds of most of their male contemporaries. It was understood that both men and women equally received God's grace, but certain "natural" traits influenced each one's religious capacity in different ways.[22] For example, women were believed to have inherited the original sin of Eve, and therefore, were seen as impetuous and more susceptible to temptation and sin. Gender differences were not only Biblical, but justified by "reason." Aristotle used the basic differences between men and women as a metaphor for the inherent separation between "the rational and ruling element, and the irrational and ruled." "Tame animals have a better nature than wild, and it is better for all such animals that they should be ruled by man because they then get the benefit of preservation…the relation of male to female is naturally that of the superior to the inferior, of the ruling to the ruled."[23] For Aristotle, women were essentially the archetype of subjugation because they possessed "the faculty of deliberation," but "in a form which lacks authority" and thus were rightly ruled by men.[24]

These ideas about "the weaker sex" did not align with basic principles of Christian asceticism, or severe self-discipline, which became increasingly popular after the fourth century. For these early Christians, self-denial and renunciation of earthly pleasures was a way to venerate Christ's suffering and became a necessary component of Christian piety. Extant hagiographies and other theological treatises from the period are filled with tales of

painful separations from the material world, arduous pilgrimages, and other exercises in self-deprivation.[25] Many scholars argue that contemporary hagiographies were written to provide pious examples to Christian audiences and thus these documents reveal wider notions of piety.[26]

An important aspect of asceticism was celibacy. It was understood that true devotion required an individual to be a "clean vessel" for Christ, or abstain from sex; it was believed that this was a different obstacle for each gender. What was considered a difficult sacrifice for men, was believed to be almost impossible for women, because Eve's sin was traditionally interpreted in highly sexual terms. She had been seduced by Satan, then she seduced Adam to sin.[27] Women were therefore believed to be highly sexual with limited control over their carnal urges. For example, when women were discussed in male hagiographies, it was usually as the sexual temptress for male ascetics.[28] While theologians did not damn the female gender entirely, they were still bound by the prevailing patriarchal concepts of their time. This is not to suggest that all early theologians were inherently misogynistic, however. Challenging women's subjugation to men could have been interpreted as challenging Scripture. Eve had been created from Adam, which was interpreted as women were meant to be subject to men. The New Testament taught that just as Christ was head of the church, so too were fathers and husbands head of their daughters and wives.[29] One way to recognize the lives of pious women without overtly challenging the "divine" patriarchy was by exalting female virginity. It was believed that through perpetual virginity female ascetics could reach a similar, if not entirely equal, degree of piety as male ascetics.[30] In many ways, the female virgin could be more revered than her male counterparts, because she had to overcome the additional obstacle of her highly sexual

nature. Consecrated religious women were also believed to be more sensitive to the Divine, and their prayers could support the spiritual well-being of their entire secular community.

Saint Ambrose (339-397) is one of the better known early writers on virginity. In a series of letters to his sister and consecrated virgin, Marcellina, in 377, he explained the religious value of virginity.[31] For Ambrose, the two Christian figures to be most revered were the martyr and the virgin. In his letter celebrating the life of St. Agnes, he praised her "courage worth of a man," and argued that she was exceptionally saintly because she was martyred as a virgin.[32] Saint Jerome (347-420), also well-known for his writings on virgins, applauded women like Paula who took vows of chastity.[33] In a letter to Paula's daughter Eustochium, consoling her over her mother's recent death, Jerome tells of Paula's experiences as a female ascetic; the juxtaposition of traditional ideals and Paula's piety is very clear. "Her enthusiasm was wonderful and her endurance scarcely credible in a woman! Forgetful of her sex and of her weaknesses …"[34] In 384, Jerome claimed that he did not deny marriage, but it was ultimately a distraction. "I will just say now that the apostle bids us pray without ceasing, and that he who is in the married state, renders his wife her due, cannot so pray. Either we pray always and are virgins, or we cease to pray that we may fulfil the claims of marriage."[35]

This sentiment was repeated by Leander of Seville (534-600), monk and Bishop of Seville in the sixth century. In his *The Training of Nuns and the Contempt of the World*, he wrote that virginity was "an ineffable gift" that wins "special favor" from Christ.[36] For Leander, a virgin's asexual nature allowed her to rise above the traditional "weakness of her sex" and become neither female or male, but a type of third gender that was less pious than men but far more pious than normal women.[37] Virginity could also extend beyond simple

physiology. St. Augustine (354-430), somewhat of a counterweight to St. Jerome's extremism, emphasized human will and contented that "purity is a virtue of the mind…it is not lost when the body is violated."[38] While he valued celibacy, martyrdom was far more praiseworthy, and marriage had its place in society.[39] He believed that Adam and Eve were physical beings endowed with the same bodies and sexual natures, and God made them for the creation of society, which meant physical intercourse and raising children.[40] This ideal accommodated exemplar virgins, like Mary, who were considered virginal despite the physical act of childbirth, and female ascetic widows, like Paula, who entered the cloister after marriage. However, St. Augustine still extolled the spiritual value of virginity. Classic theologians like these would continue to influence gendered notions of piety throughout both the medieval and early modern periods.

Worship of the Virgin Mary as the mother and bride of Christ had a tremendous impact on Christian women from late antiquity to the early Middle Ages. It emphasized women's piety, while simultaneously limiting their roles in church practices. Mary became a model of feminine virtue, and female religious attempted to follow her example.[41] However, this did not increase the authority of women within the Church itself. Theologians emphasized Mary's modesty, chastity, silence, and obedience, which established the parameters of feminine piety.[42] While nuns and monks took similar vows, enclosure was considered less necessary for monks, and, as the centuries progressed, female religious had less interaction with the secular community and less involvement in proselytizing. Many Christians believed that nuns needed the protection of the convent walls; their piety was revered, but not as a public testament.[43] Through their virginity, women could be saints, but because a woman's maidenhood was ultimately a private matter, a major component of her

piety could always be questioned.[44] Hagiographers would compensate by emphasizing a female saint's anxiety around men, as well as her aversion, or even repulsion, towards sex.[45] Furthermore, women's existence was believed to be a constant test to male celibacy, thus the church worked to keep the two sexes separate.

As mentioned above, women could achieve a position of authority within double monasteries, but this institution was officially outlawed at the Council of Nice in 787. There is also ample evidence that abbesses had real authority during the early Middle Ages. A later example is Abbess Doña Sanchia Garcia (1207-1230) of the Cistercian convent of Las Huelgas, who heard confession and preached to her novices. Pope Innocent III openly denounced her actions and in 1228 monastic confession was replaced by the sacrament of penance which required a priest.[46] Because nuns were not ordained, they were not allowed to perform sacraments such as confession, Mass, or the Eucharist, and depended on male priests to provide these services for them. This relationship, or *cura monialium*, meant that total gender separation was not possible, so their interactions were heavily structured.[47] For example, the Second Council of Toledo passed a decree concerning male-female interactions in the female monasteries of Bética in 619. Echoing earlier decrees of the ecumenical councils, it stated that monks did "not have regular permission to enter the convent…nor speak alone with the female superior, without the presence of two or three sisters, for all types of visits are to be rare and the conversation very brief."[48]

By emphasizing virginity, female piety was fundamentally measured by women's sexuality. Widows were allowed profession, but were considered below the virgin brides of Christ.[49] Male clerics were also measured by their celibacy, but they were not expected to be virgins at the time of their ordination, nor were they generally subject to the same rules of

strict enclosure. Also, for much of the medieval period, it was common for regular and secular male clerics to be married or live with concubines.[50] This was not the case for female religious, who could only profess if they were unmarried.[51]

Clerical marriages faced increased scrutiny, however, in the eleventh, twelve and into the thirteenth centuries.[52] As discussed in earlier chapters, the Gregorian reforms were meant to standardize canon law, increase papal power, and reinforce religious orthodoxy, which meant correcting both cleric and lay religious laxity. Reformers were particularly uneasy about clerical marriage.[53] They feared that clerical marriages blurred the lines between the priesthood and the laity and ignoring such practices meant a general relaxing in religious discipline and observance. Scholars like R. I. Moore and Maureen C. Miller argue that the Gregorian reforms were not inherently misogynistic, but relations between religious men and women also came under scrutiny.[54] Limiting women's roles within the Western Church was an important side effect, as female religious were increasingly pressured into enclosure.[55]

This time period was also influenced by the idea of Holy Crusade. As discussed in earlier chapters, crusades against the Moors impacted medieval Spanish society politically, economically, and religiously. This period shaped a culture that extolled the heroics of warrior kings and bishops, and Christian identity was influenced by intermittent warfare against Muslim "infidels." Military conflict, at least in theory, was a decidedly male task; warrior queens like Isabel I being the exception. While both men and women settled in the conquered areas, the lands were claimed by male kings and lords, and male clerics were responsible for recovering local holy places for the Christian Church. Establishing a convent in a conquered area could be an important marker of Christian resettlement, however. For example, King Fernando III was believed to have founded the Convent of San Clemente de

Real in Seville the very day he recaptured the city in 1248.[56] The Spanish crusades against Muslim forces were an incredibly important religious event, but due to proscribed gender norms, female religious largely went unrecognized in the process of religious reconquest.

Patriarchal systems of power dictated proscribed social interactions within these medieval communities. While men were identified firstly through markers like occupation, education, and lineage, women were foremost identified by their marital status.[57] For example, a woman's life was traditionally marked by the different stages in her sexual development: unmarried virgin, married woman and mother, and widow. Therefore, unlike men, female identity was socially connected to their sexual activity. In Spain, *limpieza de sangre*, the perception of a pure Christian bloodline, became increasingly important from the late medieval through the early modern period. A "pure" bloodline made men eligible for administrative office and other privileges. One way to secure this status was through marriage, which was heavily dependent on female reputation and chastity. Upper-class women were highly monitored to prevent anything that could hurt her marriageability.

Clashes between traditional ideals and religious opportunities for women surfaced again during the religious watershed of the thirteenth century. Wandering friars of the Mendicant orders, such as the Franciscans and Dominicans, were less tied to their physical monasteries, and frequently interacted with secular communities. Medieval women imitated contemporary female saints, like St. Clare who accompanied Francis of Assisi, and created female religious houses in the name of the mendicant orders.[58] This religious enthusiasm was not limited to "sanctioned" groups; many medieval women also joined the ranks new quasi-religious sects founded at the same time. Elizabeth Makowski argues that the twelfth century saw a "groundswell of female piety" in quasi-religious groups. By the late thirteenth century,

"unprecedented numbers of women" were espousing an ideal of spiritual perfection that did not require complete separation from the secular world.[59]

The thirteenth century was also a high point in the veneration of the Virgin Mary. For example, in Spain, Alfonso X published one of his most iconic works of literature, the *Cantigas de Santa María*, to celebrate Mary's life and virtues. Finished in 1279, the *Cantigas* were a compilation of 427 poems, some lyric and some narrative, each with a musical composition, dedicated to Marian miracle stories.[60] Scholars like Mary Elizabeth Perry argue that the Mary of the *Cantigas* was "not a remote and passive saint," but a "thoughtful, clever, and innovative" heroine.[61] The image of Mary as intercessor is not surprising considering the wide religious fervor of the period. As more and more women were getting involved in both sanctioned and unsanctioned religious groups, an active female saint would have seemed more fitting for contemporary audiences.

These new religious opportunities for women were met with male ecclesiastic anxieties, however. For example, the archetype of the female temptress remained in many male saints' hagiographies, and the Church attempted to control thirteenth century religious enthusiasm. St. Thomas Aquinas (1225–1274) is an incredibly important figure in Western Christianity, so his biography is a good example of contemporary religious views. When his mother learned that Aquinas intended to join the Order of the Preachers, recently founded by St. Dominic, she tried to persuade him to change his mind. When that failed, she instructed his brothers to kidnap him on his way to Rome. Frustrated by his repeated refusals, the family tried to break his chastity by sending a beautiful girl to his chamber. Aquinas forced the woman from the room and fell tearfully to his knees, beseeching God to grant him the girdle of perpetual virginity. As he slept, two angels bestowed the spiritual girdle for his

victory over sexual temptation. He then promised to protect his chastity until death.[62] Aquinas later justified the value of a chaste life in his Commentary on Aristotle's *Ethics*. He distinguished between man's animal nature, which was obliged to procreate, and his intellectual nature, which was obliged to make decisions. Both marriage and celibacy were therefore sanctioned by natural law, but the chaste life was fundamentally more human because it denied base impulses in favor of rational faculty, which was only available to humanity.[63]

Similar to earlier reforms, late thirteenth century Church reformers worked to widen the gap between professed nuns and lay religious women. In order to "safeguard their hearts and bodies," Pope Boniface VIII (1294-1303) released a decree on professed nuns' enclosure in 1298. Later referred to as the *Periculoso*, it mandated that nuns in every order of the Western Church "remain perpetually cloistered in their monasteries, so that none of them…have permission…to leave their monasteries; and that no persons…even respectable, shall be allowed to enter…"[64] This decree echoed traditional ideas of female piety which relied on virginity, or at least chastity, for much of its legitimacy. Business and legal matters were to be handled by male representatives rather than the abbess or nuns themselves, and travelling abroad was to be avoided.[65] Scholars continue to debate the actual effectiveness of the *Periculoso*, but papal insistence on nuns' enclosure illustrates that traditional notions of the insecurity of female piety remained relatively intact, if only in theory, throughout much of the medieval period.[66]

Canon laws like the *Periculoso* were repeated and reinforced during the Reformation period of the sixteenth century, and even earlier in Spain. As discussed in an earlier chapter, Fernando and Isabel attempted to unify their traditionally divided kingdoms through church

reforms which focused on religious conformity.[67] Reformers also criticized how many late medieval nuns did not observe strict enclosure or communal practices, lived in luxury, and failed to perform their liturgical duties.[68] Whether Protestantism took hold in Iberia is debatable, but it is clear that Spaniards were generally impacted by the Reformation period. The Catholic Church tried to ebb the spread of Protestantism by addressing several of Martin Luther's critiques, like ecclesiastic avarice and episcopal negligence, as well as emphasizing differences between the two religions, specifically the veneration of the Holy Sacraments.[69]

These reforms affected women's roles within the Catholic Church in many ways. For example, the Catholic church responded to Protestant critiques of spiritual intermediaries, by reaffirming priests' roles in administering the Holy Sacraments. They argued that the sacraments were essential to meaningful Christian observance, and, other than in extreme cases, only an ordained priest could administer them. Abbesses and nuns were not ordained, and therefore, could not provide these services. The more the church advocated a hierarchy centered on the priesthood, the more female religious were pushed to the margins. Emphasis on the Holy Sacraments and standardization of religious practice also affected lay women's roles, albeit, in a very different way. In order to regulate lay religious practices, the church had to ensure parishioners' knowledge of the catechism, and countries like Spain increased lay catechism education for both men and women. Most common Spaniards were illiterate, so these reforms offered women the chance to receive equal education to men.[70] Ecclesiastic celibacy was another area of debate.[71] Unlike their celibate Catholic counterparts, Protestant ministers could be married and have families; this both represented and influenced notions of family and marriage among their Protestant followers.[72] In response, Catholic leaders

advocated the spiritual merits of clerical celibacy, which reinforced the traditional gendered concepts of piety discussed above.

It is difficult to know the impact of these changes on common Christians, but, according to Mary Elizabeth Perry, "the most powerful symbols and legends that prescribed gender ideals for women came from religion."[73] Important examples in Spain were the Virgin Mary and the sister martyrs, Justa and Rufina. While the sisters were local saints of Seville, the cult of Mary had a considerable following throughout Iberia; and, according to Perry, Marian images changed significantly in the sixteenth and seventeenth centuries. For example, the Virgin Mary was more likely to be depicted as "an obedient girl or passively sorrowful mother" than the heroine seen in the *Cantigas*.[74] Renewed emphasis on clerical celibacy during the sixteenth century seems to have effected ideas of female piety as it had during the early church: increasingly measuring a woman's piety by her sexuality, her seclusion, and her modesty.[75]

This is not to imply that women passively accepted these gender norms. The writings of Teresa de Cartagena reveal how early modern women navigated between internalizing and contesting traditional gender norms. Teresa de Cartagena, considered one of the "mothers of Saint Teresa," wrote religious treatises during the second half of the fifteenth century.[76] Theological discussions were traditionally reserved for men, but Teresa challenged that norm by releasing her own interpretations. For example, in her *Admiración operum Dey*, she argued that God had bestowed intelligence on both men and women, and their inherent differences were by God's design, thus naturally complemented each other.[77] Her work has been considered an early example of feminist literature, but it is clear that Teresa could not dismiss traditional gender norms entirely. For example, her analysis of the connection

between the two sexes was still framed within patriarchal expectations. According to Teresa, God had given specific gifts to men and women, but the gifts of one gender were not superior to the gifts of the other. Men were given "su fuerza e ánimo e suficiencia de entendimiento conservan e guardan," while women were meant to be "flacas e pusilánimes."[78] Men's roles in business or government were not superior to women's roles in domestic tasks, but the work of each supported the other, which was a decidedly more balanced depiction of traditional gender relations than some of the writers discussed thus far in the chapter.

These gender norms also appeared in contemporary didactic literature popular in Spain at the time. One fifteenth century example is *Jardín de nobles donzellas*, written by Fray Martín de Córdoba, an Augustinian friar and Vicar General of the Convent of Valladolid. It was first printed in 1500, but scholars believe Fray Martín wrote it prior to 1468. Martín later dedicated it to the young princess and royal heir, Isabel of Castile. While we can never be absolutely sure of the popular impact of such a work, the fact remains that it was dedicated to the young Queen by a high-ranking clergyman, so it seems fair to assume that it would not have been considered salacious or antagonistic. Harriet Goldberg challenges traditional interpretations of the *Jardín* as pro-feminist literature. She argues that "its primary purpose is not to defend and praise women," but "to prove that women are fit to rule" in order to affirm Isabel's right to the throne of Castile.[79] However, the concern here is not whether Fray Martín's work was inherently misogynistic or feminist, but the gender norms to which it ascribed. Martín argued that women's capacity for generosity and compassion qualified them to rule, but he does not completely disregard basic gender stereotypes.[80] For example, after listing the moral abilities of women he warns Isabel of the typical feminine "weaknesses" that she will need to overcome: intemperance, chattiness, and fickleness.[81] He

praises modesty, piety, and servility, as important virtues for women and even more so for female rulers.[82] As in earlier treatises, he uses the chastity of consecrated virgins as venerable examples of feminine virtue and female piety.[83]

Two sixteenth century examples of didactic literature are Fray Luis de León's *La Perfecta Casada*, or "The Perfect Wife," and Juan Luis Vives's De *Institutione Feminae Christianae*, or Instruction for a Christian Woman. Both were treatises on women's roles written in the humanist tradition.[84] Fray Luis de León is widely recognized by scholars for his humanistic poetry, but he was also a theologian and scholar of the Augustinian order. Originally published during Fray Luis's lifetime, *La Perfect Casada* became immensely popular after his death in 1591.[85] Like other humanist works, the general purpose of the book was to explain women's vocation as wives and mothers. An important trend in humanism was harmony through realization of one's place in Creation. While Fray Luis de León considered a wife ultimately subordinate to her husband, his work cannot be considered inherently misogynistic because he argued that wives and mothers had the capacity for virtue and Christian marriage was pleasing to God.[86] Furthermore, husband and wife were an interdependent pair that were better when they worked in their assigned *oficios*. For example, according to Luis, a wife and mother was revered for her virtue because of her capacity to overcome the "natural" weaknesses of her sex.[87] However, he does not go so far as to disregard patriarchal themes, nor place marriage at the same level as perpetual virginity.[88]

Completed in 1523, Juan Luis Vives's De *Institutione feminae christianae*, or "Instruction for a Christian Woman," is considered the first "systematic study to address explicitly and exclusively the universal education of women."[89] A Spaniard from a merchant *converso* family that had had several run-ins with the Inquisition, Juan Luis Vives spent

much of his time outside of the country. After his early studies in Valencia and Paris, he served as a tutor to a well-connected family in Belgium, and later taught at Oxford in London. He spent his final years in Bruges, where he authored De *Institutione.* Like Fray Luis de León, Vives conceptualized woman as man's "inseparable companion" which meant her education was just as valuable to the family unit as that of her husband.[90] Vives also repeatedly argued that women had intellectual capacity equal to men. However, he echoed the extremism of St. Jerome in his exaltations of virginity, and his explanation of feminine capacity was ultimately patriarchal.[91] "For many things are required of a man: wisdom, eloquence, knowledge of political affairs, talent, memory, some trade to live by, justice, liberality, magnanimity, and other qualities…if some of these are lacking, he seems to have less blame as long as some are present. But in a woman, no one requires eloquence or talent or wisdom or professional skills or administration of the republic or justice or generosity; no one asks anything of her but chastity."[92] Furthermore, while Vives advocated education for women, academic disciplines are also inherently gendered: women were considered better served by studying moral philosophy and Scripture, rather than dialectic, history, mathematics, and politics which were considered male disciplines.

The Council of Trent was in many ways a culmination of the Catholic reform movement begun decades earlier. In December 1563, the Council made a provision "for the enclosure of nuns," which reinforced the earlier *Periculoso*.[93] It said that once a nun professed she would not be permitted to leave the monastery, apart from serious illness, "even for a brief period under any pretext whatever unless approved by the bishop." The *Periculoso* treated travel as something that nuns should avoid, but had accounted for situations where nuns could leave the monastery. The Tridentine provision prohibited it. The

Council also required that any nuns residing in convents outside city limits move to monasteries "within the cities or more populous towns." It noted that nuns living outside of the city faced constant danger from the outside world, therefore they could be better protected, and monitored, if they were in the city.[94] Finally, it stipulated that anyone, including civil rulers, who failed to enforce the law risked excommunication, and the Church could use the secular arm against anyone who failed to comply; this stipulation was not included in the *Periculoso*.

According to William Christian, from 1500 to 1575 twenty-five Franciscan convents alone were founded in central Spain, "in La Mancha as well as in towns near Madrid and Toledo," part of the total sixty-six female religious houses reported for the area.[95] The city of Seville held twenty-eight convents of various orders within its city limits.[96] Christian calculates that New Castile and other major towns like Madrid, Alcalá, and Huete, had approximately "100 male monasteries and 90 female convents, with 3,000 male and 3,000 nuns and *beatas*."[97]

Beatas were similar to tertiaries, or third order members, who were usually affiliated with a particular mendicant order, but were not bound to a specific monastery. These lay religious women dedicated their lives to God, typically took simple vows, and wore religious habits as they served the spiritual needs of their communities. This alternative religious lifestyle had been in Spain for centuries and had increased considerably during the late medieval period. *Beatas* were common in many Iberian communities, and were widely respected for their strict vows of chastity and poverty. Becoming a *beata* was an alternative to marriage for women whose families could not afford a convent dowry. Many lived in designated houses, or *beaterios*, but because they were not subject to strict enclosure laws,

they could serve their community outside of the cloister through spiritual guidance and charity work. However, their "unsanctioned" status was frequently met with suspicion from the Church.[98]

Many nuns and *beatas* were inspired by the *Alumbrados*, or those "illuminated" by the Holy Spirit, and mysticism.[99] Both beliefs advocated that direct contact with God could be achieved without formal ecclesiastic training. Emphasizing spiritual isolation, meditation, and internal religious experiences like prophetic visions and other revelations, radical Illuminists challenged many Catholic devotional practices, specifically those that required a priest as spiritual intermediary.[100] The *Alumbrados* would come under suspicion in the 1520s and 1530s because some members advocated a type of *recogimiento* that did not rely on formulaic prayers, but could be practiced at all times and by all types of people.[101] Also, Inquisitors began to find common themes in the writings of Luther and some *Alumbrado* leaders which made them increasingly nervous as the years progressed.[102] It is no surprise that the first indictments of the Inquisition against the Alumbrados was released the same year as the publication of one of Luther's more salacious writings, *De servo arbitrio,* or "On the Enslaved Will."[103]

While nuns may have spent the majority of their time in the cloister, they were part of the larger community outside the convent walls. For centuries, convents had provided women another option to marriage, the chance independence from their families, and devote their lives to their faith. In general, medieval and early modern Spanish convents practiced enclosure, and the majority of nuns were from the middle to upper classes and had entered the convent during adolescence.[104] While most of their income came from dowries, many convents had to supplement it in various ways. For example, it was common for nuns to sell

their embroidery or sewing work, while some convents served as a type of boarding school for young girls.[105]

Sixteenth century reforms reinforced enclosure laws which created a "restrictive climate for religious women."[106] Each convent responded in its own ways, however.[107] While professed nuns and their novices would not have taken their vow of obedience lightly, interaction with the secular world was necessary for their survival. Few convents could rely on dowries alone, so most convents depended on charity from their secular communities. Post-Trent, nuns were prohibited from begging, and support from the community was not a guarantee, especially during hard economic times, making them more dependent on dowry sums. This increased the price of convent dowries considerably. While women continued to enter the cloister, only wealthier families were likely to pay the rising dowry prices. For this reason, some scholars argue that, along with separating nuns from lay women, Tridentine reforms solidified the convent as an elite institution. Heightened enclosure laws also made it difficult for nuns to perform typical charitable work for their communities. *Beatas* filled those roles because they did not profess to a specific order and were not subject to Tridentine enclosure laws.[108] However, *beatas* would also face harsher regulations after 1566, when Pius V released the bull *Circa pastoralis.* It compelled tertiaries to take solemn vows and thus be subject to monastic enclosure laws. *He was explicit that the enclosure laws needed to apply to all female religious.*[109]

Despite the restrictions, nuns were also inspired by the reforming zeal of the period, and some attempted to implement their own convent reforms, Teresa of Avila's Discalced Carmelites being the most famous example.[110] Francisca de los Apóstoles, a *beata* from Toledo, is another example. During her time in Toledo, the city faced serious grain shortages

and increasing, widespread poverty. Francisca witnessed the hardships of the city's poor and decided to found a *beaterio* as an alternative for poorer women who could not afford the dowries required for convent profession.[111] Francisca believed that it could prevent these women from entering into prostitution, and their prayers and penance could serve the wider community.[112] The *beaterio* would come under suspicion after several failed attempts to secure official permission for its foundation, and Francisca would be indicted by the Holy Inquisition in 1575.[113] While Francisca's vision of reformed convents would not come to fruition, her story illustrates that nuns and *beatas* were not passive, but active participants who may have been legally subject to male authorities but interpreted the needs of the church for themselves.

Houses for Women: Female Religious in Colonial New Spain

As discussed in earlier chapters, Western Europe, especially Spain and Portugal, experienced two important events at relatively the same time: the Protestant Reformation and the discovery and colonization of the Americas. The Spanish conquest impacted women's roles within the Church in a number of ways.[114] First, military conquest and proselytization were considered male activities; women were not considered participants regardless of their actual presence throughout the process. Missionary efforts during the early period of Spanish colonization were considered too dangerous for women, and because female religious were not sanctioned to perform baptism, so they could not participate in the initial step in native conversions. Second, due to Tridentine heightened enclosure laws, "acceptable" activities for female religious were increasingly restricted, and nuns were expected to be confined within

the walls of the cloister. Third, convents were typically found in urban areas, and it would take some years before sizeable Spanish settlements were established in New Spain.[115]

Notions of "proper" female roles aside, the major issue that separated male and female religious in the early years of colonization was their roles in native conversion. Nuns were not ordained and therefore could not administer the Sacraments to Indian converts, so they played supporting roles such as in lay education. Francisco de Vitoria (1485-1546) is well-known as one of the founding fathers of international law, but he also wrote *On the Power of the Church*. A common theme throughout his writing was the preservation of the civil state against "the arguments which heretics and schismatics use to dissuade or inveigle away the hearts of simple men from due obedience to their princes and their priests."[116] For Vitoria, the Catholic Church was given authority by God, and this spiritual authority was hierarchal in nature. "Not all Christians are priests, nor are they all equal, but there is a hierarchy in the Church, and there are ranks of ecclesiastical power."[117] As seen in the discussion of Indian male ordination, each Christian had his or her place within that hierarchy. Women were included in Vitoria's list of "Christians to whom ecclesiastical power cannot be suited," and he cited most, if not all, of the traditional evidence used to justify the subjugation of female piety that has been already discussed.[118] It is clear that these arguments still held considerable weight in the sixteenth century. However, Vitoria's concluding argument was surprisingly flimsy. He reasoned that "what convinces me most" is the fact that ordaining women "has never been done despite abundant opportunity and occasion," and therefore, Vitoria argued, it is safe "to assume that it has not been done because it was not lawful or possible."[119]

While female religious may not have been expected to participate in the initial phases of colonization, this does not mean that women were not present. There is evidence that African and Spanish women were present during the earliest stages of colonization.[120] For example, Christopher Columbus brought on his second voyage: "40 noblemen, 100 foot soldiers and laborers, 30 sailors, 30 ships boys, 20 gold washers, 50 farmhands, 20 officials of all positions, and 30 women."[121] Scholars still debate when larger numbers of Spanish women began to emigrate to the New World, however. According to Richard Konetzke, the assumption that only Spanish men settled the Americas is incorrect.[122] Peter Boyd-Bowman documented that from 1509-1519, 308 Spanish women traveled to island of Santo Domingo.[123] José Luís Martinez argued that 6.3% of emigrants during the 1520-1539 period were women.[124] However, the focus of this chapter is the role of female religious, who would not appear in greater numbers in New Spain until the second half of the sixteenth century. Many of the religious women that did emigrate to New Spain in the early years participated in native conversion by educating native children.

Many ecclesiastics agreed that Christian education for Indian children of both sexes was essential to native Christian conversion. For example, in 1537, Zumárraga wrote to Carlos V that of the things the diocese needed, "la cosa en que mi pensamiento más se ocupa" was ensuring the continued education of Indian children.[125] He emphasized the potential of educating both sexes so that they may then marry and foster Christianity within their own children.[126] However, the implementation of that education was shaped by Spanish gender norms. By 1532, the first school for Indian boys was founded in New Spain, and in 1536, the College of Santa Cruz was opened to Indian males in Tlatelolco.[127] The first school for Indian girls, or *colegios de niñas indias*, was founded in Texcoco in 1528. It was under

the direction of Catalina de Bustamante, a Spanish widow and third-order Franciscan *beata*, and offered basic Christian instruction to widows and daughters of the nobility.[128] An additional four Franciscan *beatas* would come to Mexico to assist with the school a few years later.[129] In 1530, Fray Juan de Zumárraga, the first Bishop of Mexico, brought six Spanish nuns to New Spain in order to set up a school for young Indian girls.[130] By 1537, there were some ten schools in New Spain for Indian girls each serving about 300 students.[131]

However, the curriculums in Indian girls and boys' schools were quite different. While some clerics believed that Indian men could eventually be ordained as priests or take monastic vows, fewer saw Indian women as potential professed nuns.[132] For example, between 1525 and 1527 officials in New Spain advocated teaching grammar, arts, Latin, and theology to male Indian nobles.[133] Indian girls were to be instructed in the same basic Christian rites, but no more.[134] They were also instructed in tasks expected of Spanish women, like sewing and embroidery, until they were ready to marry.[135] Fray Toribio Motolinía commented that in the early years, Indian boys and girls were influential in spreading Christianity to their communities.[136] He remarked that after Indian girls had learned about Christian practices, they would spread that knowledge, specifically educating other Indian women.[137] Young women who did not marry were inspired to take similar vows as the Spanish *beatas* who instructed them.[138]

It seems that during these early years, women actively participated alongside male clerics in native conversions. Spanish *beatas* were brought from to the New World to serve as examples for Indian women and instruct them in the faith. Indian women served a similar role within their communities as they helped to disseminate Christian teachings. However, this would not be the case for long and Indian girls' schools would only last for about ten

years. The roles of *beatas* within the conversion process would also be increasingly marginalized.[139] Some scholars argue that declining interests in the schools were due to fundamental differences in Spanish and native gender norms; by teaching Indian girls Spanish "buenas costumbres y ejercicios cristianos," they were considered unmarriageable by the contemporary native community.[140] Also, educating Indian women in traditional Spanish female pursuits could have been seen as a potential threat to the marriageability of the increasing Spanish female population.

While *beatas* had a long tradition in Spain, they had always posed a problem for the established church hierarchy. Because they were not expected to take formal vows, they did not answer to any specific order, nor did each *beata* necessarily adhere to the same type of religious practices. Also, as immigration of Spanish women increased, attentions shifted to creating convents similar to the ones in Spain. For example, the first convent, Nuestra Senora de la Concepción, was founded in 1550.[141] It did not take over the education of Indian girls as Zumárraga had hoped, however.[142] It was designated for Spanish women, although it did admit two mestiza daughters of Isabel de Moctezuma shortly after their mother's death.[143] Numerous other convents were founded in New Spain soon after.[144] About the same time, Catholic church reforms were gaining momentum, and the newly established dioceses in Mexico would have been similarly impacted. While it is difficult to know the direct impact on lay religious women in New Spain, Fray Gerónimo de Mendieta, writing two decades later, lamented the decline in the numbers of native female religious.[145] Greater emphasis on enclosure would have also reinforced nuns status over *beatas* within the church hierarchy. Quasi-religious women were present in many communities, but Spanish nuns represented the traditional ideal of female piety.[146]

As in Spain, Mexican convents typically catered to Spanish elite women who could afford the convent dowries.[147] One way for poorer women to take the veil was through endowments from wealthy patrons of the convent, known as "pious deeds," or through royal support. The convents Jesús María in Mexico City and Santa Clara in Querétaro were both awarded royal funding. Traditionally, families began discussing a girl's future marriage or profession when she was between the ages of twelve and fourteen, as women tended to marry between the ages of fifteen and twenty.[148] According to Asunción Lavrín, there were four basic requirements of women wanting to enter the cloister: she had to be between the ages of fifteen and mid-thirties, of Spanish descent, of legitimate birth, and could provide the dowry.[149] As seen in earlier examples, widows could and did profess as nuns, but were of a lower status to virgins. The novice profession, the ceremony in which the girl or woman first entered the convent, was a public affair, while the final profession ceremony was private. The novice made her final vows of chastity, enclosure, obedience, and poverty in front of the prelate and her sisters of the convent then took the black veil.[150]

Daily life was highly regimented and each member of the community was responsible for a specific task, according to the internal hierarchy.[151] Beneath the abbess, black veil nuns were organized by their years of experience, wealth, and status and were elected to administrative positions. White veiled nuns were lay sisters who participated in prayer, but did not have the same liturgical responsibilities. Next, the many servants and slaves who were primarily mestiza, Indian, or African, observed the minimum of religious services, and were responsible for physical labor.[152] While nuns generally handled the day-to-day management of the convent, all convents were ultimately subject to the bishop or archbishop.[153] Nuns were technically separated from their families after profession, but

scholars have illustrated that this was not always the case in practice. Because many came from upper-class families, nuns and their respective convents were highly connected to the colonial elite, and colonial convents could serve many functions. In addition to being religious centers, they also lent money, rented land, and used their connections to influence local politics.[154]

Translating Gender in the New World

The establishment of the Mexican Church occurred during a period of change in Spanish Christianity. The institutional structure of the secular church was settled in New Spain soon after the closing of the Council of Trent, and secular clerics were eager to implement the new Tridentine decrees. However, this was also a period of Catholic renewal, as different quasi-religious groups inspired Catholics to expand their notions of spirituality and religious ritual. Both forces of reform and renewal, as well as circumstances unique to the colonization process, would influence women's roles in colonial religion significantly.

As discussed in previous chapters, Spaniards conceptualized colonization as simply transferring their social organizations and institutions to the New World. The capital of New Spain, Mexico City, was built in the image of Western civility and local Spaniards emphasized the ways in which it rivaled the grandest cities in Europe.[155] Since the *Reconquista*, convents were typically found within cities, which was further reinforced by Tridentine enclosure laws. Convents were established in New Spain to symbolically anchor the colony within traditional Spanish culture. They served as a symbol of a city's piety, as well as marked the wealth of the urban elite.[156]

Maintaining traditional cultural norms and recreating religious institutions like convents were a way to secure Spanish society within the insecure colonial setting. For example, Mexico City was quite literally built on top of previous indigenous religious centers, and "the image of [nuns'] Marian purity represented Spain's providential mission."[157] As previously discussed, Spaniards, like most contemporary Europeans, conceptualized the Americas in both secular and religious terms. Many secular and religious authorities believed the New World was a sacred space, where the better aspects of European society and religion could be transmitted in its purest form.[158] Spaniards also attributed their success in conquest to Divine providence, and the spiritual potential of the colonial space was influenced by the success of native conversions.[159] However, both secular and religious authorities feared that colonial Spaniards could be influenced by the many "unorthodox" forms of spirituality that existed in these heterodox communities. This meant Christian orthodoxy needed protection, and a way to protect it was by establishing ideally pure religious institutions like convents and the Inquisition. The Holy Office of the Inquisition was officially established in New Spain in 1571. As in Spain, the Mexican Inquisition enforced the decrees of the Tridentine Council, and monitored religious practices of both clerics and laymen.

"Protection" was a common theme in contemporary discussions of colonial religious institutions, even more so in discussions of convents. These sentiments were repeated throughout Carlos de Sigüenza y Góngora's writings on the Real Convento de Jesus María, founded in Mexico City in 1580. Published in 1684, scholars emphasize how Sigüenza y Góngora's *Parayso Occidental* illustrated the "gestación del patriotismo criollo" in Mexico centuries before Independence in the early nineteenth century.[160] For Sigüenza y Góngora,

who was born in Mexico City, the convent of Jesus María was a shining example of *criollo* piety and the women who lived there contributed to the Spanish "experiment" to create a "paradise" in the colonies.[161] As *criollas*, or American-born Spaniards, they were examples of *criollo* piety, and as nuns, their prayers and penitence served the lay community.[162]

"Protection," therefore, applied to convents in several different ways. First, per the tradition, convents were a sanctioned space for the protection of feminine virtue. As listed in its foundation documents, the reason for licensing the Real Convento de Jesús María was the perceived need to "collect and remedy the daughters and granddaughters of the discoverers" for the sake of their virtue and honor.[163] As one of the few convents to receive royal support, the convent of Jesús María was given funding to construct a new convent with the hope that they could increase the nuns' numbers.[164]

Second, the founders of the convent of Jesús María also claimed that the convent could protect the city's "hijas y nietas de los primeros conquistadores" from marrying "hombres de inferior calidad."[165] By giving daughters of "clean" Spanish families the option to take the veil, it protected the general "blood purity" of the colonial Spanish community. Third, the nuns served as examples of Christian orthodoxy and thus protected orthodox practice within the religiously heterodox communities.[166] Finally, nuns' prayers and penitence helped to protect the souls of the Christians living in the colonial city.

Nuns were never totally isolated, however, nor were they exempt from wider social expectations. This is evidenced by the highly structured relationship between nuns and their male confessors. Recording nuns' spiritual experiences were based in deeper hagiographic traditions, but the climate of the sixteenth and seventeenth centuries increased pressures on nuns to provide "proof" of their religious experiences. As discussed at the beginning of the

chapter, the hagiographies of Mexican nuns have been studied by many scholars.[167] These scholars have revealed that both female religious and their confessors negotiated control over their intellectual contributions during the writing process. Female religious were told to document their religious experiences, and male clerics would then edit these writings in order to provide spiritual models for their communities. While this can frustrate scholars searching for the voices of their female subjects, this literature reveals how gender shaped religion, and vice versa.

Modesty was considered an important feminine virtue, so a common strategy of female religious writers was to emphasize their humility. Self-deprecation allowed nuns to speak freely about their experiences with the Divine without overtly challenging proscribed gender norms.[168] The writings of Augustinian nun María de San José (1656-1719) are one example.[169] María de San José was born in Tepeaca, a small town outside of Puebla, in 1656, and entered the Convent of Nuestra Senora de la Soledad in Oaxaca in her early thirties.[170] While she had a calling for religious life from an early age, her journey to the cloister was met with several obstacles.[171] In her *Vida*, she discussed her struggle with writing and attributed what she did accomplish to Divine intervention. "Yo no puedo ni es posible el saberlo hacer…Señor, para ti no hay imposibles, puedes hacer todo lo que quieras y asi bien puedes hacer que yo obedezca en saber escribir…Así lo hizo Su Majestad…"[172] María de San José described her writing as a type of out of body experience, where something else, whether Divine or her innermost soul, directed the words on the page. "Todas suelo pensar y traer a la memoria lo que he de escribir; y cuando tomo la pluma para escribir lo que tengo ya pensado, y sin saber cómo ni de qué manera, se me borra de la memoria, y pongo otra cosa muy diferente, que yo no había pensado, y que tenía olvidado."[173] Emphasizing Divine

intervention served to both justify her intimate spiritual experiences, and maintain her modesty, as someone being acted upon rather than her acting alone.

With traditional convent profession only available to white Spanish women, non-Spanish women were largely relegated to alternative, unsanctioned, or quasi-religious roles. *Beatas* were the most likely to be recognized by the Church. Typically associated with a specific mendicant order, Spanish *beatas* were active participants during the early stages of the colonization of Mexico, but were pushed from the process with increased pressure for religious enclosure. The emphasis on enclosure did not always impact the roles of *beatas* in the same ways, however. Church officials often viewed them with suspicion because they were less tied to the cloister. They were, therefore, harder to control and their connections to the secular world could undermine perceptions of their religious purity. However, their mobility allowed them to serve various functions within colonial society: their prayers served the spiritual health of their community, while their charity and education of the laity served the communities more secular needs.[174] Therefore, they continued to be common fixtures in New Spain despite church suspicions.

The basis for much of church suspicions of quasi-religious women like *beatas* stemmed from the Church's inability to control or regulate their spiritual practices. Female expressions of piety were considered potentially dangerous because of traditional notions of women's connection to God. Since the patristic age, consecrated women were considered naturally more sensitive to the Divine because of their affinity for emotion rather than reason. Therefore, women were believed more likely to experience prophetic visions and revelations than men. While female mystics could gain recognition for their abilities, persistent gender stereotypes could also undermine their spiritual authority. Regardless of their abilities,

women still carried the sin of Eve which made them equally susceptible to temptation, and because of their purity, female religious were believed to be likely targets of demonic possession. For example, women's visions were far more likely to be investigated by the Inquisition, as Inquisitors and male clerics studied mystic visions to determine their spiritual validity. Unfortunately, for most women the final verdict was not positive. In many of the charges against female mystics in both Spain and the American territories, Inquisitors feared that what women believed to be direct connections with God were actually contact with demonic forces. This was one of the reasons why the Church feared more extreme *recogimiento* practices of religious women. *Recogidos* practiced sensory deprivation and self-denial to allow them to commune with God, but the soul was also vulnerable to more malicious entities while in this state. Female *recogidas* were believed to be in considerably more danger than males. The notion of "purity," therefore, remained a paradoxical virtue for female religious within Christian theology.[175] A woman's purity could both absolve and condemn her: her purity made her more sensitive to Divine will, but also a greater target for evil. Her purity was something that required protection through strict enclosure, but because it was so private, it was never truly devoid of suspicion.

Mysticism and other forms of unorthodox Catholicism served an important role in colonial religion, specifically among the female population. *Recogimiento*, or recollection, was practiced by the Franciscans as early as the late fifteenth century and persisted through the sixteenth and seventeenth centuries.[176] As discussed above, its popularity among religious men and women rose tremendously during the Catholic renewal of the sixteenth century.[177] Likely in response to the rise of Protestantism, new trends in Catholicism emerged which advocated more internal spirituality and direct connection with the Divine. Many early

modern Christians were disillusioned with a theology based on increasing degrees of separation between themselves and Christ, and they found little in common with wealthy clerics and formulaic Latin observances. Religious groups, like the *Alumbrados,* became popular in Spain during the first decades of the sixteenth century, because they offered an alternative type of spirituality. Mary Elizabeth Perry argues that this supported a "feminization" of religion, as women could gain recognition out of their "familiar simplicity."[178] Mysticism also allowed female religious the ability to connect with God without male interference. Prophetic visions and revelations were not experienced through a male intermediary, but given to women personally by God. The rise of mysticism increased the visibility of female devotion and many female mystics were widely revered for their piety in both Iberian and Spanish America.

The case against Spanish *beata* and alleged *Alumbrado* María Cazalla in 1532 is one example.[179] Cazalla was born to a middle-class *converso* family in Andalusia. She was the wife of Lope de Rueda, a rich merchant in Guadalajara, and the couple had several children before María was introduced to the *Alumbrado* group's leader Isabel de la Cruz.[180] After the edict of faith against the *Alumbrados* was released in 1525, Cazalla was one of the few to come forward and denounce herself to the Inquisition; her case would not be reviewed until April 1531. Cazalla was initially charged with saying that Isabel de la Cruz had more authority than St. Paul or the other saints, that during sex with her husband she was closer to God "than the highest prayer," that she despised virginity, and that she did not feel much love for her children.[181] The charges would grow as the trial progressed, however; some of the more notable allegations were her alleged critique of holy pilgrimages, her refusal to observe all of the rituals during Mass, and preaching her own interpretations of Scripture.[182] For

example, cleric Diego Hernández testified that María had once told him that she doubted the piety of the monasteries, and she would rather her daughters "be whores than nuns."[183]

Cazalla's confession had been recorded in March 1525 in her initial response to the edict of faith, and it was read before the tribunal in May 1532. She confessed that she had desired "to see God without veils and without [her] body," but denied being an *Alumbrado*.[184] María's trial record is an important source not only for its incredible detail, but also for what it reveals about extant discourses of female piety, and its connection to female sexuality. Like most Inquisition trials, the charges brought against María Cazalla were by individuals who were also facing charges by the tribunal, so it is difficult to know for sure if María actually made these statements. That being said, witnesses knew that certain comments would increase suspicions against Cazalla and direct attention away from themselves. Cazalla had allegedly questioned the sanctity of virginity and the deeper connection between husband and wife, and mother and child. According to the cult of Mary and the official Church, these were the only "sanctioned" ways for women to achieve Christian piety. The powerful nature of these proscribed gender norms is what made Cazalla's alleged heresy so salacious.

María also used these gender norms in her own defense. She denied having made the comments about sex and prayer, and claimed that her children was taken out of context. She said that she had asked her confessor if it was possible to conceive children without delighting in sex, which she did not. She remarked that when she was "tempted by the flesh" and engaged in sex with her husband, she focused on prayer, or "some step of the Passion or the final judgement."[185] As discussed above, female religious and their confessors could illustrate their purity by emphasizing how they avoided contact with men or was repulsed by

sex. Throughout her trial, María discusses how she overcame temptation through her internal faith and study of Scripture. In the end, María received a relatively light sentence; she had to publicly renounce her heretical statements, and was fined 100 ducats.[186] Her sentence was considerably light in comparison to group leaders Isabel de la Cruz and Pedro Ruiz de Alcaraz who were sentenced at an auto de fe and imprisoned, but even they were not imprisoned for long. By this time, the Inquisition was preoccupied with the spread of Protestantism, so less attention was paid to the *Alumbrados*.

However, church apprehension of the Alumbrados and female mysticism was not limited to the peninsula. For example, in Mexico City in 1598 *beata* Doña Anna de Guillamas, or Peralta, was tried by the Inquisition as an Alumbrada.[187] While the inquisitors acknowledged her pious reputation within the community, they were shocked by some of her alleged comments about church practices and clergymen. Thirty-three year old Anna was described as "muy altiva y arrogante" and was reported to have said that the confessors were "idiots" and that she confessed to the Angels instead, and that the "road to perfection" was not through discipline and penitence, but through the love of God. She was also suspected of conversing with the Devil.[188] While Anna denied most of the charges, she defended her belief in an individual connection with God and her own revelation experiences.

The vida of Isabel de la Encarnación (1594-1633) provides another colonial example of female mysticism. Her life offers insight into nuns' mystical abilities, as well as the perceived dangers of such practices. Unlike María Cazalla, Isabel was a nun. She had professed as a nun at the Convento de San José in Puebla de Los Ángeles, which was the first convent of Carmelitas Descalzas founded in America in 1604. Born in Puebla de Los Ángeles on November 3, 1594, she was the daughter of a "familia españoles, cristianos

viejos, y limpios." She was later revered for her devotion to religious observance at a very early age. At age eight, she had visions of Heaven, Purgatory, and Hell, and by age ten, she already practiced long periods of meditation and prayer.[189] At age nine, she dreamed of the nuns of the convent in Puebla and was convinced that it was a sign that she should take the veil.[190] Her parents were initially against it, however. Like many parents who disagreed with their daughters' profession, they had already considered her betrothal. Isabel adamantly refused and they eventually accepted her wishes; she entered the convent as a novice March 1613, at age 19.

Isabel de la Encarnación was revered for her moral virtues, but gained wider recognition for her experiences with *demonios* and the *innumerables tormentos* that she suffered.[191] She told her confessor, Miguel Godínez, how she was physically tormented by demons for a period of six years; she endured their constant attacks on her eyes, ears, head, and throat.[192] It was also believed that Isabel could experience the miseries of Purgatory and intervene on behalf of trapped souls.[193] She told her confessor that she had a vision of a "persona religiosa" who had been sentenced to Purgatory because she had failed her vow of poverty and other responsibilities, but through the prayers of her and the other nuns, the sentence was ultimately lifted.[194]

An important aspect in Isabel's vida was her physical and mental suffering. As discussed earlier in the chapter, clerical suffering was considered an emulation of Christ's suffering, and was a sign of their piety. Women's spiritual biographies traditionally emphasized the physical and mental suffering of female religious, and how that suffering brought them closer to God. Isabel's confessor argued that like "Job, San Antonio, padre de los ermitaños, la santa doña María Vela" Isabel's suffering was proof of her piety.[195] Isabel

was not simply a passive recipient of these tortures, but actively sought out ways to test herself spiritually. For example, she was the one who originally asked God for the ability to experience Purgatory. Also, like most female religious, she practiced self-mortification, fasting, and other methods of self-deprivation. Marina de la Cruz (1536-1596), a nun from the convent of Jesus María in Mexico City, was admired for her relentless dedication to self-mortification. Marina's journey to the convent had been different than her virgin sisters, however. She had been married and widowed twice, and her one child had died from a mysterious illness at age three. She had shown signs of intense religious devotion at an early age; she had been taught the basic aspects of *recogimiento* by her mother.[196] Only on her deathbed did she finally consent to the removal of *los instrumentos de tortura* from her body.[197] She had fashioned spiked chains from her chest to her arms and legs which ultimately had to be cut from her body.[198] The lives of Isabel and Marina illustrate how women's expressions of piety were highly influenced by a combination of ascetic and mystic practices, which advocated connection to the Divine through manipulation of their physical bodies.

Scholars continue to disagree on the implications of body mortification and extreme deprivation. Caroline Bynum illustrates how medieval female mystics used rituals in self-denial and penitence in their quest for spiritual transcendence.[199] However, Bynum's interpretations have been criticized for being too apologetic, and for assuming that women had an inherent propensity to conceptualize religion via their own bodies. Since her work, most scholars have been more interested in how female body mortification reinforced patriarchal gender norms.[200] The majority argue that extreme asceticism ultimately gave male clerics control over the bodies of female religious. However, as Barbara Diefendorf points

out, these recent interpretations tend to dismiss female choice.[201] As discussed above, extreme penitence and self-denial had been a fundamental component of Christian asceticism since the patristic age.[202] Female religious, regardless of the time period, knew this history and made decisions based on prevailing theology rather than the mandates of male clerics alone. They were participating in a tradition that was much larger then themselves. Scholars have also questioned if religious women's self-doubt is reflective of internalized gender norms: women internalized the belief that they were more likely to be deceived than men, so they deliberately implicated themselves for insincere spiritual experiences. While this may have been the case, it also seems likely that both men and women who practiced *recogimiento* were likely to experience doubts about their spiritual experiences due to the nature of increasingly individualized religious practices.

Female religious in colonial New Spain also had to negotiate patriarchal gender norms and proscribed notions of Christian piety. The colonial church was organized along similar gendered lines as in Iberia: male monastics were not cloistered but proselytized the Indians, while female religious influenced society from behind convent walls. As in Iberia, nuns in New Spain were considered the embodiment of female Christian piety, and their prayers and penance served the spiritual health of their larger communities, and they served as examples for lay Christian women. However, colonial Mexican society had an additional layer of social stratification which derived from perceptions of race and ethnicity. As illustrated in the previous chapter, Spanish notions of race were influenced by the cultural memory of social hierarchies shaped by religious difference. Therefore, typical signifiers such as "Old Christian" and "New Christian" were used in the Spanish colonies alongside perceived racial differences, which together influenced notions of *limpieza de sangre*, or

blood purity.[203] The status of colonial men and women was also influenced by proscribed gender norms, typically expressed in degrees of honor.[204] Female religious, whether living within or outside the cloister, were also part of this complex social system and thus subject to the same social expectations.

The complex intersection of race, class, and gender influenced colonial perceptions of Christian piety, just as colonial notions of Christian piety shaped perceptions of race, class, and gender. This perspective sheds light on the question posed at the beginning of the chapter: why did the church limit profession for non-Spanish women? While most studies have focused on the late colonial period, scholars have illustrated that the convent was not immune to circumstances outside the cloister.[205] Nuns upheld wider conceptions of race and class, and the social hierarchy within the convents was organized according to the same social parameters as secular society. According to Asunción Lavrín, "the exaggeration of the qualification of purity of race and legitimacy of birth left an indelible mark" on the convents in Spanish America.[206] Only Spanish women from racially "clean" families were allowed to take vows of profession and become full-fledged "black-veiled" nuns. Indian, black, and *casta*, or mixed race, women typically served as servants.[207] It seems that the racial restrictions for white veiled nuns, or lay religious sisters, were less stringent, but they tended to be lower-class Spanish women or mestizas.

While a convent for Indian noblewomen was eventually founded in New Spain in 1724, this was not the case for Afro-Mexican women. As discussed in the previous chapter, Spanish perceptions of African and Afro-Mexican Christian piety was influenced by several factors: the institution of slavery, limited clerical interest or ability to proselytize African slaves, and the racial stigma this created in free blacks and mulatos. However, it is also

important to consider how gender influenced African relations with the Church. Gonzalo Aguirre Beltrán calculates that one-third of all slaves imported to Mexico were women. He estimates the life-span of a male slave under hard labor was about fifteen years, while the average life-span of a female slave was twice as long. Therefore, the typical ratio of slave men to women was two to one.[208] In comparison to the missionary effort for the Indians, clergymen paid considerably less attention to African slave conversion; however, slaves were baptized once they reached the colonies.[209]

Scholars like Herman Bennett have theorized that slaves could use their Christian status to secure their own autonomy.[210] Other scholars have argued that the institution of slavery and the resulting racial hierarchy determined female slave experiences far more than contemporary gender norms, specifically in regards to their relationship with the colonial church.[211] Both slave men and women could find themselves facing blasphemy charges by the Inquisition, which has been interpreted as another form of slave resistance; slaves could denounce the physical abuse and negligence of their masters to the Inquisition on the basis of Christian morality. [212] Joan Cameron Bristol argues that both black slave women and white female owners presented themselves as "good Christian women," and both could manipulate Christian morality to their advantage.[213] The Church recognized that slaves could be Christians, but that status was still ultimately defined according to the colonial racial hierarchy.[214]

Like Indian women, Afro-Mexican women faced the additional obstacle of their racial status. The *vida* of black slave Juana Esperanza de San Alberto of the Carmelite Descalzas Convento de San José in Puebla is an example.[215] Her *vida* was written in 1780 by Juana de Jesús María, a nun at the convent who had known Esperanza for over thirty years.[216]

Esperanza had been brought to Mexico as a slave at the age of five or six. Her *vida* claims that she, along with her younger sister, were sold to widow doña María Fajardo. Doña María later took the veil in the convent of Carmelite Descalzas in Puebla in 1611. After doña María's death, all of her goods, including her slaves, passed to the convent.[217] Although the discalced Carmelites were not allowed servants, the nuns were allowed to keep Esperanza for a short time. When that period ended, Esperanza asked to remain in the convent, and the prelates gave her permission to continue living there as a servant.[218] Many years later, in 1678, she fell deathly ill and was given special permission by the bishop to profess as a nun; she died a year later. As Joan Cameron Bristol noted in her analysis of Esperanza's *vida*, the writers emphasized Esperanza's "blackness" for a number of reasons.[219] First, they emphasized that Esperanza's piety was exceptional to her *calidad*, which recognized the traditional racial stigma against blacks symptomatic of the institution of slavery. Second, as Esperanza's *vida* was part of a larger history of the convent, her ability to overcome the spiritual "handicap" of her race was a testament to the sanctity of the convent itself.[220]

For example, the writers emphasized that her piety was largely thanks to her denigrated racial status and her life as a servant.[221] They recognized that Esperanza was automatically considered less pious than her white owners because of the color of her skin, "el color negro que le dio la naturaleza en el cuerpo," but through her time at the convent, she developed incredible virtue, specifically humility.[222] Juana de Jesús María exalted her modesty and obedience; Esperanza would only speak when necessary and even when she was treated badly or falsely accused of bad behavior she resigned to keep her silence.[223] It was learned later that she had practiced mortification and penitence in secret during for many years, and she gave food to the poor and cared for the sick even to the detriment of her own

health.[224] The writers mentioned that although the nuns valued her humility and solace, they still related to her in regards to her *calidad,* and it is clear that Esperanza was aware of the racial stratification. Two visitors to the convent had asked Esperanza if she had professed, because she observed many of the same practices, and were surprised to hear that she was not a nun. The prior of the convent then presented the matter of her profession to the other nuns and male prelates. When asked if she would take the veil, Esperanza responded, "Madre, no me atrevo, ni tengo valor para eso."[225] The dean visited the convent and asked her again if she would profess and again she refused, but agreed to take the veil on her deathbed.

Esperanza's race impacted her religious devotion in different ways. It was believed that her life as a slave instilled the virtues of humility and obedience, which were listed in most profession vows. However, her slave status also meant that she had not felt comfortable practicing mortification and penitence openly.[226] While her religious observance was admired by the other nuns, the writers noted that she had performed them without formal training, or knowledge of the teachings of Teresa de Jesús or Scripture, which inherently undermined her abilities in comparison to trained, literate nuns.[227] They applauded her religious zeal, but the writers denigrated Esperanza's abilities by portraying them as a copy of nuns' practices, while her emulation attested to the nuns' impactful example. Furthermore, the writers took care to emphasize virtues that did not challenge Esperanza's slave status. Emphasizing her silence and her unwavering obedience, Esperanza's piety also became a symbol for the "proper" traits for a servant or slave.

Carlos de Sigüenza y Góngora echoed similar themes in his descriptions of the lives of two Indian *donadas*, or individuals who could take simple vows, served the convent, but never left the cloister, Petronila de la Concepción and Francisca de San Miguel.[228] Petronila

de la Concepción was born south of Mexico City in Xochimilco, the actual date of her birth and the identity of her parents were unknown. At the age of ten or twelve, she traveled from her home to the capitol and asked to enter the convent of Jesús María as a servant.[229] She became very close to nun Maria de la Concepcion, and developed what Sigüenza y Góngora called an *amistad particular*, or special friendship. Their relationship was a problem, however. In danger of more than idle gossip, it was believed that their relationship could potentially undermine their religious devotion.[230] For example, Petronila prayed to God to help her end the relationship, and, she claimed, that in that moment the image of Christ extended his hand and touched her heart, passing to her the fire of divine love.[231] Her visions would aid her more than once during her life at the convent. After leaving for a short due to illness, she did not feel welcome when she returned, and feeling slighted she went to the church to pray. Once she entered the church, she had a vision of the "Virgen María Nuestra Señora acompañada de Santa María Magdalena, y Santa Catalina" who told her, "no te aflijas, ni llores por lo que te ha pasado, vuélvete a la portería, que yo te aseguro el que te reciban."[232] Like Esperanza, the nuns exalted Petronila's silence and her "condición muy pacífica," or peaceful nature. She spent her life serving the convent and praising penitence and prayer. The *vida* does not mention any formal training, but she was believed to have gained considerable skill at recogimiento, losing her sensory ability for extended periods during her meditation.[233] She died in 1667.

Francisca de San Miguel was an Indian woman born in Mexico City. She was humble, penitent, and practiced regular mortification and fasting. She also had the gift of prophecy. Francisca became obsessed with the idea of owning an image of the crucifixion. However, as Sigüenza y Góngora remarked, she was "Indian, retired in a convent, and did

not care about anything other than her spiritual life," so she was too poor to afford one.[234] One day, three Indian men dressed in white came to the convent carrying a life-size image of Christ on the cross.[235] With "polite words" they asked that it be delivered to Francisca de San Miguel. Francisca and the other nuns were so astonished by the tremendous gift that they forgot about the messengers, who had mysteriously disappeared.[236] As in the story of Esperanza, the *vidas* of both Indian women emphasized their humility and poverty and their exceptional religious devotion despite their race. The fact that Sigüenza y Góngora acknowledged Petronila's spiritual abilities is interesting, however. His description of her meditation practices were not imbedded within traditional racial stereotypes, but he openly recognized her power of sensory transcendence and her ability to commune with Christ. As illustrated throughout the chapter, this was considered an important skill for any female religious. Unlike Gómez de la Parra's writing on Esperanza's practices, Sigüenza y Góngora did not point out the fact that Petronila had likely received less formal education than the professed nuns, nor did he imply that she was merely emulating their practices. As other scholars have argued, Sigüenza y Góngora's recognition of her spiritual abilities was most likely to support his overarching argument, which was to illustrate Mexican religiosity. By emphasizing the "success" of native conversion, it would in turn further bolster the religious piety of *criollo* Spaniards.

This is not to imply that all non-Spanish women, or Spanish women for that matter, desired to take the veil. As explained in the previous chapter, Christian conversion cannot be conceptualized as one-directional nor can we assume sincere conversion even happened. The introduction of Christianity into the diverse American populations was a complex, and imperfect process, where both Christianity, native religions, and African spirituality all

existed within the same space. As elsewhere, colonial Mexicans navigated these different systems of power, and made their own religious decisions. That being said, it is important to consider the implications of proscribed notions of "sanctioned" and "unsanctioned" forms of spirituality, as gender also played a crucial role in this division. Non-Spanish women could take religious vows as *beatas*, but these roles were typically filled by Spanish or mestiza women, and non-Spanish women's "unorthodox" spiritual practices were often met with suspicion by religious authorities and were likely labeled as witchcraft. As illustrated above, labels such as "good" and "bad" Christian were closely linked to other forms of identity like race and gender. Perception of a woman's femininity could either by aided or hindered by perceptions of her piety; a pious woman was chaste, obedient, and modest and thus a model of femininity, while an impious woman was considered to lack these traits.

Cases against Indian and African witches have been aptly studied by many scholars. For example, in Laura A. Lewis's work on Inquisition witchcraft trials she illustrates that the practice and procurement of witchcraft created a space where all three races interacted.[237] Witchcraft, both abusive and curative, was seen as the sole domain of Indians, and Afro-Mexicans, both free and enslaved, and mestizos served the role of intermediaries between the dominant Spanish group and subordinate indigenous peoples. Lewis uses *mirrors* to signify the two forms of power between Indians and Spaniards: the "sanctioned" authority of Spaniards, their subordinated Indians, and the higher-ranked castas on the one hand, and the "unsanctioned" authority of native witchcraft.[238] Into the eighteenth century, Spaniards and mestizas could use church anxieties over native "witchcraft" to divert inquisitorial suspicions, even if they were guilty of using these remedies. For example, in January 1716, in the pueblo of Zacualtipán, two mestizas, Sebastiana Ruiz and her sister Petrona, were

reported to the Inquisition for practicing witchcraft.[239] Sebastiana had allegedly admitted to cursing her sister's husband Miguel, while Petrona had used magic against another woman in the town Michaela de Morales the previous December. The women confessed that they had consulted two Indian women, Maria Baptista and Angelina Maria, who had given then supplies and taught them the incantations. One of the accusers, Mateo Rodriquez, corroborated the sisters' story, claiming that "la india Maria era la maestra de todos las dichas mestizas."[240] Petrona's husband was also charged for allowing the women to carry out magic in his home, but he also emphasized that while Sebastiana and Petrona were not innocent of witchcraft, Indian Maria Baptista was the real *hechicera*.

However, as other scholars have illustrated, African and Afro-Mexican women were also likely to be suspected of practicing witchcraft, facing suspicion even if the "magic" was curative. For example, in Guadalajara in March 1686, a single, free mulata woman named Michaela de Ibarra was investigated by the Inquisition for practicing curative magic; most of the witnesses who testified had been her clients.[241] She had used herbs, as well as more "unorthodox" methods like simple spells and rituals to heal pain and lift fevers for men and women in the pueblo.[242] The witnesses admitted that her methods may have been "unsanctioned," but they attested to her abilities. Michaela's abilities and her authority as a healer were no doubt why she initially caught church attention. Michaela's case encapsulates many of the underlying fears felt by the colonial church, as well as Spanish hegemony. As a mulata, she was an example of Spanish and African racial mixing. As an independent single woman, she challenged traditional patriarchal gender norms. Furthermore, the fact that she had gained recognition as a healer meant that she also challenged traditional spiritual, as well as medicinal, authorities.

In this way, church attempts to police unorthodox spirituality had contradictory results. While many colonial Mexicans may have recognized these practices as "unorthodox," thereby supporting "orthodox" spirituality as the norm, church fears of these methods did not undermine perceptions of their powers, but, in many ways, only heightened them. By condemning witchcraft and prosecuting witches, Inquisitors inherently recognized their capabilities. However, due to prevailing racial stigmas, non-Spaniards, specifically Indians and those of African descent, were more likely to be labeled "practitioners" while Spaniards and mestizas were the "procurers." For example, in August 12, 1598 Anna de Medina and her daughter Mariana de Espes were brought before the Inquisition in Mexico City for suspicion of "supersticiones y hechicerías."[243] The women had allegedly attempted to sell Juana Baptista, a Spanish woman in her early thirties, some special "powders" that would "trajese a su voluntad a cual quiera hombre que quisiese."[244] As single women, Juana had lived with Anna and Mariana in a "casa de repartimiento," prior to reporting them to the Inquisition. Anna and her daughter had been taken care of by friends after Mariana's marriage ended, but had recently fallen on hard times, so they sold the powders to support themselves financially.

While the racial statuses of the defendants were not specified, Baptista used racial discourses in her testimony against them. She said that Mariana and her mother had befriended a group of women skilled in sorcery: "una morisca gran hechicera y una malata casada y dos mulatas esclavas de un clérigo gordo y rico." She added that within months of befriending these women Anna and Mariana began selling the powders to others. In this way, Baptista attempted to bolster the validity of her accusations by emphasizing Anna and Mariana's connections with groups believed to be "prone to heretical practices:" Muslim

converts and Afro-Mexican women.[245] The women's vulnerability as "single women" also runs throughout Juana's testimony. Also a woman of limited means, Baptista could sympathize with their need to make money, even if illegally, but their success could also inspire jealousy. Baptista repeatedly denounced how wealthy the two women had become from their "unorthodox" business, which may have inspired Baptista to report them.

Witchcraft and other unorthodox spiritual practices challenged the colonial hegemony because clerical fears of these practices acknowledged their potential spiritual power. However, this case also illustrates how colonial men and women understood and navigated proscribed gender norms. The alleged witches challenged traditional gender norms by not only gaining financial independence, but by selling products believed to give women power over men. As a representative of patriarchal authority, male inquisitors investigated these practices and interrogated female witnesses and defendants. The female witnesses then testified against the witches' wrongdoing, while simultaneously emphasizing their own femininity in order to avoid suspicion. Concepts of race and religious belief are also present throughout the case. By calling Anna and Mariana "malas cristianas," or bad Christians, Baptista and the inquisitors denigrated their femininity, and by emphasizing their association with moriscas and mulatas it strengthened the evidence against them.

Conclusion

The purpose of this chapter has been twofold: to understand how gender impacted Christian notions of piety and how these traditional notions were altered once translated to New Spain. Throughout the centuries, female religious had to negotiate their own understandings and expressions of Christian piety according to patriarchal gender norms.

There is evidence that these women both internalized and manipulated these gendered expectations, and actively participated in the expansion of traditional Christian spirituality. Both religious and lay women were taught to emulate saintly examples like the Virgin Mary, and her chastity, modesty, obedience, and silence became the required virtues. Spaniards brought these gender norms with them as they travelled to, and settled in the New World.

As explained, many clerics believed during the first stages of colonization that the Indians could not only be converted to Christianity, but could actively participate in that conversion process, via religious ordination. Men like Toribio Motolinía, Bernardino de Sahagún, and Gerónimo de Mendieta had learned that Indian women had served their traditional religion and taken vows of chastity and thought that they could take similar Christian vows. Indian women also illustrated that capacity by helping in the conversion of their communities. However, the religious status of Indian and Spanish *beatas* decreased as the colonial population grew, and wider sixteenth century church reforms emphasized enclosure. As more Spaniards immigrated to New Spain, ecclesiastic attentions focused on recreating convents similar to those in Spain. The creation of Spanish convents reinforced an image of female piety that was decidedly white and upper-class, which undermined clerical perceptions of non-white female spiritual capacity.

Since the rise of Christian asceticism, women could "prove" their piety by maintaining their chastity, but their sexuality purity was inherently insecure. In this way, the concept of chastity was a paradoxical virtue for religious women: women who protected this virtue were considered exceptionally pious, but the vulnerable nature of chastity and women's "sinful nature" justified male interference and control over religious women. For example, upper-class, racially "clean" Spanish laywomen were highly monitored and

enclosed in order to maintain the community's perception of their virginity. Nuns were no different, as strict enclosure laws were meant to further "protect" them from secular influences and thus maintain the perception of the convent's sanctity. This virtue would be just as contradictory in cleric discussions of non-Spanish female piety. As illustrated by the quote at the beginning of the chapter, early male clerics were shocked by the chastity and modesty of indigenous women. However, most would ultimately use chastity as their main argument against Indian female profession. Many religious and secular clerics did not question the belief that natives as a whole were prone to lust, and lacked the "civility," therefore, native women could not serve as nuns, who were the models of feminine virtue. Like all women, non-Spanish women carried the weight of the original sin of Eve, but it was then reinforced by their skin color. This "double" subjugation denigrated non-Spanish female piety, which undoubtedly left many disillusioned with Christian spirituality and inspired some to practice "unorthodox" methods.

As illustrated throughout the chapters, the Catholic Church and its related clerics and institutions were not above, or separate from, the societies in which they operated, but highly influenced by them. This is further illustrated by the fact that colonial conceptions of *calidad*, impacted traditional notions of female piety in New Spain. While some non-Spanish women were recognized for their Christian virtues in the early colonial period, their piety remained tied to characteristics considered "natural" to their race. For example, as male confessors emphasized Spanish nuns' purity in their personal experiences with God, they emphasized the silence, obedience, and passivity of exceptional Indian or Afro-Mexican religious women. These careful assessments of non-Spaniards illustrate how clerics adhered to wider social norms. Officially recognizing non-Spanish female piety would have severely

challenged Spanish hegemony. Acknowledging non-Spanish women's equal capacity for religious devotion would have undermined the image of Spanish women's purity and the status of the all-Spanish Church. In a sense, the risks in officially recognizing native female piety were greater considering their "double" subjugation. If Indian and Afro-Mexican women could achieve the same religious status as Spanish women, then why not Indian and Afro-Mexican men? It would be several centuries later that Indian women were officially allowed to profess as nuns; the first convent that was specifically founded for Indian noblewomen was the Franciscan convent of the Order of Saint Clare, Convento de Corpus Christi, in 1724; while poorer Indian and Afro-Mexican women remained marginalized.[246]

Conclusion

The preceding chapters examined the many ways that the Spanish Catholic Church was impacted by the process of Spanish colonization in the Americas, and illustrated that, while Spaniards brought their traditions and customs with them to the New World, they were forced to alter many of them once faced with the unique colonial circumstances. Therefore, these older traditions were altered, or "translated," from their earlier forms. By employing an extended periodization that incorporates medieval antecedents, historians can better understand this process of social, political, and religious translation, and what it can reveal about the unique characteristics of the Spanish American colonial society. It also challenges previous interpretations about the New World practices.

The Catholic Church, at both the institutional and local levels, was vital to Spanish colonization and exercised power equal to the colonial state within the Americas. Therefore, its interests, specifically in connection to internal and external threats, affected society in New Spain considerably. Chapter One showed that the *real patronato Español* had been constructed over centuries through layers of complicated jurisdictions and various royal and papal concessions. Beginning in the earliest stages of the Reconquest, compounding forces such as broad church reforms, various Holy Crusades, and issues endemic of the disparate Iberian kingdoms shaped the relationship between the Spanish church and the monarchy. Chapter Three dealt with a seemingly familiar challenge to church authority, the Mendicant Orders, but illustrated how the colonial circumstances forced the traditional relationship between the two religious intuitions to undergo tremendous changes. The resulting triple power dynamic both challenged and later reasserted the traditional religious hierarchy.

Mendicant privileges allowed them incredible authority in the early stages of colonization, which brought secular clerics closer to Spanish Crown in order to combat these privileges.

Scholars have traditionally interpreted the colonial church as a subjugated institution to the state, due to threats listed above, and as a tool in the pacification of the native populations. While this may have been true in theory, this interpretation ignores the plentitude of everyday influences that the church had in society once established in the Americas, as illustrated in cleric's roles in the construction of colonial notions of race and gender. Chapter Two examined the medieval foundations of the church's role in defining and constructing society in Spain. These traditional parameters for social inclusion and exclusion would be challenged by two different influences experienced relatively simultaneously: American discovery and the Protestant Reformation. Protestantism "threatened" Catholic authority in Spain and the Spanish Americas on multiple levels. By emphasizing Protestant foreignness, ecclesiastics separated Protestant heretics from the rest of the "pure" colonial Christian community that they had hoped to create in the New World, as well as from the vulnerable, newly converted native converts. Also, the cultural memory of the Reconquista served as a reminder of the extreme consequences of incursion by outside forces. By the height of the Counter-Reformation, Spain had solidified itself as a defender of Catholicism, and high-ranking ecclesiastics tried to protect this image, by delegitimizing Protestants by emphasizing their *outsider* status.

Incorporation of native and African groups also challenged the composition of the traditional social hierarchy. Spanish concepts of racial status and *limpieza de sangre* were rooted in medieval religion-based societies. However, religion also functioned to establish the boundaries of the racial categories and proscribed notions of piety influenced colonial

race relations. Therefore, religious concepts and practices were influenced by colonial circumstances and colonial circumstances were influenced by religious concepts and practices.

One of the primary goals throughout the chapters, has been to illustrate that historians cannot consider religion as separate, or above, the society in which it is practiced. Essentially, institutions like the church toed the line between both tradition and change. This conceptual framework recognizes seemingly contradictory opinions and actions taken by the Spanish American church, without losing sight of the complexities of colonial society. Spanish clergymen could not allow for native ordination without ultimately undermining the higher status of Spanish Christians. They also could not condemn slavery without losing their own slaves and alienating much of their Spanish parishioners who depended on slave labor.

This was no different in clerical debates over female piety. Officially recognizing non-Spanish female piety would have challenged Spanish hegemony, and undermined Spanish women's purity and the status of the all-Spanish Church. Furthermore, while upper-class, racially "clean" Spanish women could "prove" their piety via profession and virginity, many religious and secular clerics believed that native and African women, due to their race's "natural" traits, should not serve as nuns. Non-Spanish women carried the weight of the original sin of Eve, which was reinforced by their skin color. However, as Chapter Four and Five illustrate, native, African, and casta individuals could and often did use these proscribed notions of piety to their advantage. By emphasizing their piety, they could increase their status within the community, if only socially.

Understanding the role of the Catholic Church in the construction of colonial society in New Spain is not only important to the scholarship of colonial Mexico, but also to

considerations of race relations within other parts of the Atlantic world. Spain and Portugal began American colonization earlier than their European counterparts, therefore their experiences served as a type of model for later imperial expansion. The broader changes discussed throughout the chapters, such as medieval church reform, the rise of the mendicant orders, and the Protestant Reformation, were witnessed throughout Western Europe, albeit in different ways. Incorporating these earlier histories and the role of religion and religious discourses in the establishment of colonial societies, can reveal much about Atlantic colonization.

Introduction Notes:

[1] "Translate," *Oxford Dictionaries*, http://www.oxforddictionaries.com/us/definition/american_english/translate.
[2] María Elena Martínez, *Genealogical Fictions: Limpieza De Sangre, Religion, and Gender in Colonial Mexico*, (Stanford: Stanford University Press, 2008).
[3] In his study of eighteenth and nineteenth political behavior, O'Hara argues that Catholicism "served as both an integrative and divisive social force" because it created a broad inclusive community of Christian subjects and divided that community into countless smaller flocks. In this sense, O'Hara argues that throughout the colonial period religion created new social categories and modes of belonging that could both improve their place in society and constrain their behavior. Matthew D. O'Hara, *A Flock Divided: Race, Religion, and Politics in Mexico, 1749-1857*, (Durham: Duke University Press, 2010).
[4] William A. Christian Jr., *Local Religion in Sixteenth Century Spain* (Princeton: Princeton University Press, 1981).
[5] Robert Ricard, *The Spiritual Conquest of Mexico: An Essay on the Apostolate and the Evangelizing Methods of the Mendicant Orders in New Spain: 1523-1572*, trans. Lesley Byrd Simpson, (Berkeley: University of California Press, 1966).
[6] Jorge Klor de Alva, "Spiritual Conflict and Accommodation in New Spain: Toward a Typology of Aztec Responses to Christianity," in *The Inca and Aztec states, 1400-1800: Anthropology and History*, eds. George Allen Collier, (Renato Rosaldo, and John D. Wirth. New York: Academic Press, 1982); Nancy M. Farriss, *Maya Society Under Colonial Rule: The Collective Enterprise of Survival*, (Princeton, N.J.: Princeton University Press, 1984); Inga Clendinnen, *Ambivalent Conquests: Maya and Spaniard in Yucatan, 1517-1570*, (Cambridge: Cambridge University Press, 1988); Louise M. Burkhart, *The Slippery Earth: Nahua-Christian Moral Dialogue in Sixteenth-Century Mexico*, (Tucson: University of Arizona Press, 1989); David Tavárez, *Invisible War: Indigenous Devotions, Discipline, and Dissent in Colonial Mexico*, (Stanford University Press, 2013); Mark Z. Christensen, *Nahua and Maya Catholicisms: Texts and Religion in Colonial Central Mexico and Yucatan*, (Stanford: Stanford University Press, 2013) and *Translated Christianities: Nahuatl and Maya Religious Texts*, (Pennsylvania: Pennsylvania State University Press: 2014).
[7] John Frederick Schwaller, *The Church and Clergy in Sixteenth-Century Mexico*, (Albuquerque: University of New Mexico Press, 1987); William B. Taylor, *Magistrates of the Sacred: Priests and Parishioners in Eighteenth-Century Mexico*, (Stanford, Calif: Stanford University Press, 1996).
[8] Herman L. Bennett, *Africans in Colonial Mexico: Absolutism, Christianity, and Afro-Creole Consciousness, 1570-1640*, (Bloomington: Indiana University Press, 2003) and *Colonial Blackness: A History of Afro-Mexico*, (Bloomington: Indiana University Press, 2009).
[9] Nicole Von Germeten, *Black Blood Brothers: Confraternities and Social Mobility for Afro-Mexicans*, (Gainesville: University Press of Florida, 2006).
[10] Joan Cameron Bristol, *Christians, Blasphemers, and Witches: Afro-Mexican Ritual Practice in the Seventeenth Century*, (Albuquerque: University of New Mexico Press, 2007).
[11] Matthew Restall, *Black Middle: Africans, Mayas, and Spaniards in Colonial Yucatan*, (Stanford: Stanford University Press, 2009).
[12] Laura A. Lewis, *Hall of Mirrors: Power, Witchcraft, and Caste in Colonial Mexico*, (Durham: Duke University Press, 2003). Also see, Martha Few, *Women Who Live Evil Lives: Gender, Religion, and the Politics of Power in Colonial Guatemala, 1650-1750*, (Austin: University of Texas Press, 2003).

Chapter One Notes:

[1]*Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, (Madrid: "Sucesores de Rivadeneyra", 1885), 80; For full English translations of Alexander VI's second papal bull *eximae devotionis* and Julius II's *universalis ecclesiae* see, J. Lloyd Mecham, "The Origins of 'Real Patronato de Indias'" *The Catholic Historical Review*, 14 no. 2 (1928): 218-223.
[2] The definition of *universal* patronage as opposed to *particular* patronage will be discussed at length later in the chapter, see Mecham, "Origins."
[3] D. A. Brading, *Church and State in Bourbon Mexico: The Diocese of Michoacán, 1749-1810* (Cambridge: Cambridge University Press, 1994); Nancy M. Farriss, *Crown and Clergy in Colonial Mexico, 1759-1821: The*

Crisis of Ecclesiastical Privilege (London: Athlone P., 1968); John Frederick Schwaller, *The Church and Clergy in Sixteenth-Century Mexico* (Albuquerque: University of New Mexico Press, 1987).

[4] For examples of Spanish imperial history in the early modern period, see J. H. Elliott, *Imperial Spain, 1469-1716*, (New York: St. Martin's Press), 1964 and *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven: Yale University Press, 2006); John Lynch, *Spain Under the Habsburgs* (New York: Oxford University Press, 1964); Henry Kamen, *The Spanish Inquisition: A Historical Revision* (New Haven: Yale University Press, 1998) and *Empire: How Spain Became a World Power, 1492-1763* (New York: HarperCollins, 2003).

[5] The term "creationist" is borrowed from Paul E. Chevedden. In his article in *The Historian*, he outlines the different schools of thought over the definition of a crusade. "Crusade Creationism versus Pope Urban II's Conceptualization of the Crusades," *The Historian* Vol 75 (Spring 2013), 1-46.

[6] Robert Somerville, *The Councils of Urban II. Vol. 1, Decreta Claromontensia* (Amsterdam: Hakkert, 1972).

[7] Carl Erdmann, *The Origin of the Idea of Crusade*, (Princeton, N.J.: Princeton University Press, 1977).

[8] While these scholars may have broadened earlier definitions, they still identified unifying characteristics: pilgrimage, vows, and papal recognition and indulgences. Frederick H. Russell, *The Just War in the Middle Ages* (Cambridge: Cambridge UP, 1975); Jonathan Riley-Smith, *The First Crusade and the Idea of Crusading* (Philadelphia, PA: U. of Pennsylvania P., 1986) and*The Crusades, Christianity, and Islam*, (New York: Columbia University Press, 2008).

[9] Tyerman argues that the term crusade was a modern invention by historians, and therefore has no bearing on the period in question. Christopher Tyerman, *The Invention of the Crusades*, (University of Toronto, 1996).

[10] Chevedden, "Crusade Creationism versus Pope Urban II's Conceptualization of the Crusades," 1-46.

[11] Originally published in German, Carl Erdmann's book on the birth of the idea of "Holy war" in Western Christendom is a foundational work on the subject. Erdmann traces the evolution of the concept from its origins in the early medieval period, as Christian ecclesiastics struggled to marry military campaigns with the fundamentally peaceful teachings of Jesus. He illustrates how clerics reviewed Christian responsibilities to protect the faith, and looked to Old Testament figures such as Joshua, Gideon, David, Judas Maccabeus, and St. Peter for examples, as well as appropriated saints such as St. George, Demetrius, Theodore, and Mercurius into to symbols of war and knighthood. For the English translation, see Carl Erdmann, *The Origin of the Idea of Crusade*.

[12] O'Callaghan argues that even though papal attention waned during the first half of the twelfth century, key Military Orders kept the crusading ideal alive in Spain, and when papal policies changed at the end of the century, Spanish kings were fully prepared to take advantage of "this spiritual largesse." Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain*, (University of Pennsylvania Press: Philadelphia, 2003), 76.

[13] For the Arabic spelling of names and places, I have used those of Joseph O'Callaghan in *Reconquest and Crusade in Medieval Spain*, who uses the spellings recorded in Arabic as well as Christian Latin chronicles.

[14] Stephan Kuttner's work on the Classical Period (1140-1375) of canon law and Gratian's *Decretum* is considered the foundational source for most contemporary historians of medieval canon law. *Repertorium der kanonistik (1140-1234) Prodromus corporis glossarum*. (Città del Vaticano: Biblioteca apostolica vaticana, 1937); *Studies in the History of Medieval Canon Law*. (Aldershot, Hampshire, Great Britain: Variorum, 1990). For a recent re-examination of modern scholarship on canon law, see Kriston R. Rennie and Jason Taliadoros, "Why Study Medieval Canon Law?" *History Compass.* 12, no. 2 (2014): 133-149.

[15] James A. Brundage, *Medieval Canon Law*. (London: Longman, 1995), 48.

[16] Brundage, *Medieval Canon Law*, 61.

[17] C. H. Lawrence, Chapter One, in *The Friars: The Impact of the Mendicant Orders on Medieval Society*, (London, GB: I.B.Tauris, 2013).

[18] For how papal decretals influenced twelfth century legal practices, see Charles Duggan ed., *Decretals and the Creation of "New Law" in the Twelfth Century: Judges, Judgments, Equity, and Law,* (Ashgate Publishing Ltd.: Aldershot, 1998).

[19] Duggan, "Papal Judges Delegate and the Making of the "New Laws" in the Twelfth Century," 175.

[20] Duggan, "Papal Judges Delegate and the Making of the "New Laws" in the Twelfth Century," 194.

[21] Though Pope Gregory IX (1227-41) commissioned an official collection in 1234 to eliminate these fraudulent copies, papal decretals lost their legislative powers by the early fourteenth century. The *Decretales Gregorii IX*, or *Liber extra*, was a massive compilation of 2,000 decretals since Gratian to the then present, and it remained in force for Roman Catholics until 1918. Brundage, *Medieval Canon Law*, 61.

[22] The process for creating canon law would be changed yet again after the Council of Trent, which established a specialized bureaucracy of Roman congregations. Each had its own specific jurisdiction, was headed by a

cardinal, and employed a staff of specialists. Their decisions created new statute law and acted as a supplementary body of case law that all bishops could adopt as guides for dealing with similar matters in their own dioceses. Brundage, *Medieval Canon Law,* 56, 182-183.

[23] Brundage, *Medieval Canon Law,* 56.

[24] See Chapter 5, "Canon Law and Public Life," in Brundage, *Medieval Canon Law*, 98-119.

[25] "This privilege…amounted practically to a confirmation of the election of the prelates of the Church, represented but a small part of the extraordinary authority enjoyed by their predecessors under the Visigothic domination. The latter presided over the ecclesiastical Councils, and possessed the rights of appointment, translation, and investiture." Robert I. Burns, S.J., ed. *The Middle Ages Series: Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen (Partida I),* (Philadelphia, US: University of Pennsylvania Press, 2012), 57. For a succinct history of Visigothic Spain see, Chapter 4 in Jaime Vicens Vives, *Approaches to the History of Spain* (Berkeley: University of California Press, 1967); J. Lloyd Mecham, *Church and State in Latin America; A History of Politico-Ecclesiastical Relations*, (Chapel Hill: University of North Carolina Press, 1966), 7; Brundage, *Medieval Canon Law,* 17-25.

[26]In his work on the origins of Spanish American church-state relations, J. Lloyd Mecham claimed that the first pontifical document in which this right of nomination or presentation was called the "right of patronage" was a decree of Pope Nicholas II in the sixth century. He defines royal patronage as follows: the power to nominate or present a cleric for installation in a vacant benefice (right of collation); honorary rights such as the granting of precedence to the patron and his family in various religious ceremonies, seats of honor, special prayers said on their behalf, burial beneath the high alter; utilitarian rights such as the moral obligation of the favored religious establishment of coming to the financial aid of the patron (concession of first fruits, tithes, and other incomes from the benefice). The obligations of the royal patron to the church included watch over the benefice and protect it from an attack. However, there were limitations. The monarchs could not directly intervene in the administration of the benefice, its property or discharge its spiritual duties, and canonical institution (spiritual empowerment to carry out the obligations of that position) to major benefices remained with the pope—minor benefices belongs to the bishop or other prelates; *Church and State in Latin America*, 4-5.

[27] The Twelfth Council of Toledo was cited in Law LVIII of the Ordenamiento of Alcalá of Alfonso XI in1348. For a translation of the *Ordenamiento*, see Ignacio Jodan de Asso y del Rio y Miguel de Manuel y Rodríguez, *El ordenamiento de leyes que Alfonso XI hizo en las Cortes de Alcalá de Henares, El año de mil trescientos y cuarenta y ocho*, (Madrid, 1774), 140 n. 1.

[28] José Manuel Nieto Soria, *Iglesia y poder real en Castilla: El Episcopado, 1250–1350,* (Madrid, 1983), 60. Nieto Soria cites the coronations of Fernando IV and Alfonso XI. For an examination of the coronation process, see *Iglesia y poder real en Castilla*, 152-153.

[29] Joseph H. Lynch, *The Medieval Church: A Brief History*. (London: Longman, 1992), 139.

[30] Since the fourth century Roman Empire, the church had been in alliance with rulers. While the level of direct power may have differed per region, "nowhere was the church independent of lay rulers." Lynch, *The Medieval Church: A Brief History*, 139.

[31] James F. Powers, "The Early Reconquest Episcopate at Cuenca, 1177–1284," *The Catholic Historical Review* 87, no. 1 (2001): 8-9.

[32] James F. Powers classified the strained relationship between the two institutions when he argues, "the reconquest often caused royal grants to be balanced by royal exactions." "The Early Reconquest Episcopate at Cuenca, 1177-1284," 10. This echoes a similar argument made by Peter Linehan who emphasizes that economic stress was a central part of Leon-Castile's episcopal history. Peter Linehan, *The Spanish Church and the Papacy in the Thirteenth Century* (Cambridge [England]: University Press, 1971).

[33] Robert Bartlett, *The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350* (Princeton, N.J.: Princeton University Press, 1993), 91. For a summary of Alfonso VI's reconquest of Toledo, see Bernard F. Reilly, *The Conquest of Christian and Muslim Spain*, (Oxford: Blackwell, 1995), 79-86.

[34] For an English translation of sections of key chronicles from the tenth, eleventh, and early eleventh century, see Simon Barton and R. A. Fletcher, *The World of El Cid: Chronicles of the Spanish Reconquest* (Manchester: Manchester University Press, 2000).

[35] Toledo's predominance would soon be challenged however by the establishment of a rival metropolitan see of Santiago de Compostela in 1120, much to the chagrin of Alfonso VI's daughter and successor Urraca. Toledo had been under royal control for 35 years, so an additional metropolitan see within the kingdom challenged royal control over church affairs. Castilian royals would also fail to subject all churches to Toledo. Bernard F. Reilly, *The Contest of Christian and Muslim Spain*, 242-243. For the history of Santiago de Compostela see,

Antonio López Ferreiro, *Historia de la Santa a. m. iglesia de Santiago de Compostela* (Santiago: Impr. del Seminario conciliar central, 1898-1911).

[36] Paulette L. Pepin, "The Church of Castile-Leon and the Cortes of 1295," *The Catholic Historical Review* 87, no. 2 (April 2001): 165.

[37] Fernando IV was only nine years old at the time of his ascension to the throne. His claim was also disputed by his great uncle Enrique, second son of Fernando III (1217-52) and brother to Alfonso X (1252-84). Fernando's father Sancho IV (1284-95) had rebelled against his father Alfonso X, and thus, been disinherited. Even though Sancho had won the throne through civil war, he had technically forfeited his rights to inherit the throne outright. By law, after Alfonso's death, the throne should have passed to one of his two grandsons. Enrique successfully won recognition as Fernando's co-regent. For a more detailed narrative, see Pepin, "The Church of Castile-Leon and the Cortes of 1295," 165-184.

[38] Pepin, "The Church of Castile-Leon and the Cortes of 1295," 183.

[39] Manlio Bellomo, *The Common Legal Past of Europe, 1000-1800*, trans. Lydia G. Cochrane, (Washington D.C.: The Catholic University of America Press, 1995). Bellomo lists the layers as follows: the law of the ancient Roman Empire, or *ius civile*; the norms of a particular place or one social level and thereby conditional to local experiences, or *ius proprium*; the norms and rituals common to all who believed in Christ in Western Christendom, or ius canonicum. Together these various layers created common law, or *ius commune*, which Bellomo argues served as a "formidable unifying force" for jurists in the Middle Ages. See Preface to the American edition, xii-xiii.

[40] *Fueros* could be specific to demesnial cities (manorial lands subject to a specific lord) if it received royal approval, or they could dictate the laws of an entire feudal city, in which case they were validated by a pact called a Concordia that was drawn up between the lord and the community officials. Some *fueros* were also applied outside of their town of origin. For example, the *fuero* of León applied in Asturias and Galicia, and *fuero* of Toledo used in much of Old Castile. In the years 1252 to 1255, in an attempt to unify the two kingdoms and simply the legal code, Alfonso X of León and Castile promulgated the *Fuero Real*, but it was never applied as broadly as the king hoped. Bellomo, *The Common Legal Past of Europe*, 78-81.

[41] Historians have disagreed on the scope of these specific law codes. Traditionally, most argue that because they had no legal bearing in other cities, these laws codes were not widely circulated outside of their own jurisdictions. Ramón Menendez Pidal, *Documentos lingüisticos de Espania*, 2nd ed. (Madrid, 1966), pp. 7, 107-15. However, some have argued that these municipal charters did utilize similar language and borrow from each other, especially in the frontier regions. James F. Powers, "Frontier Competition and Legal Creativity: A Castilian-Aragonese Case Study Based on Twelfth-Century Municipal Military Law" *Speculum* Vol. 52, No. 3 (Jul., 1977), 465-487; Bellomo, *The Common Legal Past of Europe*, 78-81.

[42] Brundage defines "proctor" as one acting in place of the principal when it was either impossible or inconvenient for the principal to do so, i.e. the actions that the proctor decisions carried the same weight as if he were the principal, *Medieval Canon Law*, 107.

[43] Bellomo, *The Common Legal Past of Europe*, 75.

[44] Lynch, *The Medieval Church: A Brief History*. (London: Longman, 1992), 139.

[45] Soon after his second excommunication by Pope Gregory VII in 1080, King Henry IV installed "anti-pope" Clement III (1084-87), which inspired a civil war between the king, Pope Clement III, and their supporters on one side and Pope Gregory VII and German nobles on the other. They would reach a compromise at the Concordat of Worms in 1122. The king agreed that the bishops be elected canonically and within six months were to be invested with their temporal rights and properties (but not the spiritual office itself) by the king. Lynch, *The Medieval Church: A Brief History*, 139; Mecham, *Church and State in Latin America*, 7 n. 11.

[46] Mecham, *Church and State in Latin America*, 8.

[47] Erdmann cites the increased veneration of Michael the Archangel during the early medieval period. Erdmann, *The Origin of the Idea of Crusade*, 32.

[48] Carl Erdmann argues that the next step in this evolution would appear under the Carolingian empire. After Charlemagne's conversion to Christianity and his alliance with the Roman papacy, the concept of priest-kingship emerged. The principle dutie of a Christian ruler was to defend Christendom. Erdmann cautions, however, that this cannot yet be considered a true holy war because religion was understood as an attribute of the king, i.e. he embodied the religion himself, rather than being an independent element of war. *The Origin of the Idea of Crusade*, 32.

[49] Erdmann, *The Origin of the Idea of Crusade*, 95.

[50] Erdmann, *The Origin of the Idea of Crusade*, 138.

[51] Erdmann likens French wars in Iberia to the First Crusade because it was an army of volunteers and no kings (other than the Spaniards) participated, the Catalan bishops and princes issued a Peace of God in 1064, the papacy was involved via indulgences, and there is evidence that the banner of St. Peter was granted to one of the leaders of the campaign. Erdmann, *The Origin of the Idea of Crusade*, 136-40). For a concise military history of the Reconquest, see Derek W. Lomax, *The Reconquest of Spain* (London: Longman, 1978).
[52] The traditional, more narrow, definition of a crusade is only those that went to the Holy Lands, while more recent historians have adopted a wider definition to include any religious war that attempted to reclaim land from Muslim hands.
[53] Antonio García y García argues that there were two constants in papal interactions with medieval Spanish kingdoms: recognition of "the plurality of the Spanish kingdoms, to which the popes accorded equal rights" and its repeated attempts to unite the Christian kings against Islam in Spain. Antonio García y García, "Innocent III and the Kingdom of Castile," trans. Joseph F. O'Callaghan, in *Pope Innocent III and His World,* John C. Moore and Brenda Bolton, eds. (Brookfield, Vt: Ashgate, 1999), 338.
[54] Jessalynn Lea Bird, Edward Peters, and James M. Powell. *Crusade and Christendom: Annotated Documents in Translation from Innocent III to the Fall of Acre, 1187-1291*, (Philadelphia: University of Pennsylvania Press, 2013), 86. Along with original transcriptions and English translations of the chosen excerpts, the authors have provided alternative sources as well as locations of additional excerpts of Innocent's writings.
[55] Bernard F. Reilly argues, "That the *Reconquista* ground to a halt in the middle of the 12th Century was more a result of the division of Leon and Castilla into two competing realms upon the death of Alfonso VII than any other single factor." He also states that as the "prime force of the Christian advance" the separate inheritance of the kingdoms of Castile and Leon to the sons do Alfonso VII "radically altered" the balance of power in the peninsula and thus the reconquest itself. *The Contest of Christian and Muslim Spain*, 226-227.
[56] O'Callaghan, *Reconquest and Crusade*, 60.
[57] A major rivalry between the kings of Castile and Leon had resumed. The two kingdoms were originally divided by Alfonso VII of Leon-Castile (1126-1157), who bequeathed Castile to his son Sancho III (1157-1158) and Leon to his other son Fernando II of León (1157-1188). Their successors Alfonso VIII of Castile (1158-1214) and Alfonso IX of Leon (1188-1230) were bitter enemies, despite Alfonso IX swearing fealty to the king of Castile in 1188. Alfonso IX would take advantage of the Almohad invasion of Castilian territory in 1195 and align with the caliph against Castile. Peace between the two wouldn't be accomplished until 1197, when Alfonso VIII of Castile agreed to the marriage of his daughter, Berenguela to Alfonso IX. Joseph F. O'Callaghan, "Innocent III and the Kingdoms of Castile and Leon" in *Pope Innocent III and His World.* John C. Moore and Brenda Bolton, eds. (Brookfield: Ashgate, 1999), 319. For an in-depth analysis of the life and times of Alfonso VII, see Bernard F. Reilly, *The Kingdom of León-Castilla Under King Alfonso VII, 1126-1157* (Philadelphia: University of Pennsylvania Press, 1998). Sancho VIII of Navarre (1194-1234) would also align with the Almohads against Castile, much to the dismay of the papacy who commanded the local archbishops excommunicate the warring kings and rouse the laity to take up arms against their own monarchs. O'Callaghan, *Reconquest and Crusade*, 62.
[58] The *Gesta Inocentii* is an incomplete biography as it omits the last seven years of the pope's reign, but it does provide insight into some key features of his pontificate, specifically his efforts to unify Christians against the Muslims and reinvigorate the crusades. For a translation, see James M. Powell, *The Deeds of Pope Innocent III*. (Washington, DC.: Catholic University of America Press, 2004). For an examination of the life and actions of Pope Innocent III, see Moore and Bolton, *Pope Innocent III and his World.* Many of the contributors to this volume have also published monographs on Pope Innocent, as well.
[59] Bird, Peters, and Powell, *Crusade and Christendom,* 83.
[60] O'Callaghan, "Innocent III and the Kingdoms of Castile and Leon," 326-7.
[61] See Chapter 7, "Financing Reconquest and Crusade," in O'Callaghan, *Reconquest and Crusade*, 152-176.
[62] O'Callaghan, *Reconquest and Crusade*, 52-55, 67.
[63] O'Callaghan, *Reconquest and Crusade*, 67.
[64] It is important to note that the medieval period did not allow for large standing armies, therefore military campaigns largely depended on the ability of municipalities to gather soldiers, or militias, for royal use. For studies of these evolution of municipal militaries, see James F. Powers, "Frontier Competition and Legal Creativity" *Speculum*, 465-487 and Powers' Chapter in Robert I Burn, *The Worlds of Alfonso the Learned and James the Conqueror: Intellect & Force in the Middle Ages* (Princeton, N.J.: Princeton University Press, 1985).
[65] O'Callaghan states that while al-Nāsir probably upheld this sentiment, it is unlikely that the caliph actually said this statement, but the rumor was used by Christian authorities to incite support for the war against the Muslim forces. O'Callaghan, *Reconquest and Crusade*, Chapter 3, n. 62., 68.

[66] French forces initially answered the call to arms, but by Alfonso's description of the campaign, they soon abandoned the march, claiming illnesses brought on by the hot climate. Bird, Peters, and Powell, *Crusade and Christendom,* 92. According to Peter Linehan, after the year 1212, the tradition of foreign, particularly French, involvement in the Spanish reconquest had ended and "the thirteenth century Reconquista would have to be a Spanish enterprise." *The Spanish Church and the Papacy in the Thirteenth Century,* 5.
[67] In a letter sent to Pope Innocent III after the battle, Alfonso VIII recounts, "…it must be said that the costs for us and for our kingdom were extremely heavy on account of the huge numbers involved. We had to provide not only what we had promised, but also money and clothing, for almost everybody, both kingdoms and serving-men, was in need." Bird, Peters, and Powell. *Crusade and Christendom,* 90; Alfonso adds however, that "God, who gives increase to the fruits of justice, provided abundantly for us in accordance with the generosity of his grace, and gave us all that could be desired equitably and richly," quoted in Bird, Peters, and Powell, *Crusade and Christendom,* 90; O'Callaghan remarks that this was Alfonso VIII's not so subtle acknowledgement of his extensive use of church revenues to finance the battle. *Reconquest and Crusade*, 67-68.
[68] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 5.
[69] Pope Honorius III would authorize Archbishop Rodrigo to use the *tercias* for his crusade in 1231. Even though Pope Gregory IX rebuked Fernando III for seizing the *tercias* without his permission, he urged Castilian clergy to help pay for the royal campaigns in 1228. In 1236, he ordered the Castilian bishops to give the king 20,000 gold pieces a year for three years to help pay for the reconquest of Córdoba. The first formal papal concession of the *tercias* appears to have been in 1247, but many kings had already developed the habit of dipping into church pockets. Lomax, *The Reconquest of Spain*, 157-8.
[70] For translations of Innocent III's letters, see Jonathan Riley-Smith, *The Crusades: A Short History,* (New Haven [Conn.]: Yale University Press, 1987), 140.
[71] Bird, Peters, and Powell. *Crusade and Christendom,* 94. Alfonso emphasizes the spirituality of those on the campaign by describing those that died during the battle as martyrs.
[72] Muslim forces had been weakened by the defeat at Las Navas de Tolosa and would be hindered further by the death of the Almohad caliph in 1213 which produced a vacuum in the Muslim leadership, making it seem that another Moorish invasion was unlikely. The death of Alfonso VIII in 1214 and the ascension of his young son Enrique I (1214-17) also meant that Castile was in no position to engage the enemy either, at least not for several years. Also, there is evidence that suggests that Innocent III may have been more tolerant of the Muslim caliph in the West than the caliph to the East, which led him to refocus his attention to the Holy Lands. For an examination of Innocent III's relations with Muslim leaders, see Giulio Cipollone, "Innocent III and the Saracens: Between Rejection and Collaboration," in *Pope Innocent III and His World,* 361-376.
[73] Bird, Peters, and Powell. *Crusade and Christendom,* 110; O'Callaghan, *Reconquest and Crusade*, 78.
[74] Bird, Peters, and Powell. *Crusade and Christendom,* 110.
[75] Stephan Kuttner and Antonio García y García, *A New Eyewitness Account of the Fourt [I.E. Fourth] Lateran Council* (New York: Fordham University Press, 1964), 163.
[76] Peter Linehan argues that while Spanish prelates may have attended the council in high numbers, they were far more interested in securing papal support for the enormous expenses of the reconquest than implementing church reform. *The Spanish Church and the Papacy in the Thirteenth Century,* 6.
[77] According to the official record, there were twenty-three representatives from Spain at the Council. Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 4.
[78] A major goal of Fourth Lateran Council in 1215 was to redirect crusading funds and manpower to the recovery of the Holy Lands for a Fifth Crusade. The council proposed a tax of one twentieth of ecclesiastical income for three years in order to fund the campaign. Spanish bishops, who had already contributed a substantial amount of their income to fund the campaign of Las Navas de Tolosa, were upset by this proposal and attempted to avoid it however possible. Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 6-7. Linehan is considered an expert on the medieval Spanish church, but is probably best known for his challenge to traditional interpretation that emphasized the opulence of the medieval Spanish church. For examples of this school of thought, see Claudio Sánchez-Albornoz, *España: un enigma histórico* (Buenos Aires: Editorial Sudamericana, 1962).
[79] This period would also result in the Archbishop's fall from grace as he became known for his less than legal collection and misappropriation of funds and his unwillingness to challenge royal intervention in church matters. See Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 9-19.
[80] Lomax, *The Reconquest of Spain*, 131.
[81] Castile had been torn by civil war after the death of Alfonso VIII in 1214. Royal factions fought over who would serve as regent for the young heir: Enrique I, his older sister, Berenguela, wife to Alfonso IX of León, or

Álvaro Núñez de Lara, standard-bearer at Las Navas. After Enrique's accidental death in 1217, Berenguela's son became king as Fernando III, but his claim to the Castilian throne was contested by his father Alfonso IX of León. Soon after securing his throne, Fernando III was very successful as a military leader and would become a revered hero of the reconquest. He would be canonized for his military exploits in 1671. Lomax, *The Reconquest of Spain*, 131, 156.

[82] Muhammad ibn Yusuf ibn al-Ahmar would conquer Granada in 1237, declaring himself sultan Muhammad I. He would rule until his death in 1273, succeeded by his eldest son, Muhammad II (1273-1302). Lomax, Chapter 7, *The Reconquest of Spain*.

[83] O'Callaghan, *Reconquest and Crusade*, 93.

[84] O'Callaghan, *Reconquest and Crusade*, 95.

[85] Papal grants of the *terceria* were intermittent throughout the later reconquest period. Before Fernando III attacked Seville he sent Archbishop Rodrigo of Toledo to get papal approval for additional funding which the pope granted on 12 April 1247. He commanded that the *tercias* go to Fernando for three years. O'Callaghan, *Reconquest and Crusade*, 113.

[86] O'Callaghan, *Reconquest and Crusade*, 116.

[87] Vicens Vives refutes the theory that inclusion in the Roman Empire fostered an early *Hispani* identity, other than within the urban population who accepted Christianity in the second century AD. He argues that this and the latifundia system are the real legacies of the Roman occupation. By the fourth century, the Christian church was organized in the image of the Roman system, and therefore in this way "the Empire outlived itself in Hispania." Vives, *Approaches to the History of Spain*, 21.

[88] While his focus is on the creation of Western Europe more broadly rather than just Iberia, Robert Bartlett's conceptualization of the spread of Latin Christendom as a "quasi-ethnic nuance" and the evolving linkages between Roman Catholicism and military conquest have significant implications for considerations of Spanish medieval history. See Robert Bartlett, *The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350*, (Princeton, N.J.: Princeton University Press, 1993).

[89] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 110 n. 3.

[90] Vives, *Approaches to the History of Spain,* 165. This is not to imply that the Spanish Catholic Church was a unitary system, nor does it suggest a consensus in local Christianity. As will be discussed in the next chapter, most medieval and early modern Spaniards would have classified themselves as Christian, but Spanish Christianity would remain a combination of Catholic orthodoxy and local unorthodox customs throughout Spanish history. Even after consolidation under the Crown of Castile, the church operated within the territorial pluralism customary to the peninsula.

[91] Robert Bartlett calculates that Iberian bishoprics were approximately 1.4 times the size of those in England, which was considerably more densely populated than the peninsula. *The Making of Europe*, 13.

[92] Peter Linehan states, "In Spain, though, king and bishops had a common Christian mission which drew them even closer together and which in the first half of the thirteenth century was at the forefront of attention: the Reconquest. Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 103.

[93] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 111.

[94] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 111.

[95] As through much of the reconquest, churches in the later stages of the reconquest were dependent on the *repartimiento*, or royal distribution of property. This was a way for royals to ensure their control over ecclesiastic matters by only allotting property to clerics who were close to them. For example, Peter Linehan notes that the *repartimiento* of Seville property was "almost exclusively" restricted to churchmen connected to the royal chancery. "They fell into two groups: the clique of bishops who were already or who were soon to be most closely associated with the royal administration; and the notaries and chancery clerks who would form the core of the next episcopal generation." Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 113.

[96] Erdmann, *The Origin of the Idea of Crusade,* xx.

[97] According to the Chronicle of Alfonso X, the King of Granada Ibn al-Ahmar, or Muhammad I (1232-1273), "would give half of all his income, which was appraised at six hundred thousand *maravedís* in the currency of Castile." However, the author hints to the underlying tension between the two rulers as Alfonso's first action upon ascending the throne was to secure deliveries of these fees, because the Granadan king "did not pay them as faithfully as they did to his [Alfonso's] father." For an English translation of the chronicle, see Fernán Sánchez de Valladolid, Shelby Thacker, José Escobar, and Joseph F. O'Callaghan, *Chronicle of Alfonso X*, (Lexington, Ky: University Press of Kentucky, 2002); The *Chronicle of Alfonso X* cannot be considered a contemporary history because it was commissioned by Alfonso's great-grandson, Alfonso XI (1312-1350) in

the early fourteenth century. It is typically grouped together with the *Chronicle of Sancho IV* (1284-1295) and the *Chronicle of Fernando IV* (1295-1312), called the *Tres Crónicas*, or Three Chronicles.

[98] Lomax, *The Reconquest of Spain*, 164.

[99] For example, expanded kingdoms like Castile and Aragon had to contend with the social, political, and economic issues symptomatic of incorporating new territory relatively quickly. Derek W. Lomax states that in Castile "there were few decades between 1275 and 1480 when the crown or succession or regency was not contested by rival factions…thus the unity for conquering Granada never existed." *The Reconquest of Spain*, 162-3.

[100] In these years, Castile was torn apart by civil war between those that supported Alfonso X and those wanting to replace him with his son Prince Sancho. Alfonso would forgo his earlier battles against the Moroccans and appealed to Abu Yusuf for aid. While they successfully subdued Prince Sancho, he would ascend to the throne after Alfonso's death in 1284, thereby ending Castile's partnership with the Moroccan sultan. Lomax, *The Reconquest of Spain*, 164.

[101] The Marinids were largely absent from the conflict for much of the first half of the fourteenth century, as they faced their own infighting and contested rulers. Lomax, *The Reconquest of Spain*, 165.

[102] Lomax, *The Reconquest of Spain*, 162-3; Joseph F. O'Callaghan, *The Learned King*, 185-85, 191-95.

[103] The Chronicle of Alfonso X neglects to mention the fact that James I of Aragon was the one who successfully suppressed the revolt in Murcia. The author claims that Abu Aquinz was forced to sue for peace after Alfonso secured an alliance with the King of Granada against Murcia. Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 61-62.

[104] Lomax, *The Reconquest of Spain*, 162-3.

[105] It has been calculated that between the battle of Las Navas and the recapture of Seville the national territory had increased by fifty percent while population had grown by little more than ten percent. Jaime Vicens Vives, *Manual de historia económica de España* (Barcelona: Editorial Teide, 1959), 223.

[106] Joseph F. O'Callaghan examines Alfonso X's coronation and argues that the fact that Alfonso listed each of the kingdoms subject to his rule illustrates both the expansionist mentality inherent in the act of conquest, as well as the monumental task left to him by his father, Fernando III, of unifying such diverse areas under one crown. See his chapter in Robert I. Burns, *Emperor of Culture: Alfonso X the Learned of Castile and His Thirteenth-Century Renaissance* (Philadelphia: University of Pennsylvania Press, 1990), 16.

[107] Alfonso had claim to the title on his mother's side. His mother, Beatrice, was granddaughter of the Holy Roman emperor Frederick I. However, his election was never fully recognized because both Alfonso and his rival Richard of Cornwall, brother to Henry III of England, were supported by different factions and neither was ever able to receive unanimous acceptance. Joseph F. O'Callaghan, "Introduction," in Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 2.

[108] See Chapters 62-65, Fernán Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 202-213.

[109] Joseph F. O'Callaghan, "Introduction," in Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 3-4.

[110] Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 243-259.

[111] Until more recently, Alfonso X was more widely known for his ineptitude as a leader and administrator. For a bit of a revised example, see Cayetano J. Socarrás, *Alfonso X of Castile: A Study on Imperialistic Frustation*. (Barcelona: Hispam, 1975). Socarrás presents Alfonso as a contradictory "dual" character, who worked diligently in statecraft, but was tragically inept in that role.

[112] For an examination of Alfonso's "ruinous" financial policies, see Joseph F. Callaghan's chapter in Robert I Burns, *The Worlds of Alfonso the Learned and James the Conqueror: Intellect & Force in the Middle Ages* (Princeton, N.J.: Princeton University Press, 1985), 41-67. Alfonso expressed his financial plans for the kingdom at the Cortes of Seville in 1252, and these were repeated at the Cortes of Vallodolid in 1258 and of Seville in 1261.

[113] He also set wages and interests rates. Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 37.

[114] Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 37.

[115] Joseph O'Callaghan notes that many of the policies implemented by Alfonso were far more sophisticated than usually accredited by historians. For example, royal revenues were largely bolstered by the enforcement of various fines: fines against merchants who tried to evade royal regulations on foreign trade, persons who failed to use the standardized weights and measures, Christians who lent money at interest, townspeople who failed to pay their taxes. To a modern outsider, these fines may not seem that invasive or inappropriate, but O'Callaghan reminds us that these were coupled with increased taxes, as well as a challenge to the "traditional ways" through Alfonso's standardized law codes. These changes left townsmen, nobles, and clerics overwhelmed with tensions

boiling over in 1282, inspiring most to rebel in favor of Alfonso's son, Sancho. O'Callaghan's chapter in *The Worlds of Alfonso the Learned and James the Conqueror*, 65-67.

[116] Many historians still consider Antonio Ballesteros Beretta's *Alfonso X el Sabio* as the standard, and altogether encyclopedic, biography of the monarch: Antonio Ballesteros Beretta, *Alfonso X el Sabio* (Barcelona: Salvat Editores, 1963). Also, see Evelyn S. Procter, *Alfonso X of Castile, Patron of Literature and Learning* (Oxford: Clarendon Press, 1951). For more current works on the life and times of Alfonso X, see Robert I. Burns, *Emperor of Culture: Alfonso X the Learned of Castile and His Thirteenth-Century Renaissance* (Philadelphia: University of Pennsylvania Press, 1990) and Burns's *The Worlds of Alfonso the Learned and James the Conqueror: Intellect & Force in the Middle Ages* (Princeton, N.J.: Princeton University Press, 1985); Joseph F. O'Callaghan, *The Learned King: The Reign of Alfonso X of Castile* (Philadelphia: University of Pennsylvania Press, 1993); For a cultural examination of the life and times of Alfonso X, see the special volume of *Thought: A Review of Culture and Idea*, Vol.60 No. 4 (Dec.1985).

[117] Another of Alfonso's works, the *Cantigas de Santa María*, has also received scholarly attention. Finished in 1279, *Cantigas de Santa María* was a compilation of 427 poems composed for the collection, some lyric and some narrative, each with a musical composition, and dedicated to the Marian miracle stories. Matilde López Serrano,*Cantigas de Santa María de Alfonso X el Sabio, Rey de Castilla* (Madrid: Editorial Patrimonio Nacional, 1974); John Esten Keller, *Pious Brief Narrative in Medieval Castilian & Galician Verse: From Berceo to Alfonso X* (Lexington: University Press of Kentucky, 1978); John Esten Keller and Richard P. Kinkade, *Iconography in Medieval Spanish Literature* (Lexington: The University Press of Kentucky, 1984); John Esten Keller and Annette Grant Cash, *Daily Life Depicted in the Cantigas De Santa Maria* (Lexington, Ky: University Press of Kentucky, 1998); John Esten Keller and Roger D. Tinnell, *Essays in Homage to John Esten Keller* (Newark, Del: Juan de la Cuesta, 2012).

[118] Alfonso X expert, Joseph F. O'Callaghan has also highlighted evidence that suggests that illness could have also contributed to the king's seemingly irrational behavior towards the end of this reign. He was afflicted with a cancerous tumor to his face, causing his eye to protrude. For example, the execution of his sons Fadrique and Simón suddenly and without trial completely opposes Alfonso's dedication to law throughout his reign. O'Callaghan, *The Learned King*, 250.

[119] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 107.

[120] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 164-165.

[121] Bernat Desclot and F. L. Critchlow, *Chronicle of the Reign of King Pedro III of Aragon* (Princeton: Princeton University Press, 1928), I:147. This volume provides a translation of the chronicle.

[122] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 164. While Castilian clergymen attempted to rectify this disparity with attempts to install their own conciliar system, it was thwarted by the opportunism of several upper-level clerics, namely Archbisop Sancho I of Toledo, who abandoned his initial attempts to rally the Castilian bishops against royal and papal intervention for the needs of his own archdiocese in 1259. Ibid, 170-172. Linehan's interpretation challenges that of other historians, however. Scholars like Richard Kay have argued that councils were so frequent in the thirteenth century they were "so commonplace that they occasioned no more mention…than does a faculty meeting in local newspapers today." Richard Kay, "Mansi and Rouen: A Critique of the Conciliar Collections," *The Catholic Historical Review* 52, no. 2 (1966): 162-163.

[123] For examples, see Peter Linehan, Chapter 8, "The Economic Crisis of the Castilian Church," *The Spanish Church and the Papacy in the Thirteenth Century*, 152-187; José Manuel Nieto Soria, *Iglesia y poder real en Castilla: el episcopado, 1250-1350* (Madrid: Departamento de Historia Medieval, Universidad Complutense, 1988), 197-220.

[124] While the code is attributed to Alfonso X, these projects were never left to one person, and it was the result of a concerted effort by a team of contributors. Evelyn Procter stressed that the king's role was that of a general editor supervising a team of legal scholars and scribes whose names have long since been lost. Evelyn S. Procter, *Alfonso X of Castile, Patron of Literature and Learning* (Oxford: Clarendon Press, 1951), 3.

[125] O'Callaghan, *The Learned King,* 36-37; Robert I. Burns, in his introduction to an English translation of the *Siete Partidas*, states, "this is no law book like modern or even contemporary medieval codes: each title and law is an essay incorporating folk wisdom, touching myriad aspects of ordinary society, a social and political encyclopedia in effect, a mirror of medieval daily life." *Las Siete Partidas, Volume 1,* Robert I. Burns, ed, xi. This series provides an English translation of the *Siete Partidas* in its entirety.

[126] O'Callaghan, "Alfsonso X and the Partidas," *Las Siete Partidas, Volume 1,* Burns, ed, xxxi.

[127] Historians disagree on the exact years these laws were promulgated. Joseph F. O'Callaghan agrees with Robert MacDonald who argued that they were most likely disseminated via the Cortes of Toledo in 1254 and in

force by 1255. For a translation of the *Espéculo* see, Alfonso X, *Espéculo: texto jurídico atribuido al rey de Castilla don Alfonso X, el Sabio,* ed. Robert A. MacDonald, (Madison: Hispanic Seminary of Medieval Studies, 1990), xlvii-l; Joseph F. O'Callaghan, *The Learned King,* 30-36. James F. Powers and Jerry R. Craddock are doubtful. Powers argues that different *fueros* of a "similar pattern" were circulated during these years, but does not call them the *Fuero real*. James F. Powers, "Two Warrior Kings and Their Municipal Militias: The Townsman-Soldier in Law and Life," *The Worlds of Alfonso the Learned and James the Conqueror: Intellect & Force in the Middle Ages,* ed. Robert I Burns, (Princeton, N.J.: Princeton University Press, 1985), 103-4. Craddock argues that by 1272 resentment of Alfonso's legislative activity had reached its peak and the king had to allow numerous towns to revert back to the *fueros* in force before his new code was adopted. He goes further to remind us that Alfonso XI, great grandson of Alfonso X, required various towns to reinsert the *Fuero real* and fixed its place in the legal system of Castile and León in his *Ordenamiento* of Alcalá of 1348. Craddock concludes that only after this decree did the importance of the *Fuero real* begin to grow as a legal code. Jerry R. Craddock, "The Legislative Works of Alfonso el Sabio" in *Emperor of Culture: Alfonso X the Learned of Castile and His Thirteenth-Century Renaissance,* 188-189.

[128] Powers, "Two Warrior Kings and Their Municipal Militias: The Townsman-Soldier in Law and Life,"103-4.

[129] Jerry R. Craddock states that while the *Espéculo* was relatively unknown after the Middle Ages, it was created at the same time as the *Fuero real* and both were used as a primary source for the *Siete Partidas*. He also states that it was probably never completed, because Alfonso's outlook changed dramatically in 1256, when he set his sights on the title of Holy Roman Emperor which he pursued until 1275. Craddock, "The Legislative Works of Alfonso el Sabio," 188-189

[130] Jerry R. Craddock emphasizes the difference of the *Fuero Real* and the *Espéculo* by arguing, "it would be hard to exaggerate the differences between the *Espéculo* and the *Fuero real*. The former is insistently didactic, frequently philosophical, and reflects a far more advanced jurisprudence." Craddock, "The Legislative Works of Alfonso el Sabio," 188; For a quick synopsis of the *Espéculo* and the *Fuero real*, see Craddock's chapter in *Emperor of Culture: Alfonso X the Learned of Castile and His Thirteenth-Century Renaissance,* as well as his contribution to the introduction of *Las Siete Partidas, Volume 1,* Burns, ed, xli-xlvi; Robert MacDonald's introduction of *Espéculo: texto jurídico atribuido al rey de Castilla don Alfonso X, el Sabio* (Madison: Hispanic Seminary of Medieval Studies, 1990).

[131] "No extant codex containing the complete text can be dated without question to the reign of Alfonso X," O'Callaghan, "Alfsonso X and the Partidas," in *Las Siete Partidas, Volume 1: The Medieval Church,* Burns, ed., xxxiv; Antonio García y García compiled a list of 115 manuscripts of the entire *Siete Partidas* or parts thereof in Castilian, Galician, Portuguese, and Catalan, located in libraries in Spain (Escorial, Madrid, Toledo, Oviedo, Valencia, Valladolid, Vitoria), Portugal (Braga, Lisbon, Coimbra), New York (Hispanic Society), Paris, London, and elsewhere. See Antonio García y García, "Tradición manuscrita de las Siete Partidas," in his *Iglesia, sociedad y derecho,* Bibliotheca Salmanticensis, Estudios 74 (Salamanca: Universidad de Salamanca, 1985), 251.

[132] Sánchez de Valladolid et. al, *Chronicle of Alfonso X*, 46.

[133] Echoing Robert A. MacDonald, Joseph F. O'Callaghan argues that, "As the king had reserved the right to amend the code if necessary, and as he has already promulgated the Espéculo, he probably did not consider that the Partidas, as the amended text of the earlier code, required a separate promulgation. In that sense, the Partidas already had the force of law during the reign of Alfonso X." O'Callaghan, *The Learned King,* 37; Alfonso X, *Espéculo: texto jurídico atribuido al rey de Castilla don Alfonso X, el Sabio*, ed. MacDonald, xlvii-l.

[134] Joseph F. O'Callaghan argues that, "in doing so he retreated from his attempt to establish the *Fuero real* as a uniform municipal code and from the application in his court of the laws of the *Espéculo*, or in its revised form the Partidas, to the exclusion of customary law." But he emphasizes that the *Siete Partidas* and its preceding versions did "have force of law in his court." "Alfsonso X and the Partidas," *Las Siete Partidas, Volume 1,* Burns, ed, xxxix.

[135] The first printed edition of the *Siete Partidas* was by Alonso Díaz de Montalvo, published in Seville in 1491. Gregorio Lopez issued a new edition, with an extensive gloss, at Salamanca in 1555, and an anonymous team produced a third edition under the auspices of the Real Academia de la Historia in 1807. O'Callaghan, "Alfsonso X and the Partidas," *Las Siete Partidas, Volume 1,* Burns, ed, xxxiv.

[136] Brundage, *Medieval Canon Law* (New York: Longman, 1995), 96,111,175-76.

[137] Partida I, Title 1, Law III, *Las Siete Partidas, Volume 1,* Burns, ed, 2.

[138] This process is described in Partida I, Title V, Law XVIII: "There was an ancient custom of Spain, which still prevails, that when the bishop of any place died, the dean and the canons communicated the fact to the King by means of their church messengers, who carried a letter from the dean and chapter stating that their prelate

was dead, and that they asked him to permit them to hold an election without hindrance, and that they did surrender to him the property of the church: and, when this is done, the King should grant their request, and send and collect his dues, and after the election has been held, he directs them to present to him the person chosen, and orders that what he received be delivered to him." *Las Siete Partidas, Volume 1,* Burns, ed, 57.

[139] W. Eugene Shiels notes the various definitions of the act of royal endowment of a benefice. "Popularly the term [benefice] is often understood to signify the properties donated or the duties of the beneficiary, but in the strict sense it is the right of the cleric presented to receive ecclesiastical revenues on account of the performance of spiritual work." W. Eugene Shiels, *King and Church: The Rise and Fall of the Patronato Real*, (Chicago: Loyola University Press, 1961), 23.

[140] Ignacio Jodan de Asso y Miguel de Manuel, *El ordenamiento de leyes que Alfonso XI,* xxi-xxii.

[141] Partida I, Title V, Law XVIII, *Las Siete Partidas, Volume 1,* Burns, ed, 57.

[142] O'Callaghan, *The Learned King,* 52, 295 n. 24.

[143] O'Callaghan, *The Learned King,* 56-57.

[144] "kings have the right to be petitioned by chapters in the matter of their election, and to have their request complied with," Partida I, Title V, Law XVIII, *Las Siete Partidas, Volume 1,* Burns, ed, 57.

[145] Alexander II had conceded to the kings of Aragon and their successors the right of presentation to the churches retaken from the Moors of those newly erected in the Reconquered territory. Pope Urban II would reaffirm this correlation in 1095. He confirmed the grant of patronage over all places conquered from the Moors and over newly founded churches excepting episcopal churches. Lucas Ayarragaray, *La iglesia en América y la dominación española: estudio de la época colonial* (Buenos Aires, 1935), 152, 159-60; Matías Gómez Zamora, *Regio patronato español é indiano* (Madrid, 1897) 17-18, 194, 220.

[146] O'Callaghan, *The Learned King,* 50.

[147] Title XV, Law V, *Las Siete Partidas, Volume 1,* Burns, ed, 191.

[148] "the Holy Church deemed it proper that laymen should have the power to present priests to churches where they are patrons." Title XV, Law XV, *Las Siete Partidas, Volume 1,* Burns, ed, 196-197.

[149] Title XV, Law XV, *Las Siete Partidas, Volume 1,* Burns, ed, 196-197.

[150] Title XV, Law VIII, *Las Siete Partidas, Volume 1,* Burns, ed, 193.

[151] O'Callaghan, *The Learned King,* 51.

[152] Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 164.

[153] Shiels said it pointedly, "He who controls the presentation of personnel has more than the power of the purse." Shiels, *King and Church*, 23.

[154] O'Callaghan hypothesizes that the high taxation on the clergy lead to their protests at the Cortes of Burgos in 1272. It appears safe to assume that their frustrations with both the papacy and the king were very high; in addition to increased royal taxation and related papal permissions, the papacy planned to tax them even further in 1262 for the wars in the Holy Land. O'Callaghan, *The Learned King,* 57.

[155] Linehan argues that Alfonso's attacks of "wayward bishops" in his *Primera Partida* was a way to divert attention away from his own drain on church funds. The king stated that it was the fault of the bishops for ruin of the Castilian church because they chose to remain at the Curia in Rome for lengthy periods and accumulate enormous debts which their churches were unable to pay. Linehan argues that the more accurate reason why Spanish prelates turned to foreign banks was the king's refusal "to take funds with them out of the country" and "their [bishops] political defenselessness in a country hard put to finance its own expansion." Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* 139.

[156] Law II defines the tithe as one tenth of "all property which men gain lawfully," and Law III explains that every Christian, no matter their station is obliged to pay the tithe. It also specifies that the king is obliged to forgo one tenth of the bounty secured through military conquest. *Las Siete Partidas, Volume 1,* Burns, ed, 231.

[157] *Las Siete Partidas, Volume 1,* Burns, ed., 189-197.

[158] Title XV, "Wherefore, he who builds a church, should love and honor it as something he has made for the service of God; and, on the other hand, the church should love and honor him, and acknowledge him as a father." *Las Siete Partidas, Volume 1,* Burns, ed, 189.

[159] Title XV, Law II, *Las Siete Partidas, Volume 1,* Burns, ed, 190.

[160] O'Callaghan, *The Learned King,* 54.

[161] Lomax, *The Reconquest of Spain,* 164-5.

[162] The charges of maltreatment concerned the *tercias*, royal custody of vacant churches and monasteries, the oppression of the archbishop of Compostela and of the bishop of Leon (both had been exiled by the king), the grievances of the prelates, ecclesiastical liberties in Portugal, and the oppression of the king's subjects. For a more detailed outline of the "response" to the papal memorandum, see O'Callaghan, *The Learned King,* 59-61.

[163] Alfonso X son, Pedro I (1350-1369), would spend much of his reign battling his half-brother, Enrique, count of Trastámara.
[164] Lomax, *The Reconquest of Spain*, 164-5.
[165] Lomax, *The Reconquest of Spain*, 164-5.
[166] Lomax, *The Reconquest of Spain*, 166-7.
[167] Lomax argues that from the reign of Pedro I, Castilian kings were far more preoccupied with issues at home than with the reconquest and any contests along the frontier were left to the nobility. He cites the outpouring of ballads and knightly poetry that romanticized the reconquest, turning Muslim forces from "the enemies of Christ's cross" into "valorous opponents and idealized paragons of chivalry." According to Lomax, "this was a period in which the rulers of Castile gave the Reconquest a very low priority and reduced it from the sphere of practical politics to that of literary or diplomatic convention, a useful excuse for evading papal demands and a tourist attraction for wandering nights seeking adventures." *The Reconquest of Spain*, 168. While I agree with certain aspects of this interpretation, it simplifies larger historical processes such as recurrent civil wars, economic stagnation (much of which were exemplified during the reign of Alfonso X), as well as the Black Death which transformed the later reconquest into something very different than earlier examples.
[168] As explained in the previous note, Derek W. Lomax described a type of pattern of Reconquest: the royals would eventually pause in their own campaigns against the Moors, leaving the nobles to continue without them. He argues that through their exploits in the frontier, the nobility was able to control "masterships, commanderies, bishoprics, governorships and even offices in the formerly autonomous cities." *The Reconquest of Spain*, 16.
[169] According to the medieval chronicle, known as the Fourth General Chronicle, after defeat on the battlefield, Pedro I attempted to flee but was betrayed and delivered to his brother. Their argument came to blows and Enrique stabbed his brother several times, killing him. Pedro I had been given the nickname, "the Cruel," and many celebrated at the news spread of his death. "No one weeps for him [Pedro I], no one mourns for him." Joseph F. O'Callaghan, *The Last Crusade in the West: Castile and the Conquest of Granada,* (Philadelphia: University of Pennsylvania Press, 2014), 28.
[170] The roots of the Great Schism reach back to the Hundred Years War between England and France. Both French and English kings argued for their rights to directly tax ecclesiastics to support the war effort, but Pope Boniface VIII (1294-1303) spoke out against this practice in 1296. Allies of French king Philip IV captured the pope and forced him to allow direct taxation; he died in captivity. Eventually, the papacy went to French Archbishop, Clement V (1305-14), who moved the papacy to Avignon in 1309 in cooperation with the French king and a predominately French college of cardinals. The papacy would remain here for much of the fourteenth century. Therefore, the primary goal of the papal election in 1378 was to restore the papacy to Rome. Italian pope Urban VI (1378-89) was chosen. Issues arose quickly when the new pope challenged the cardinals, publicly attacking their lavish lifestyles. In response, the non-Italian cardinals withdrew from Rome and declared his election null and void. They elected a cousin of the French king, Clement VIII (1378-94), as the anti-pope, which divided western Christendom until the Council of Constance (1414-18). At the council, the then Roman pope voluntary resigned, the council deposed and imprisoned the Pisan pope (yet another pope elected by the Council of Pisa in 1409), and deposed the Avignonese pope. In 1417, the council elected Martin V (1417-31) as the official pope and the schism ended.
[171] O'Callaghan, *The Last Crusade in the West,* 37.
[172] O'Callaghan, *The Last Crusade in the West,* 37; Lomax *Reconquest of Spain*, 168.
[173] O'Callaghan, *The Last Crusade in the West,* 38.
[174] According to O'Callaghan, Muhammad VII would respond violently by ordering whippings of arrested missionaries, and when that failed, he had them "beheaded and their bodies dragged through the streets." O'Callaghan, *The Last Crusade in the West,* 41.
[175] O'Callaghan, *The Last Crusade in the West,* 40.
[176] O'Callaghan, *The Last Crusade in the West,* 40 n. 45.
[177] O'Callaghan, *The Last Crusade in the West,* 33.
[178] O'Callaghan, *The Last Crusade in the West,* 44.
[179] Juan II was only two years old at the time of his ascension to the throne of Castile. According to Enrique's will, Juan's mother Catalina of Lancaster and Enrique's brother Fernando would both serve as regents for the young king. Catalina would administer the northern regions and Fernando would administer Toledo, Extremadura, and the frontier zones of Murcia and Andalucia. O'Callaghan, *The Last Crusade in the West,* 46.
[180] Fernando de Antequera was elected as King Fernando I of Aragon in June 1412. O'Callaghan, *The Last Crusade in the West,* 66.

[181] Enrique VI is traditionally considered one of the worst Castilian kings in its history. For example, Luis Suárez Fernández argued, "there are few figures more unanimously vilified than he." Luis Suárez Fernández, "Los Trastámaras de Castilla y Aragón en el siglo XV. Juan II y Enrique IV de Castilla (1407-1474)" in *El compromiso de Caspe, Fernando I, Alfonso V y Juan II de Aragón (1410-1479)* (Madrid: Espasa-Calpe, 1964), 3-318. In his seminal work on the reconquest, Derek W. Lomax does not even mention Enrique IV, but skips his reign entirely. Lomax, *The Reconquest of Spain*. However, like Alfonso X, modern scholars have begun to revisit various aspects of his reign. For examples, see William D. Phillips, *Enrique IV and the Crisis of Fifteenth-Century Castile, 1425-1480* (Cambridge, Mass: Mediaeval Academy of America, 1978); Luis. Suárez Fernández, *Enrique IV de Castilla: la difamación como arma política* (Barcelona: Editorial Ariel, 2001); José-Luis Martín, *Enrique IV de Castilla: Rey de Navarra, Príncipe de Cataluña* (Hondarribia: Nerea, 2003)
[182] Enrique IV also added that he would contribute whatever necessary to the crusade against the Turks afterwards, however. O'Callaghan, *The Last Crusade in the West,* 91.
[183] Enrique IV tried to learn from the mistakes of his predecessors on the battlefield, alternating between short periods of warfare and peace. He avoided prolonged and costly sieges and avoided direct confrontation with the enemy if the chance for victory was uncertain. He was also strategic in the way he conquered a territory. While his armies destroyed Muslim crop fields, he preserved the vineyards and orchards. He also was willing to pardon towns if they surrendered quickly. While this strategy, along with considerable funding from papal extensions of crusading indulgences, greatly decreased war costs, it did not curry favor with his vassals, who were more interested in plunder. He was also repeatedly accused of playing favoritism in his officer promotions. In his chronicle, royal chaplain Diego Enríquez del Castillo repeatedly complained of the "false disloyaty of vassals." Diego Enríquez del Castillo and Aureliano Sánchez Martín *Crónica de Enrique IV de Diego Enríquez del Castillo* (Valladolid: Secretariado de Publicaciones, Universidad de Valldolid, 1994), 147, 149-53.
[184] Nobles like the marques de Villena saw Enrique's promotion of younger men over more seasoned officers as a direct insult and vented their frustrations by mounting an organized protest against his rule. They argued that his daughter Juana was actually the illegitimate child of Beltrán de la Cueva, and therefore, the real heir to the throne was Enrique's eleven-year-old brother, Alfonso de Ávila. Their plans were thwarted by Alfonso's sudden death in 1468. Determined to oust Enrique, however, the nobles tried to use his sister Isabel, but she refused to depose her brother. In recognition to her loyalty, or more likely her power to depose him, that same year Enrique named Isabel as his heir in return for her promise not to wed without his consent. Isabel violated this agreement when she agreed to marry Fernando of Aragon without her brother's consent in 1469. Enrique responded by publicly condemning the marriage and reasserting that his daughter Juana was the true heir. O'Callaghan, *The Last Crusade in the West,* 113-116.
[185] Despite the fact that she would not depose her brother a year earlier, there were clear animosities between the siblings. For example, Isabel was not pleased with her brother's repeated attempts to use her betrothal as a bargaining chip. Enrique had first agreed to marry Isabel to 31-year-old widower Alfonso V of Aragon in 1463, in order to secure Aragonese aid in his crusade against Granada. After Alfonso's death, he then promised to marry her to Pedro Girón, master of Calatrava in 1465. This was in an attempt to appease Pedro's brother the marques de Villena, who was then organizing support for rival claimant Alfonso de Ávila. Furthermore, in the war of succession that ensued, Isabel and her supporters were ruthless in their condemnation of the king. For example, they vehemently repeated persistent rumors that Enrique was no true Christian because of his affinity for Moorish culture. O'Callaghan, *The Last Crusade in the West,* 112, 115, 121.
[186] Joseph F. O'Callaghan argues that the fact that the truce did not include the customary stipulations like tribute payments or captive release, is evidence of the king's "weakened position." O'Callaghan, *The Last Crusade in the West,* 119.
[187] Robert I. Burns argues that a type of "proto-nationalism" existed much earlier during the reigns of Alfonso X of Castile and James I of Aragon. He cites both kings' concerted efforts to produce legal and cultural works in Castilian Spanish and Catalan as evidence. "Castile of Intellect, Castile of Force: The Worlds of Alfonso the Learned and James the Conqueror" in *The Worlds of Alfonso the Learned and James the Conqueror,* ed. Robert I. Burns, 21.
[188] For a list of the stipulations of the marriage agreement, see William Hickling Prescott and John Foster Kirk, *History of the Reign of Ferdinand and Isabella the Catholic* (Philadelphia: Lippincott, 1872), I:66-67.
[189] Prescott and Kirk, *History of the Reign of Ferdinand and Isabella the Catholic*, I, 66.
[190] For example, she was adamant that Spain should have a Holy Inquisition, its purpose was to investigate heresy and ensure popular adherence to Catholic practices. Pope Sixtus IV would grant Isabel's request in November 1478. The social and political implications of these royal initiatives are analyzed in Chapter 2.

[191] Fernando del Pulgar, royal chronicler of the Catholic Kings, remarked that the monarchs immediately acknowledged that "they ought not to undertake any war except for the faith…and always intended to conquer the emirate of Granada and to expel the Moors and the name of Muhammad from all the Spains." Fernando del Pulgar and Juan de Mata Carriazo *Crónica de los reyes católicos* (Madrid: Espasa-Colpe, 1943), II:3.
[192] O'Callaghan, *The Last Crusade in the West,* 123, 293 n. 5.
[193] Fernando del Pulgar and Juan de Mata Carriazo *Crónica de los reyes católicos* (Madrid: Espasa-Colpe s.a, 1943), I:325.
[194] They had discussed the possibility of a crusade with Pope Sixtus IV as early as 1477, who ensured them of his willingness to support the venture if and when it began. Joseph F. O'Callaghan, *The Last Crusade in the West*, 125.
[195] For a full translation of the bull, see Shiels, *King and Church*, 66-70.
[196] Shiels, *King and Church*, 68.
[197] Shiels, *King and Church*, 68-69.
[198] Shiels connects the *Patronato de indias* to previous papal concessions, the earliest being the crusading bull of Granada by Innocent VIII in 1486. *King and Church*, 4-5.
[199] O'Callaghan, *The Last Crusade in the West,* 133.
[200] O'Callaghan, *The Last Crusade in the West,* 138-139.
[201] O'Callaghan, *The Last Crusade in the West,* 167.
[202] For an English translation of the bull, see Shiels, *King and Church*, 64-65.
[203] Shiels, *King and Church*, 65.
[204] Shiels, *King and Church*, 65.
[205] The right of patronage thus included sacred places reclaimed from the Muslims as well as new churches constructed afterwards.
[206] Ignacio Jodan de Asso y Miguel de Manuel, *El ordenamiento de leyes que Alfonso XI, Ley lviii*
[207] The severity of the threat further emphasizes the king's determination to secure the right of presentation. Ignacio Jodan de Asso y Miguel de Manuel, *El ordenamiento de leyes que Alfonso XI, Ley lviii*
[208] Ludwig Pastor and Frederick Ignatius Antrobus. *The History of the Popes, from the Close of the Middle Ages* (London: J. Hodges, 1891-1934), I:142
[209] Shiels, *King and Church*, 41.
[210] Ludwig Pastor, *The History of the Popes,* I:275. The Catholic Kings would employ this tactic early in their conquest of Granada. They petitioned Innocent VIII to extend the crusading bull, and royal use of the *decima*, granted previously by Sixtus IV. When the pope agreed to the extension, but required that a third of the *decima* to fund the war against the Turks in the East. The Catholic Kings were frustrated by this request and initially refused to publish the bull in Spain. O'Callaghan, *The Last Crusade in the West,* 145-146.
[211] On this point, I disagree with W. Eugene Shiels. In his seminal work *King and Church* he argued that "up to the reign of the Catholic monarchs no royal patronato power had appeared in Spain." This proves to be a very strict interpretation of medieval church-state relations. Medieval Spanish kings were cautious not to directly place themselves above the authority of the church within their legal codes because it would have fundamentally challenged the codes' validity. As we have seen, the medieval populace recognized that canon and secular law operated on the same level and any secular code that overtly disregarded canon law would have immediately come under suspicion. Shiels does recognize custom, but does not assign it any legal power. "Kings had long demanded from the bishops an act of 'reverence' upon election and latterly had entered actively into their appointments." *King and Church*, 42-43.
[212] Shiels, *King and Church*, 42.
[213]The pope had attempted to appoint the bishop without royal consent. In response, the kings threatened they would call a general council to reform the Spanish church to make it more subject to the monarchy. The pope then conceded that the kings had the right to supplicate nominees they felt were more qualified Mecham, *Church and State in Latin America*, 11.
[214] Mecham, "The Origins," 215-6.
[215] Shiels argued that the Spanish patronato real followed the example of earlier crusading bulls given to Portuguese monarchs in their expeditions into Africa. Specifically, he analyzes the *Romanus pontifex* of Nicholas V and the *Inter caetera quae* of his successor, Calixtus III. The former is reiterated in the latter. An English translation of both are included in *King and Church*, 50-57; Francisco Javier Hernáez, *Colección de bulas, breves y otros documentos relativos a la iglesia de America y Filipinas* (Vaduz: Kraus Reprint, 1964).
[216] Shiels, *King and Church*, 54.
[217] Hernáez, *Colección de* bulas, 2:824-830.

[218] The Knights had been suppressed by Pope Clement V, but were maintained under the auspices of a Christian military by the then King Díñiz until the order could be appealed. He received papal approval in 1319 to reinsert the order under the title, the Orden de Cristo. The order was repeatedly conferred crusading indulgences. Shiels, *King and Church*, 46-49.
[219] Hernáez, *Colección de* bulas, 2:824-830.
[220] Both papal bulls granted to the Portuguese king in the 1450s and the crusading bull of Granada emphasized conversion.
[221] Shiels, *King and Church*, 64.
[222] Shiels, *King and Church*, 78.
[223] Shiels, *King and Church*, 66.
[224] Shiels, *King and Church*, 66.
[225] O'Callaghan, *The Last Crusade in the West*, 125.
[226] Shiels, *King and Church*, 68-69.
[227] Fernando del Pulgar and Juan de Mata Carriazo *Crónica de los reyes católicos* (Madrid: Espasa-Colpe s.a, 1943), II: 189.
[228] Robert Bartlett, *The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350* (Princeton, N.J.: Princeton University Press, 1993), 207.
[229] Bird, Peters, and Powell. *Crusade and Christendom*, 95.
[230] Riley-Smith, *The Crusades: A Short History*, 140.
[231] Riley-Smith, *The Crusades: A Short History*, 140.
[232] The title for the monarchs read: "Kings of Castile-León, Aragon, of Sicily." Historians disagree on the degree of forethought in Fernando and Isabel's unification plans. For example, John Lynch argues that the Catholic Kings were "more vacillating and less absolutist that is often supposed" in their "the task of assimilating and integrating the various states." However, it is clear that consistency, both politically and socially, was required if the monarchs were to consolidate their vast realm. John Lynch, *Spain Under the Habsburgs* (New York: New York University Press, 1984), 4.
[233] Lomax, *Reconquest of Spain*, 172.
[234] The exact line reads: "Nevertheless, if they [the monarchs] act beyond the provisions and completions established by the Holy See and the ordinaries, or otherwise than in the manner of presentation here described, their acts are null and void." Shiels, *King and Church*, 69.
[235] J. Lloyd Mecham argues that by the time of the Catholic kings, all of these laws (Gothic traditions, crusades, pontifical concessions) conferred together to create a considerable level of patronage over Spanish churches, but it was still particular patronage not universal. *Church and State in Latin America*, 10.
[236] Mecham, *Church and State in Latin America*, 11.
[237] Isabel had rejected to see him on his first trip to the royal court in 1486. The Catholic Kings were occupied with their war in Granada and were not in a place financially to fund such an expedition. J. H. Elliott remarked that historians are still unclear as to why they changed their minds in 1491. *Imperial Spain*, 60.
[238] According to Shiels, the papal bull published on May 4th was a revision of the original bull written the previous day, the major difference between the two was that the Line of Demarcation was not included in the original May 3rd version. For an explanation of these documents, see Shiels, *King and Church*, 75-76.
[239] "…de la exaltación y propagación de la fe católica…las nombradas tierras e islas, juntamente con sus naturales y moradores, y atraerlas al dominio de nuestra fe…Y para que, regalados con la generosidad de la gracia apostólica… os damos, concedemos y asignamos a perpetuidad, así a vosotros como a vuestros sucesores los reyes de Castilla y León, en ejercicio de nuestro apostólico poder y por el tenor de las presentes, todas y cada una de las tierras e islas sobredichas, antes desconocidas, y las descubiertas hasta aquí o que se descubran en lo futuro." Bartolomé de las Casas, *Tratados de Fray Bartolomé de las Casas*, ed. Lewis Hanke, Manuel Giménez Fernández, Juan Pérez de Tudela y Bueso, Agustín Millares Carlo, and Rafael Moreno, (Mexico: Fondo de Cultura Económica, 1997), 1279.
[240] The bull also stipulated that but that no one, clergymen or laymen, was to go to the new lands without special permission from the monarchy. Hernáez, *Colección de* bulas, 1:14.
[241] It is possible that since Alexander VI was Aragonese and of illustrious family, it may have influenced him to favor the Spanish monarchs. Mecham, "The Origins," 218.
[242] For a transcription of this bull, see Mecham, "The Origins," 219-20; Shiels, *King and Church*, 90-91.
[243] Mecham, "The Origins," 219-20.
[244] For a translation of this letter see, Shiels, *King and Church*, 93.
[245] Julius II sidesteps the issue entirely. For a full translation of the bull, see Hernáez, *Colección de bulas*, 1:25.

[246] By crusading custom, if the bishops founded the churches, they would then be the "patrons" of said churches; a not so subtle way of turning the traditional justification for royal patronage on its head. Hernáez, *Colección de bulas,* 1:25.
[247] Fernando's response is quoted at the beginning of the chapter, Mecham, "The Origins," 221.
[248] *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, 5:81-82.
[249] Hernáez, *Colección de bulas,* 1:25.
[250] Hernáez, *Colección de bulas,* 1:25-26.
[251] For a full transcription of this bull, see Mecham, "The Origins," 222-3.
[252] Bartolomé de las Casas, *Tratados de Fray Bartolomé de las Casas*, ed. Lewis Hanke et al, 1278.
[253] Shiels, *King and Church*, 53.

Chapter Two Notes:

[1] "A discourse written by one Miles Philips Englishman…," in Richard Hakluyt, *The Principal Navigations, Voyages, Traffiques & Discoveries of the English Nation, made by Sea or Overland to the Remote and Farthest Distant Quarters of the Earth at Any Time Within the Compass of These 1600 Years,* (London: J.M. Dent and Sons, limited, 1927), 6:323. Richard Hakluyt (1553-1616) began compiling histories of the Atlantic voyages of his fellow Englishmen in the late sixteenth century, just as England was considering its own imperial expansion in the West. Scholars have criticized his collection for its lack of objectivity, but because his purpose was to celebrate English achievements by preserving them for prosperity, they reveal more than just the accounts of these early travelers. During much of Richard Hakluyt's lifetime, England could not compete in the race to colonize the Americas, which was then dominated by the Spanish and Portuguese. Its first attempts to establish colonies (Roanoke) were dismal failures, and no one could predict the eventual success of a third colony (Jamestown) at the time of Hakluyt's death in 1616. These histories, therefore, reveal how Europeans perceived sixteenth century Atlantic imperialism and, for the purpose of this study, how foreigners perceived Spain and Portugal's activities in that process.
[2] Account taken from "The Voyages of Miles Philips." See Hakluyt, *The Principal Navigations, Voyages, Traffiques,* 296-336.
[3] A transcribed copy of the report is included in G.R.G. Conway's footnotes, 35-36. See Robert Tomson, *An Englishman and the Mexican Inquisition, 1556-1560: Being an Account of the Voyage of Robert Tomson to New Spain, His Trial for Heresy in the City of Mexico and Other Contemporary Historical Documents,* ed. G. R. G. Conway, (Mexico: Priv. Print, 1927). The original manuscript is from the Archivo General de la Nación in Mexico City, Mexico (hereafter referred to as AGN) Instituciones Coloniales, Inquisición Vol. 54.
[4] Anne J. Cruz and Mary Elizabeth Perry illustrate that the Catholic Church "acted as an official organ of cultural production" in Spain. Anne J. Cruz and Mary Elizabeth Perry, *Culture and Control in Counter-Reformation Spain,* (Minneapolis: University of Minnesota Press, 1992), xi.
[5] Irene Silverblatt argues that the Holy Office of the Inquisition acted as the social "gatekeeper" for Spanish society, especially in regards to the complex demographic of Spanish America. While I do not disagree with this assessment, my research has been inspired by scholars like William B. Taylor who argue that the parish priests were more likely to make the distinctions between Christian and non-Christians. Irene Silverblatt, *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World,* (Durham: Duke University Press, 2004); William B. Taylor, *Magistrates of the Sacred: Priests and Parishioners in Eighteenth-Century Mexico,* (Stanford: Stanford University Press, 1998).
[6] Norman Roth, *Conversos, Inquisition, and the Expulsion of the Jews from Spain,* (Madison, WI: University of Wisconsin Press, 1995); Renée Levine Melammed, *A Question of Identity: Iberian Conversos in Historical Perspective,* (New York: Oxford University Press, 2004); Kevin Ingram ed., *The Conversos and Moriscos in Late Medieval Spain and Beyond,* (Leiden; Boston: Brill, 2009); L. P. Harvey, *Muslims in Spain, 1500 to 1614,* (Chicago: University of Chicago Press, 2005); Mary Elizabeth Perry, *The Handless Maiden: Moriscos and the Politics of Religion in Early Modern Spain,* (Princeton, N.J.: Princeton University Press, 2005); Benjamin Ehlers, *Between Christians and Moriscos Juan de Ribera and Religious Reform in Valencia, 1568-1614,* (Baltimore: Johns Hopkins University Press March 2006). For a treatment of conversos in colonial New Spain, see Seymour B. Liebman, *The Jews in New Spain; Faith, Flame, and the Inquisition,* (Coral Gables, Fla: University of Miami Press, 1970).
[7] Carl Erdmann, *The Origin of the Idea of Crusade,* (Princeton, N.J.: Princeton University Press, 1977).
[8] Erdmann, *The Origin of the Idea of Crusade,* 32.

[9] Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain,* (University of Pennsylvania Press: Philadelphia, 2003), 76.
[10] These early wars would be framed in religious terms by Pope Alexander II in 1063, who granted indulgences to participants in the French wars against Iberian Muslims beginning in 1064. Erdmann, *The Origin of the Idea of Crusade,* 136-40. For a concise military history of the Reconquest, see Derek W. Lomax, *The Reconquest of Spain,* (London: Longman, 1978). Antonio García y García argues that there were two constants in papal interactions with medieval Spanish kingdoms: recognition of "the plurality of the Spanish kingdoms, to which the popes accorded equal rights" and its repeated attempts to unite the Christian kings against Islam in Spain. Antonio García y García, "Innocent III and the Kingdom of Castile," in *Pope Innocent III and His World,* ed. John C. Moore and Brenda Bolton, (Brookfield, Vt: Ashgate, 1999), 338.
[11] Simon Barton and R. A. Fletcher, *The World of El Cid: Chronicles of the Spanish Reconquest,* (Manchester: Manchester University Press, 2000); Bernard F. Reilly, *The Contest of Christian and Muslim Spain: 1031-1157,* (Cambridge, MA: Blackwell, 1992).
[12] Reilly, *The Contest of Christian and Muslim Spain,* 242-243. For the history of another important religious city, see Santiago de Compostela see, Antonio López Ferreiro, *Historia de la Santa a. m. iglesia de Santiago de Compostela,* (Santiago: Impr. del Seminario conciliar central, 1898-1911).
[13] While his focus is on the creation of Western Europe more broadly rather than just Iberia, Robert Bartlett's conceptualization of the spread of Latin Christendom as a "quasi-ethnic nuance" and the evolving linkages between Roman Catholicism and military conquest have significant implications for considerations of Spanish medieval history. See Robert Bartlett, *The Making of Europe: Conquest, Colonization, and Cultural Change, 950-1350,* (Princeton, N.J.: Princeton University Press, 1993).
[14] Peter Linehan, *The Spanish Church and the Papacy in the Thirteenth Century,* (London: Cambridge University Press, 1971), 110 n. 3.
[15] Bartlett calculates that Iberian bishoprics were approximately 1.4 times the size of those in England, which was considerably more densely populated than the peninsula. Bartlett, *The Making of Europe,* 13.
[16] William Christian emphasizes the overwhelmingly local character of religion and the veneration of local patron saints, in the early modern Spain which largely persisted due to opposition of the Catholic Church. William A. Christian, *Local Religion in Sixteenth-Century Spain,* (Princeton, N.J.: Princeton University Press, 1981).
[17] Jaime Vicens Vives, *Approaches to the History of Spain* (Berkeley: University of California Press, 1967), 165.
[18] Thomas F. Glick illustrates the similarities between the "separate, but equal" parallel political systems practiced in both Christian and Muslim communities during the medieval period. He argues that Christians were actually emulating the traditional Islamic practice, called dhimma, where religious minorities were accorded legal protection once they were absorbed into Muslim territories. Thomas F. Glick, *Islamic and Christian Spain in the Early Middle Ages,* (Leiden: Brill, 2005), 187-188.
[19] Bartlett, *The Making of Europe,* 207.
[20] Memory is considered a process whereby "individuals, communities, and whole societies make present what has been rendered absent to them by forces of distance, trauma, or time." Nicholas Paul and Suzanne Yeager, "Introduction: Crusading and the Work of Memory, Past and Present," in Nicholas Paul and Suzanne Yeager eds., *Remembering the Crusades,* (Baltimore: Johns Hopkins University Press, 2012), 5.
[21] Bartlett, *The Making of Europe,* 93.
[22] For sociology of memory, see Jeffrey K. Olick and Joyce Robbins. "Social Memory Studies: From "Collective Memory" to the Historical Sociology of Mnemonic Practices." *Annual Review of Sociology* 24, (August 1998): 105-141; Alan Kirk, "Social and Cultural Memory," in *Memory, Tradition, and Text: Uses of the Past in Early Christianity,* ed. Alan Kirk and Tom Thatcher (Leiden: Brill, 2005), 1-24.
[23] For a literary examination of these heroic narratives and their sociocultural implications, see Patricia E. Grieve, *The Eve of Spain: Myths of Origins in the History of Christian, Muslim, and Jewish Conflict,* (Baltimore: Johns Hopkins University Press, 2009).
[24] The first printed edition of the *Siete Partidas* was by Alonso Díaz de Montalvo, published in Seville in 1491. Gregorio Lopez issued a new edition, with an extensive gloss, at Salamanca in 1555, and an anonymous team produced a third edition under the auspices of the Real Academia de la Historia in 1807. Joseph F. O'Callaghan, "Alfsonso X and the Partidas," *The Middle Ages Series: Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen (Partida I),* Robert I. Burns, S.J., ed., (Philadelphia, US: University of Pennsylvania Press, 2012), xxxiv.

[25] "These laws are ordinances to enable men to live well and regularly according to the pleasure of God, and also, as is proper, to live a good life in this world and to observe the religion of Our Lord Jesus Christ as it is." *Las Siete Partidas, Volume 1*, Burns, ed, 1.
[26] "It also resembles sacrilege to confer power upon Jews to sit in judgment over Christians, or to receive tolls, or to appoint them collectors of other revenues which Christians are required to pay to the lords of lands, or as rent to them; for, by reason of this, they acquire power over them, and do them much harm and annoy them in many ways." *Las Siete Partidas, Volume 1*, Burns, ed, 255.
[27] Partida I, Title V, Law XVIII, *Las Siete Partidas, Volume 1*, Burns, ed, 57.
[28] William Hickling Prescott, *History of the Reign of Ferdinand and Isabella the Catholic*, ed. John Foster Kirk, (Philadelphia: Lippincott, 1872), I:66.
[29] Vicens Vives is responsible for a radical reorientation of the fifteenth century in the history of Spain with his focus on the tensions between Old and New Christians, or Jewish conversos. Among, other ideas, he argues that this antagonism was spatially determinant: between Christians and Moriscos (Muslim converts) in the rural areas & Christian-Islamic integration in the urban areas. *Approaches to the History of Spain*, 164; Américo Castro adds another layer to Spanish religious segregation by emphasizing the typical occupational differences between the three groups: Christians were soldiers, administrators, priests, and free farmers; Muslims were artisans, small merchants, and tenant farmers; Jews were doctors, diplomats, financial officers, small merchants, and artisans. *The Spaniards: An Introduction to Their History*, (Berkeley: University of California Press, 1971).
[30] For a general history of the Jewish pogroms of the late fourteenth and early fifteenth centuries, see Vives, *Approaches to the History of Spain*, Chapter 14.
[31] Maria Elena Martinez argues that "what had begun as a temporary tool to ensure the purity and integrity of the faith had in the course of a century developed into a mechanism for creating a hierarchical sociopolitical order based almost exclusively on blood and on the categories of Old and New Christians," 198. Maria Elena Martinez, "Interrogating Blood Lines: 'Purity of Blood,' the Inquisition, and Casta Categories," 196-217, in *Religion in New Spain*, eds. Susan Schroeder and Stafford Poole, (Albuquerque: University of New Mexico Press, 2007). Also, see the early chapters on Spanish precedents of limpieza de sangre in Ann Twinam, *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America,* (Stanford, Calif: Stanford University Press, 1999) and María Elena Martínez, *Genealogical Fictions: Limpieza De Sangre, Religion, and Gender in Colonial Mexico,* (Stanford, Calif: Stanford University Press, 2008).
[32] Thomas F. Glick argues that identity in Iberia was highly connected to religion, and due to the history of confrontation between Muslims and Christians, the difference between them was largely understood as "dichotomous." Glick, *Islamic and Christian Spain*, 185. John Edwards goes even further when he argues that "no country in late medieval Europe had a more self-consciously Christian identity than Spain." John Edwards, *The Spain of the Catholic Monarchs, 1474-1520,* (Malden, Mass: Blackwell Publishers, 2000), 194.
[33] For a list of the stipulations of the marriage agreement, see Prescott, *History of the Reign of Ferdinand and Isabella the Catholic*, ed. Kirk, I:66-67.
[34] Vives, *Approaches to the History of Spain*, 165.
[35] Edwards, *The Spain of the Catholic Monarchs*, 226.
[36] Edwards, *The Spain of the Catholic Monarchs*, 228-232.
[37] O'Callaghan, *The Last Crusade in the West*, 247.
[38] Henry Kamen, *The Phoenix and the Flame: Catalonia and the Counter-Reformation,* (Yale University Press: New Haven, 1993), 386-387.
[39] Charles Gibson. *The Aztecs Under Spanish Rule; A History of the Indians of the Valley of Mexico, 1519-1810,* (Stanford, Calif: Stanford University Press, 1964).
[40] For an extensive study on the Spanish Inquisition, see the works of Henry Kamen, *The Spanish Inquisition*, (New York: New American Library, 1965); *Inquisition and Society in Spain in the Sixteenth and Seventeenth Centuries,* (Bloomington: Indiana University. Press, 1985); *The Spanish Inquisition: A Historical Revision,* (New Haven: Yale University Press, 1997). Kamen's interpretations of the nature of the Spanish Inquisition in early modern Spanish society change between these successive publications. In *The Spanish Inquisition,* Kamen conceptualizes the Spanish Inquisition as a political tool used to control Spanish society, specifically targeting the influential converso population who challenged the power of "Old Christians." His interpretations in *Inquisition and Society in Spain* are considerably less accusatory, and many scholars criticized its seemingly apologetic portrayal of Inquisitorial actions. *The Spanish Inquisition: A Historical Revision* is decidedly more nuanced by approaching the Inquisition as a bureaucracy rather than religious monolith. For a work that discusses a variety of topics in the context of the Spanish Inquisition, see Helen Rawlings, *Church, Religion and Society in Early Modern Spain*, (New York: Palgrave, 2002).

[41] For the ideological implications of Dominican control over the early Spanish tribunal, see Martin Austin Nesvig, *Ideology and Inquisition: The World of the Censors in Early Mexico*, (New Haven: Yale University Press, 2009).
[42] J.H. Elliot, *Imperial Spain, 1469-1716*, (London: Edward Arnold, 1963), 213.
[43] See Chapter 1 in Marcel Bataillon, *Erasmo y España: estudios sobre la historia espiritual del siglo XVI*, (México: Fondo de Cultura Económica, 1950).
[44] Tarsicio de Azcona, *Isabel la Católica: estudio crítico de su vida y su reinado*, (Madrid: Biblioteca de Autores Cristianos, 1964), 550-552; Miguel Angel Ladero Quesada, *Granada después de la conquista: repobladores y mudéjares*, (Granada: Diputación Provincial de Granada, 1993), 419-434.
[45] Charles was the son of Archduke Philip, son of Emperor Maximillian, and Juana, daughter of Fernando and Isabel. He was Flemish born and became Duke of Burgundy in 1506. After the death of Archduke Philip in 1506, he also became the heir to his grandfather Maximillian, who died in 1519, and inherited the Hapsburg and Burgundian lands. He also was named Holy Roman Emperor in 1519.
[46] According to William A. Christian, the more radical elements of the Alumbrados were eliminated by 1570. Christian, *Local Religion in Sixteenth-Century Spain*, 160.
[47] Christian, *Local Religion in Sixteenth-Century Spain*, 160; Elliot, *Imperial Spain*, 214; John Lynch, *Spain Under the Habsburgs*, (New York: New York University Press, 1984), 1:69; For a study of the Toledo Alumbrados, see Antonio Márquez, *Los alumbrados: orígenes y filosofía (1525-1559)*, (Madrid: Taurus, 1980).
[48] Mary Elizabeth Perry, *Gender and Disorder in Early Modern Seville*, (Princeton, N.J.: Princeton University Press, 1990), 98; The term recogimiento was actually used for several different methods of enclosure, the most popular being monastic retreat and spiritual contemplation, but it could also mean temporary enclosure as in the casas de recogimiento. For example, single women could live in these quasi-religious houses prior to marriage, married women could stay there while their husbands were away, or "deviant" women could be mandated to stay as a form of penitence. For an examination of the many forms of recogimiento, see Nancy Van Deusen, *Between the Sacred and the Worldly: The Institutional and Cultural Practice of Recogimiento in Colonial Lima*, (Stanford, Calif: Stanford University, 2002).
[49] "One of the most striking features of the movement for religious reforms during the primacy of Cardinal Cisneros was the amount of mystical literature made available in Castilian." Alastair Hamilton, *Heresy and Mysticism in Sixteenth-Century Spain: The Alumbrados*, (Toronto: University of Toronto Press, 1992), 13.
[50] For studies on female mystics see, Chapter 5 in Perry, *Gender and Disorder in Early Modern Seville*, 97-117; Richard L. Kagan, *Lucrecia's Dreams: Politics and Prophecy in Sixteenth-century Spain*, (University of California Press, 1990)
[51] Bataillon, *Erasmo y España*.
[52] Marcel Bataillon illustrated that contrary to the popularized image of Spanish religious oppression, a powerful Erasmist current existed in Spain even when at the height of represssive official Spanish church policies. Bataillon, *Erasmo y España*; Richard E. Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, (Washington: Academy of American Franciscan History, 1961), 26.
[53] Humanism originated in Renaissance Italy, and was inspired by Classical studies to conceptualize man as "the center point and the measure of the universe." Arthur Geoffrey Dickens, *The Age of Humanism and Reformation: Europe in the Fourteenth, Fifteenth and Sixteenth Centuries*, (London: Prentice-Hall International, 1977), 128.
[54] Greenleaf, *Zumárraga and the Mexican Inquisition*, 26.
[55] For examples of other contemporary humanist writers, see Juan Luis Vives, *Selected Works of J.L. Vives*, trans. Constantinus Matheeussen, Charles Fantazzi and E. George, (Leiden: E.J. Brill, 1987); Harry Emerson Fosdick, *Great Voices of the Reformation: An Anthology*, (New York: Random House, 1952).
[56] Some of Erasmus teachers belonged to the Brethren of the Common Life, a lay order emphasizing poverty, simplicity, humility and devotion rather than dogma or formal theology. Raymond Himelick, "Introduction" in Erasmus Roterodamus, *The Enchiridion of Erasmus*, trans. and ed. Raymond Himelick (Bloomington: Indiana University Press, 1963), 12.
[57] For example, he obtained papal permission releasing him from all obligations towards his religious order, the Augustinians after being invited to Brussels by Charles V in 1516. Dickens, *The Age of Humanism and Reformation*, 128.
[58] Erasmus expresses his distaste for formal studies in his *Enchiridion*. He criticized the "modern theologians" who "spend their energy upon certain sophistical subtleties than upon the illumination of hidden meanings [in Scripture]." Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 53

[59] According to Raymond Himelick, the *Enchiridion* had more than 30 editions within twenty years of its original publication in 1503, and was translated into several different languages: French, Dutch, Spanish, German, English. Raymond Himelick, "Introduction" in Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 11.
[60] Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 38.
[61] "Man, then, is a being…composed of two or three vastly unlike parts: a soul that is like something divine and a body like that of a dumb brute…In regard to the soul, however, we have the capacity for the divine which enables us to surpass even the nature of angels and be made one with God." Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 63.
[62] "That we should always be armed with prayer and knowledge…undefiled prayer lifts our spirits heavenward…knowledge puts the intellect in touch with salutary ideas. Neither therefore should be unsupported by the other..." Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 47.
[63] The Sorbonne officially condemned the work in 1543, and from then to the end of the century the Folly was included "in at least fourteen indices of forbidden books, in France, Spain, and Italy." Desiderius Erasmus, *The Praise of Folly*, tans. with Introduction by Clarence H. Miller, (New Haven, Conn: Yale University Press, 2003), xviii.
[64] Upon Charles's request, the delegates compiled a list of 102 abuses. For a translation, see Gerald Strauss, *Manifestations of Discontent in Germany on the Eve of the Reformation: A Collection of Documents*, (Bloomington: Indiana University Press, 1985), 52.
[65] For example, the Reformatio Sigismundi is a well-known example of a call for church reform in late fifteenth century Germany. It includes many of the same issues discussed in Luther's *Theses*. For an edited English translation, see Strauss, *Manifestations of Discontent in Germany*, 3-34.
[66] Charles referred to his Catholic ancestry as reason for his refusal to side with Luther and his supporters, and "proceed against him [Luther] as a notorious heretic." Jensen, De Lamar. *Confrontation at Worms: Martin Luther and the Diet of Worms*, (Provo, Utah: Brigham Young University Press, 1975).
[67] In February 1521, Nuncio Jerome Aleander mentions in a letter to Pope Leo X that in Flanders Spanish-language copies of Luther's books were in the press and that Charles V had given orders to suppress them. Within a month, the Pope addressed briefs to the Constable and Admiral of Castile urging them to prevent the introduction of such works. Book raids were done in April and May of that year. For a detailed examination of book censorship in the Spanish empire, see Nesvig, *Ideology and Inquisition*.
[68] After Erasmus's publication on Freewill, Luther wrote, "It is incredible how I loathe that pamphlet on Freewill, although as yet I have only read about two chapters of it. It is unpleasant to have to reply to such a learned book of so erudite a man." John Joseph Mangan, *Life, Character & Influence of Desiderius Erasmus of Rotterdam*, (New York: The Macmillan Company, 1927), 2:246. "Shame upon thee, accursed wretch! ...all the while using such shuffling and double-meaning terms, that no one can lay hold of him to any effectual purpose. Whenever I pray, I pray for a curse upon Erasmus." Martin Luther, *The Table Talk of Martin Luther*, trans. and ed. William Hazlitt, (London: Bell and Sons, 1911), 283.
[69] Erasmus chastised ritual without true belief: "What was the use of having the sign of the Cross outlined on your forehead unless you were to live by it and campaign under His standard?" Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 40.
[70] After Luther's scathing response in his *De servo arbitrio*, he spoke of Erasmus in increasingly hostile terms. For example, he wrote to a preacher named Jacob Montanus in May 1529, "I despise him and do not consider the creature worthy of any other reply, and should I write shall only refer to Erasmus in the third person, and doing this more to condemn his opinions than to refute them, for he is a thoughtless 'Indifferentist,' who ridicules all religion…" Later, Luther provided a short description of Erasmus in an instruction course for children in 1533. It read: "An enemy of all religions and a special opponent of Christ, a perfect example and copy of Epicureus and Lucian. I, Martin Luther, write this with my own hand to my dearest son, Johannes, and through thee to all the children of the Holy Church of Christ." Martin Luther, *The Letters of Martin Luther*, trans. Margaret A. Currie, (Macmillan & Co: London, 1908), 191-192, 295.
[71] Erasmus theories were too Aristotelian for Luther's tastes. Erasmus also went so far as to say that pagan philosophy had its uses as a mental exercise for those just beginning to learn the Christian faith. "I would not disapprove of the new recruit's getting some practice in the works of pagan poets and philosophers; only let him take them up in moderation, in a way appropriate to his immaturity and, so to speak, in passing…" Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 50-51.

[72] Martin Luther, *Martin Luther on the Bondage of the Will: A New Translation of De Servo Arbitrio (1525) Martin Luther's Reply to Erasmus of Rotterdam*, trans. J. I. Packer, and O. R. Johnston, (Westwood, N.J.: Revell, 1957), 251-252.
[73] "If God rides, it wills and goes where God wills…If Satan rides, it wills and goes where Satan wills. Nor may it choose to which rider it will run, or which it will seek…" Luther, *Martin Luther on the Bondage of the Will*, trans. Packer, and Johnston, 103-104.
[74] According to Erasmus, man has three parts, the flesh, which is prone to sin, the spirit, or righteousness, and the soul which is always somewhere in-between the two, one takes the soul closer to carnality while the other takes it to piety. "…the soul has to align herself with one of the other parts. She is drawn this way and that, but she is free to incline toward whichever part she wishes." Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 79.
[75] "If the most excellent thing in man is not ungodly, nor ruined and damned [what Erasmus terms "the spirit"], but only 'the flesh', what sort of Redeemer, I ask shall we make Christ to be? Shall we make the ransom-price of His blood to be of so little worth that it redeemed only the least valuable part of man, man's most excellent part being self-sufficient, and not needing Christ?" Martin Luther, *Martin Luther on the Bondage of the Will*, trans. Packer, and Johnston, 253.
[76] The two corresponded during the period. In the beginning, Luther seemed to think that the elder scholar would be a likely ally in the early years of reform, and many contemporaries believed that Luther's critiques had been marginally inspired by Erasmus's earlier writings. For example, in Luther's letter to Erasmus in 1519 he emphasized how the *Enchiridion* inspired him. Erasmus openly praised Luther's *Theses*, but balked when the young reformer and his supporters associated Erasmus with their fight against the papacy. For an excerpt of that letter, see Preserved Smith, *The Life and Letters of Martin Luther*, (Boston: Houghton Mifflin company, 1911), 200-201. In another letter to Erasmus in April 1524, Luther proposed a truce. "To Erasmus of Rotterdam," Luther, *The Letters of Martin Luther*, trans. Currie, 122-124. Erasmus's *Diatribe*, which was published soon after was seemingly his answer.
[77] Luther, *Martin Luther on the Bondage of the Will*, trans. Packer, and Johnston, 35.
[78] "Martin Luther to John Lange in March 1, 1517." See Heinrich Boehmer, *Martin Luther: Road to Reformation*, trans. John W. Doberstein, and Theodore G. Tappert, (New York: Meridian Books, 1957), 160; Luther, *Martin Luther on the Bondage of the Will*, trans. Packer, and Johnston, 26; Luther, *The Letters of Martin Luther*, trans. Currie, 13-14.
[79] "I see indeed, my good Erasmus, that in many of your books you deplore the loss of peace and concord, and make a series of attempts to heal the breach. Your intentions are the best (at least, I think so); but the gouty foot laughs at your doctoring…why, you are trying to quench fire with straw!" Luther, *Martin Luther on the Bondage of the Will*, trans. Packer, and Johnston, 92.
[80] "Shame upon thee, accursed wretch! ...all the while using such shuffling and double-meaning terms, that no one can lay hold of him to any effectual purpose." Luther, *The Table Talk of Martin Luther*, trans. and ed. Hazlitt, 283.
[81] Raymond Himelick, "Introduction" in Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 27.
[82] Erasmus chastised praying to specific saints to ward off specific evils, because this was faith for the sake of personal gain. "I will approve of their asking that [St. Roch] of theirs for life and safety if they consecrate that life to Christ, but I will praise them more if they pray for nothing by an increased hatred of vice and a burgeoning love of virtue." Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 99-100; Bataillon, *Erasmo y España*.
[83] William Christian, *Local Religion in Sixteenth-Century Spain*.
[84] Sara Nalle demonstrates that reforms in lay religious education increased both men and women's abilities to recite basic prayers by the middle of the seventeenth century in Castile. Sara Tilghman Nalle, *God in La Mancha: Religious Reform and the People of Cuenca, 1500-1650*, (Baltimore: Johns Hopkins University Press, 2008), 126; Jean Pierre Dedieu also illustrated that that church efforts to increase parishioner knowledge of both practices and prayers was successful, specifically during the years 1550-1580. Jean Pierre Dedieu, "'Christianization' in New Castile: Catechism, Communion, Mass, and Confirmation in the Toledo Archbishopric, 1540-1650", trans. Susan Isabel Stein, in Anne J. Cruz and Mary Elizabeth Perry ed., *Culture and Control in Counter-Reformation Spain*.
[85] Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 109-111.
[86] Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 198.

[87] "Monasticism is not piety but a way of living, either useful or useless in proportion to one's moral and physical disposition…" This statement would get his work placed on the Index in Madrid in 1584. Erasmus, *The Enchiridion of Erasmus*, trans. and ed. Himelick, 198, 222 note 7.
[88] Lynch, *Spain under the Habsburgs*, 1:71.
[89] Lynch, *Spain under the Habsburgs*, 1:68.
[90] For an analysis of the impact of book censorship in Spain, see Nesvig, *Ideology and Inquisition*.
[91] J.H. Elliot argues that deviations from Christian orthodoxy had been seen in Spain since the late fifteenth century due to the close relations with the Netherlands and Italy, but had not been enough to inspire any recognizable religious movement until early sixteenth century. Religion in the Netherlands developed "strong piestist strain" which stressed mental prayer over forms and ceremonies, and religion in Italy developed an apocalyptic character which appealed to many Spanish Franciscans. Elliot, *Imperial Spain*, 212-13.
[92] After Luther refused to support of his multiple marriages, Henry VIII decrees the Six Articles which restored transubstantiation, communion, clerical celibacy, vows of chastity, oral confession, and private mass. John Edward Longhurst, *Luther's Ghost in Spain (1517-1546)*, ([Lawrence, Kan.]: Coronado Press, 1969), 35.
[93] Lea, *A History of the Inquisition of Spain*, (New York: Macmillan Co, 1906), 3:460-61.
[94] For an analysis of the origins of "disease" heresy rhetoric, see Nesvig, *Ideology and Inquisition*.
[95] St. Thomas Aquinas, *Summa Contra Gentiles: On the Truth of the Catholic Faith*, trans. Anton C. Pegis, (N.Y.: Doubleday, 1955), 3 (pt 2): 220.
[96] Aquinas, *Summa Contra Gentiles: On the Truth of the Catholic Faith*, trans. Pegis, 3 (pt 2): 220.
[97] "But now I have written unto you not to keep company, if any man that is called a brother be a fornicator, or covetous, or an idolater, or a railer, or a drunkard, or an extortioner…For what have I to do to judge them also that are without? do not ye judge them that are within? But them that are without God judgeth. Therefore, put away from among yourselves that wicked person." 1 Cor. 5:11-13; Aquinas, *Summa Contra Gentiles*, trans. Pegis, 3 (pt 2): 221.
[98] Francisco de Vitoria, *Political Writings*, trans. Anthony Pagden and Jeremy Lawrance, (Cambridge: Cambridge University Press, 1991), 348.
[99] For a concise summary of the case against Fray Costa, see Longhurst, *Luther's Ghost in Spain*, 21-22.
[100] Longhurst, *Luther's Ghost in Spain*, 21.
[101] Longhurst, *Luther's Ghost in Spain*, 21.
[102] In a Memorial from the Suprema, the Inquisitor-General stated that Englishmen living in Spain were subject to the Inquisition. It also essentially outlined the protocol in the event of a diplomatic issue in his "replies to be given to the English ambassador regarding the procedures…..in dealing with Englishmen who now are and who may come to this kingdom of Spain." However, it did provide a small loophole in regards to patriotism and sentiments for their home kingdom; they could "defend the acts of his king but not dogmatize nor teach his opinions." Longhurst, *Luther's Ghost in Spain*, 36.
[103] Longhurst, *Luther's Ghost in Spain*, 34.
[104] Longhurst, *Luther's Ghost in Spain*, 32.
[105] Longhurst, *Luther's Ghost in Spain*, 35.
[106] Longhurst, *Luther's Ghost in Spain*, 37.
[107] Henry Charles Lea states that the small population of sixteenth century Spanish Protestants had only a couple hundred members at its height. Lea, *A History of the Inquisition of Spain*, 3: 432.
[108] Lea, *A History of the Inquisition of Spain*, 3: 436.
[109] Lea, *A History of the Inquisition of Spain*, 3: 436.
[110] Lea argues that the inflated "Protestant threat" in Spain "raised it [the Inquisition] to new life and importance and gave it a claim on the gratitude of the State, which enabled it to dominate the land during the seventeenth century…," Lea, *A History of the Inquisition of Spain*, 3:411.
[111] J. H. Elliot notes that in practice the pragmatic didn't have that great of an effect since Spaniards could still be found in universities in Italy, Flanders, and France in the second half of the 16th century. Elliot, *Imperial Spain*.
[112] Gwendolyn Barnes-Karol, "Religious Oratory in a Culture of Control", in *Culture and Control in Counter-Reformation Spain*, 51-78.
[113] See "Introduction" of Cruz and Perry, eds., *Culture and Control in Counter-Reformation Spain*.
[114] Barnes-Karol, "Religious Oratory in a Culture of Control," *Culture and Control in Counter-Reformation Spain*, Cruz and Perry, eds., 53.
[115] Lynch, *Spain under the Habsburgs*, 1984.
[116] Christian, *Local Religion in Sixteenth-Century Spain*, 136.

[117] Christian, *Local Religion in Sixteenth-Century Spain*, 141.
[118] This traditional emphasis on local identity is also evident in secular considerations. Tamar Herzog argues that incorporation of foreigners into a community was possible via royal certificate, but most required community-acknowledged naturaleza status. This was accomplished through the process of becoming a vecino, or a recognized member of the community. *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America*, (New Haven: Yale University Press, 2003).
[119] Stuart B. Schwartz argues that many common Spaniards had considerably tolerant views of other religious sects. He says that many of the subjects he studied had a "to each his own" mentality, cado uno se puede salvar en su ley. *All Can B Saved: Religious Tolerance and Salvation in the Iberian Atlantic World*, (New Haven: Yale University Press, 2008), 1.
[120] See Francisco de Vitoria, *Political Writings*, trans. Pagden and Lawrance.
[121] James Muldoon, *The Americas in the Spanish World Order: The Justification for Conquest in the Seventeenth Century*, (Philadelphia: University of Pennsylvania Press, 1994), 30-36.
[122] For an examination of the tensions between secular and regular clergy, see Richard E. Greenleaf, *Zumárraga and the Mexican Inquisition, and The Mexican Inquisition of the Sixteenth Century*, (Albuquerque: University of New Mexico Press, 1969). For central Mexico, see Gibson, *The Aztecs Under Spanish Rule*; and Matthew D. O'Hara, *A Flock Divided: Race, Religion, and Politics in Mexico, 1749-1857*, (Durham [NC]: Duke University Press, 2010).
[122] C. H. Haring, *Trade and Navigation between Spain and the Indies: In the Time of the Hapsburgs*, (Cambridge, Mass: Harvard University Press, 1918), 118.
[123] For an examination of the episcopal inquisition see Richard E. Greenleaf, *Zumárraga and the Mexican Inquisition*, and *The Mexican Inquisition of the Sixteenth Century*.
[124] The cedula also reinforced the underlying religious mission of the conquest of the Indies: "resgatar ellas e poblarse de cristianos la dicha isla española que esta descubierta es servicio de dios." *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar, ed. La Real Academia de la Historia*, (Madrid: "Sucesores de Rivadeneyra", 1885), 5: 9-18.
[125] Fray Nicolás de Ovando was appointed governor of Hispanola in 1501 and served until 1509. Haring, *Trade and Navigation*, 107.
[126] Haring, *Trade and Navigation*, 118.
[127] The cedula recognized foreigners who had either lived in Spain or were married to a Spaniard for a period of 15 to 20 years. *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, 5:78.
[128] Eleanor B. Adams, "The Franciscan Inquisition in Yucatan: French Seaman, 1560," *The Americas* 25 (1969): 331-359.
[129] *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, 6:434-437.
[130] *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, 6:434-437.
[131] Haring, *Trade and Navigation*, 249.
[132] Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 98.
[133] Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 98.
[134] Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 103.
[135] Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 103.
[136] Lewis Hanke argues that the early missionaries thought that their conversion of the natives was the real mission in the Spanish Americas: "the souls of the Indians constituted the true silver to be mined in the Indies," Lewis Hanke, *Aristotle and the American Indians: A Study in Race Prejudice in the Modern World*, (London: Hollis & Carter, 1959), 20.
[137] Hanke, *Aristotle and the American Indians*, 20.
[138] Hanke, *Aristotle and the American Indians*, 20.
[139] His theories could not have been that popular, because he was sentenced to burn at the stake in Lima in 1578. Hanke, *Aristotle and the American Indians*, 20-21.
[140] Toribio Motolinía, *Memoriales; o, Libro de las cosas de la Nueva España y de los naturales de ella*, ed. Edmundo O'Gorman, (México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1971), 14.
[141] Diego Durán, *The History of the Indies of New Spain*, trans. Doris Heyden, (Norman: University of Oklahoma Press, 1994), 3.

[142] María Elena Martínez, "The Black Blood of New Spain: Limpieza De Sangre, Racial Violence, and Gendered Power in Early Colonial Mexico," *The William and Mary Quarterly* 61, (2004): 484.
[143] Gregorio García, *Origen de los indios del Nuevo Mundo*, ed. Franklin Pease G. Y., (México: Fondo de Cultura Económica, 1981), 79-128.
[144] Richard Konetzke, ed., *Colección de documentos para la historia de la formación social de Hispanoamérica, 1493-1810*, (Madrid: Consejo Superior de Investigaciones Científicas, 1953), 3: 66-69.
[145] Greenleaf, *Zumárraga and the Mexican Inquisition*.
[146] The extension of the prohibition of Jews, Moors and reconciled heretics to include up to four degrees of their family members is listed in a cédula to governor Ovando in April 1508. *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de America y Oceania, ed. Academia de la Historia*, (Madrid: Imprenta de Mauel G. Hernandez, 1879), 32:5-24.
[147] In a 1526 memorial of Charles V, it listed that "moriscos dentro de todos grados, en aquellas partes" were still barred from settling in the Spanish colonies. P. Mariano Cuevas, S. J., *Documentos inéditos del siglo xvi para la Historia de México*, (Mexico: Museo Nacional de Arqueología, Historia y Etnología, 1914), 2; For a recent examination of morisco immigration to Spanish America, see Karoline P. Cook, *Forbidden Passages: Muslims and Moriscos in Colonial Spanish America*, (Philadelphia: University of Pennsylvania, 2016).
[148] Konetzke ed., *Colección*, 227.
[149] Richard E. Greenleaf argues that "If the era 1480 to 1520 was the Judaizante phase of the Spanish Inquisition, the period from 1520 to 1570 must certainly be called its Protestant phase." *Zumárraga and the Mexican Inquisition*, 76.
[150] Richard E. Greenleaf argues that the increased number of foreigners remanded to Spain for prosecution and their fate at the hands of the Holy Office there became more severe show that the Counter Reformation mentality of Philip II was very strong by 1570. *The Mexican Inquisition of the Sixteenth Century*, 96.
[151] AGN, Instituciones Coloniales, Inquisición, Vol 2, Exp 1. Also, see Juan de Zumárraga, *Don Fray Juan de Zumárraga: teólogo y editor, humanista e inquisidor; documentos inéditos*, ed. Alberto María Carreño, (México: Editorial Jus, 1950), 96-101. For an extensive summary of the case, see 78-82.
[152] AGN, Instituciones Coloniales, Inquisición, Vol 2, Exp 1. "el hombre no se ha de confesar vocalmente a otro hombre sino a solo Dios." Carreño and Zumárraga, *Don Fray Juan de Zumárraga*, 98.
[153] According to Richard E. Greenleaf, Fray Zumárraga had also feared that Alemán was proselytizing Lutheranism in the northwest provinces, *The Mexican Inquisition of the Sixteenth Century*, 78.
[154] "siguiendo la seta luterana en gran cargo de su conciencia y ányma, dando mal ejemplo a los que le han oido decir las dichas palabras." Tomson, *An Englishman and the Mexican Inquisition*, ed. Conway, 130.
[155] Summaries and copies of personal testimonies in the case against Tomson can be found in: Hakluyt, *The Principal Navigations, Voyages, Traffiques, Vol 3; Tomson, An Englishman and the Mexican Inquisition*, ed. Conway; Richard E. Greenleaf, *The Mexican Inquisition of the Sixteenth Century*.
[156] Hakluyt, *The Principal Navigations*, 3:257.
[157] Tomson, *An Englishman and the Mexican Inquisition*, ed. Conway, 27.
[158] Tomson, *An Englishman and the Mexican Inquisition*, ed. Conway, 34.
[159] Tomson, *An Englishman and the Mexican Inquisition*, ed. Conway, 41.
[160] Tomson, *An Englishman and the Mexican Inquisition*, ed. Conway, 55.
[161] AGN, Instituciones Coloniales, Inquisición, Vol 43, Exp 7, 231-244; Richard E. Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 86-92.
[162] AGN, Instituciones Coloniales, Inquisición, Vol 31(1a), Exp 3, 247.
[163] Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 192-206.
[164] Philips was sentenced to five years of forced labor under the Jesuits before eventually making his way back to England. Hakluyt, *The Principal Navigations*, Vol 3.
[165] AGN, Instituciones Coloniales, Inquisición, Vol 9, Exp 6; Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 96.
[166] AGN, Instituciones Coloniales, Inquisición, Vol 9, Exp 6.
[167] The Inquisitorial document reads, "Guillermo Calens," but it seems that he also went by the name "Miguel Cabello." For a transcription, see Julio Jiménez Rueda ed., *Corsarios franceses e ingleses en la inquisición de la Nueva España: siglo XVI*, (México: Archivo General de la Nación, 1945), 307-506.
[168] "le habia dicho que en su tierra, Inglaterra, no había iglesias con sacramentos ni imágenes, ni cruces en ellas, ni cruces por los caminos, ni se decía misa en la iglesias, y las iglesias de Inglaterra eran diferentes de las de esta tierra [Mexico]." Julio Jiménez Rueda ed., *Corsarios franceses e ingleses en la inquisición*, 314.
[169] Jiménez Rueda ed., *Corsarios franceses e ingleses en la inquisición*, 322-323.

[170] AGN, Inquisición, Vol 54.
[171] Richard E. Greenleaf notes that even though attention on Protestants waned, they still kept tabs on these individuals and made sure they were kept up to date of their movements. *The Mexican Inquisition of the Sixteenth Century*, 169.

Chapter Three Notes:

[1] This is my translation of the Spanish translation included in Francisco Javier Hernáez, *Colección de bulas, breves y otros documentos relativos a la iglesia de America y Filipinas*, (Bruselas: Impr. de A. Vromant, 1879), 1: 384-385; W. Eugene Shiels, *King and Church: The Rise and Fall of the Patronato Real*, (Chicago: Loyola University Press, 1961), 213-214.
[2] Stafford Poole, *Pedro Moya De Contreras: Catholic Reform and Royal Power in New Spain, 1571-1591*, (Norman: University of Oklahoma Press, 2011), 33.
[3] For a list of all dioceses created by 1577, see Shiels, *King and Church*,181.
[4] This figure is provided in *Cartas de Indias* (Madrid: 1877), 196-218. John Frederick Schwaller argues that this can be taken as a minimum figure because there were other priests working in the diocese that were not employed under the ecclesiastical hierarchy, John Frederick Schwaller, *Origins of Church Wealth in Mexico: Ecclesiastical Revenues and Church Finances, 1523-1600*, (Albuquerque: University of New Mexico Press, 1985), 6.
[5] Mariano Cuevas, *Historia de la iglesia en Mexico*, (El Paso, Tex: Editorial "Revista catolica", 1928), 3:27.
[6] Robert I. Burns, S.J., ed. *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen (Partida I)*, (Philadelphia, US: University of Pennsylvania Press, 2012), 57; J. Lloyd. Mecham, *Church and state in Latin America a history of politico-ecclesiastical relations*, (Chapel Hill: University of North Carolina, 1966), 7; James A. Brundage, *Medieval Canon Law*, (London: Longman, 1995), 17-25; J. Lloyd Mecham, "The Origins of "Real Patronato De Indias," *The Catholic Historical Review* 14, no. 2 (1928): 209.
[7] Mecham *Church and State in Latin America*, 4-5.
[8] James F. Powers classified the strained relationship between the two institutions when he argues, "the reconquest often caused royal grants to be balanced by royal exactions." "The Early Reconquest Episcopate at Cuenca, 1177-1284," *The Catholic Historical Review* Vol 87, No 1 (Jan 2001), 10. This echoes a similar argument made by Peter Linehan who emphasizes that economic stress was a central part of Leon-Castile's episcopal history. Peter Linehan, *The Spanish Church and the Papacy in the Thirteenth Century* (Cambridge [England]: University Press, 1971).
[9] Mecham, "The Origins of "Real Patronato De Indias," 209-210.
[10] While specific regulations of each order differed, with some monasteries observing stricture rules than others, the three basic vows were poverty, chastity, and obedience. Title VII, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen*, Burns ed., 112.
[11] St. Basil (330-379) is considered one of the founding fathers of Christian asceticism. Saint Basil, *Saint Basil Ascetical Works*, trans. M. Monica Wagner, in *The Fathers of the Church: A New Translation*, ed. Bernard M. Peebles, Ludwig Schopp, Roy Joseph Deferrari, and Thomas P. Halton, (Washington, DC: Catholic Univ. of America Press, 1970); Saint Ambrose, *Saint Ambrose: Select Works and Letters*, trans. H. de Romestin, in Philip Schaff and Henry Wace, *Nicene and Post-Nicene Fathers. Second Series Second Series*, (Peabody, Mass: Hendrickson Publishers, 1994); Saint Jerome, *Saint Jerome: Letters and Select Works*, trans. W. H. Fremantle, in Philip Schaff and Henry Wace, *Nicene and Post-Nicene Fathers. Second Series Second Series*, (Peabody, Mass: Hendrickson Publishers, 1994). For more current studies of medieval hagiographies see, Thomas Head, *Hagiography and the Cult of Saints: The Diocese of Orléans, 800-1200*, (Cambridge [England]: Cambridge University Press, 1990); John Moffatt Mecklin, *The Passing of the Saint: A Study of a Cultural Type*, (Chicago, Ill: University of Chicago Press, 1941); Donald Weinstein and Rudolph M. Bell, *Saints & Society: The Two Worlds of Western Christendom, 1000-1700*, (Chicago: University of Chicago Press, 1982); For studies specifically on female sanctity see, Elizabeth Petroff, *Body and Soul: Essays on Medieval Women and Mysticism* (New York: Oxford University Press, 1994); Barbara Newman, *From Virile Woman to Woman Christ: Studies in Medieval Religion and Literature* (Philadelphia: University of Pennsylvania Press, 1995).
[12] Saint Benedict, *Saint Benedict's Rule*, trans. Patrick Barry, (Mahwah, N.J.: Hidden Spring, 2004); Francis Clark, *The "Gregorian" Dialogues and the Origins of Benedictine Monasticism*, (Leiden: Brill, 2003).
[13] C. H. Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, (London, GB: I.B.Tauris, 2013), 14.

[14] J. F. O'Callaghan, "The Order of Calatrava and the Archbishops of Toledo, 1147-1245," in *Studies in Medieval Cistercian History. Presented to Jeremiah F. O'Sullivan*, ed. Jeremiah Francis O'Sullivan, (Spencer, Mass: Cistercian Publications, 1971).
[15] "this the Holy Church deemed proper, that religious orders might the more freely serve God." Title VII, Law XVIII, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 120.
[16]Concilio de Toledo III, *Concilios visigóticos e hispano-romanos*. España Cristiana, trans. José Vives, (Barcelona: Consejo Superiod de Investigaciones Científicas, Instituto Enrique Flórez, 1963), Council 12: 20.
[17]Concilio de Toledo IX, *Concilios visigóticos e hispano-romanos*. trans. José Vives, Council 26: 300.
[18] However, it seems that there were exceptions to the rule. The Siete Partidas stated that monks could provide the sacraments within churches owned by their specific monastery: "superiors have the right to appoint members of the regular clergy to [owned churches] without permission of the bishops: and those monks…can preach in them, and baptize, and do all the other things that secular priests are authorized to do in their churches." Title VII, Law XXV, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 124.
[19] "Los monjes…les queda prohibido el ejercicio de cualquier ministerio eclesiástico" Concilio de Tarragona, *Concilios visigóticos e hispano-romanos*, trans. José Vives, Council 4: 5.
[20] Title VII, Law XXVI, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 124.
[21] However, a monk could not become an ordained secular cleric. Title VII, Law X, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 57.
[22] "Los bienes que son ofrecidos al monasterio, no quedan sometidos en nada a la administración diocesana del obispo." Council de Lérida, *Concilios visigóticos e hispano-romanos*. trans. José Vives, Council 8:2.
[23] "Por lo tanto, a los tales les cerramos cualquier portillo para reintegrarse al mundo…"Council of Toledo IV, *Concilios visigóticos e hispano-romanos*. España Cristiana, trans. José Vives, Council 21:24-25; A similar law was repeated in the *Siete Partidas*. The law included a quote from Solomon on the dangers of unattached clerics. For as Solomon said: "He who lives alone, lives in trouble, because, if he falls into sin there is no one to assist him to rise, that he may escape from it." Title VII, XXIV, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 123.
[24] The Council called wandering hermits, "those who are stricken with such extreme folly that they wander about in uncertain places and are corrupted by depraved customs…having absolutely no stability of domicile or purity of heart." Council of Toledo IV, *Concilios visigóticos e hispano-romanos*, trans. José Vives, Council 24:7-8.
[25] "…any of the bishops or inferior clerics…will deliver them if possible to the monasteries to correct them." Council of Toledo IV, *Concilios visigóticos e hispano-romanos*, trans. José Vives, Council 24:7-8.
[26] Title VII, Law XVIII, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 120.
[27] Title VII, Law XVII, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 119.
[28] Title VII, Law XVIII, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 120.
[29] Title VII, Law XVIII, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen,* Burns ed., 120.
[30] Lawrence, Chapter One, in *The Friars: The Impact of the Mendicant Orders on Medieval Society*.
[31] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 12.
[32] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 28.
[33] "And as you go, preach, saying, the kingdom of heaven is at hand…freely you have recieived, freely give. Provide neither gold, nor silver, nor brass in your purses, no scrip for your journey, neither two coasts, neither shoes, nor yet staves: for the workman is worthy of his meant." Matt. 10: 7-9.
[34] "The brothers shall appropriate nothing to themselves, neither a place nor anything; but as pilgrims and strangers in this world, serving God in poverty and humility, they shall with confidence go seeking alms. Nor need they be ashamed, for the Lord made himself poor for us in this world. This is that summit of most lofty poverty which has made you, my most beloved brothers, heirs and kings of the kingdom of heaven." Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 33.
[35] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 39.
[36] This decree was repeated by Pope Nicholas III in 1279. Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 40, 60.

[37] "Although the Franciscans did not become rentiers like the old monastic orders, the accommodation built for them in the town-centers increasingly resembled that of the Benedictine monasteries." Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 46.
[38] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 47.
[39] See Neslihan Senocak, *The Poor and the Perfect: The Rise of Learning in the Franciscan Order, 1209-1310*, (Ithaca: Cornell University Press, 2012).
[40] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 48.
[41] The Dominicans would enter a similar arrangement with the papacy in regards to property as the Franciscans after Dominic convinced the order to commit to corporate poverty. However, poverty vows for the Dominicans were never as strict or as central within their doctrine as for the Franciscans, so it was not as divisive an issue. Silvia Nocentini, "Mendicancy in the Fourteenth and Fifteenth Centuries: 'Ubi necessitas non urgeat': The Preachers Facing the 'Refrigescens Caritas," in *Origin, Development, and Refinement of Medieval Religious Mendicancies*, Donald Prudlo, ed., (Leiden ; Boston : Brill, 2011), 338.
[42] This decree would be repeated at the Second Council of Lyons convened by Pope Gregory X in 1274.
[43] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 80.
[44] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*,.
[45] Innocent IV enlisted the mendicant orders to make contact with the Mongol world. Jessalynn Bird Edward Peters, and James M. Powell, eds., *Crusade and Christendom: Annotated Documents in Translation from Innocent III to the Fall of Acre, 1187-1291*, (Philadelphia: University of Pennsylvania Press, 2013), 308.
[46] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 159.
[47] Lawrence, *The Friars: The Impact of the Mendicant Orders on Medieval Society*, 160.
[48] Silvia Nocentini, "Mendicancy in the Fourteenth and Fifteenth Centuries: 'Ubi necessitas non urgeat': The Preachers Facing the 'Refrigescens Caritas," in *Origin, Development, and Refinement of Medieval Religious Mendicancies*, Prudlo, ed., 336.
[49] The rise in popularity of *recogimiento* practices seems to have influenced popular perceptions of the mendicant orders during the sixteenth century. Stafford Poole noted that "the average Spanish thought of religious as those, who even though they performed external works such as preaching and teaching, devoted the greater parts of their lives to living their community rule, praying, and seeking contemplation, all within the confines of their religious houses" Poole, *Pedro Moya De Contreras*, 81.
[50] Robert C. Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," *The Americas* 12, no. 4 (1956): 335.
[51] Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," 334.
[52] Scholars like Richard Greenleaf explain that the initial process to transition from regular to secular control had been relatively vague, but the general idea was the mendicant missionaries would work alongside the military conquest to convert the native populations and pacify the new lands. Once an area was stabilized, the secular church would move in and replace earlier mission system with establish formal dioceses and institutions. Richard E. Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, (Albuquerque: University of New Mexico Press, 1969).
[53] Shiels, *King and Church*, 296; In a cedula dated 1493, Fernando named the Franciscans who were to travel with Columbus. *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de America y Oceania*, (Madrid: Imprenta de Mauel G. Hernandez, 1879), 21: 516.
[54] Shiels listed the four: Benedictine Fray Bernardo Buil, Hieronymite Fray Ramon Pane, and Franciscans Fray Juan de la Duela and Fray Juan de Tisín. Shiels, *King and Church*, 94, n.2.
[55] This was 110 pesos less than they had received previously. The letter read that Commander Bobadilla had originally paid them 150 pesos de oro, while Ovando had bequeathed an additional 60 pesos de oro. *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, (Madrid: "Sucesores de Rivadeneyra", 1885), 5: 45-46.
[56] *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, 5: 86-91.
[57] *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, 5: 86-91.
[58] A quote from his letter to his representative in Rome begins Chapter One.
[59] Hernáez, *Colección de bulas*, 1:24-26.
[60] Mecham, *Church and State in Latin America*, 29.

[61] "…les hacen merced, gracia y donación, desde ahora para siempre jamás, de los diezmos, a sus Altezas pertenecientes, de las dichas islas…" Hernáez, *Colección de bulas,* 1:22.
[62] Mecham, *Church and State in Latin America,* 29.
[63]John Frederick Schwaller, *Origins of Church Wealth in Mexico: Ecclesiastical Revenues and Church Finances, 1523-1600,* (Albuquerque: University of New Mexico Press, 1985), 20.
[64] Fernando discussed the possible organization of the church in Terra Firme with his ambassador to Rome Gerónimo de Vich. *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de America y Oceania*, 39: 264-70.
[65] Shiels, *King and Church,* 329-331.
[66] Shiels, *King and Church,* 139.
[67] Shiels, *King and Church,* 141-146.
[68] "Y por esto, platicado en el consejo, ha parecido que es cosa justa y necesaria, y que pues hay tantas diócesis, en aquellas partes y tan remotas de estas, y aun ellas entre si tan distantes, se procure que nuestro muy santo padre a suplicación de V. Magt. haga por ahora en todas las Indias dos metrópolis: la una sea en la ciudad de México de la Nueva España, y la otra en la ciudad de Santo Domingo de la Isla Española…" Shiels, *King and Church*,352.
[69] Shiels, *King and Church*,167.
[70] Shiels, *King and Church*,166.
[71] Toribio Motolinía, *Memoriales; o, Libro de las cosas de la Nueva España y de los naturales de ella*, ed. Edmundo O'Gorman, (México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1971), 115-119.
[72] Motolinía, *Memoriales*, ed. O'Gorman, 115, 121-122.
[73] "Yo creo que después que la tierra se ganó, que fue el año de 1521, hasta tiempo que esto escribo, que es en el año de 1536, más de cuatro millones de ánimas…" He quantified the total number as follows: ""a México y a sus pueblos, y a Xuchimilco con los pueblos de la laguna dulce, y a Tlamanlco y Chalco, Cuauchnauac con Yucapixcla, y a Cuauquechula y Chietla, más de un millón. A Tezcuco, Otumba y Tepepulco y Tualanzinco, Coauthiclan, Tula, Xitotepec, con sus provincias y pueblos, más de otro millón; a Tlaxcala, la ciudad de los Ángeles, Cholola, Huejuzinco, Calpa, Tepeaca, Zaclatan, Ueytalpa, más de otro millón. En los pueblos de la Mar del Sur, más de otro millón." Motolinía, *Memoriales*, ed. O'Gorman, 120, 122.
[74] Motolinía, *Memoriales*, ed. O'Gorman, 120; According to Charles Gibson, other than the Franciscans, who arrived in Mexico in 1524, the Dominicans arrived in 1527, and the Augustinians in 1532. Charles Gibson, *The Aztecs Under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519-1810*, (Stanford: Stanford University Press, 1964), 98-99; Robert C. Padden lists the dates for the Dominicans as 1526 and the Augustinians as 1533. Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," 335.
[75] Gibson, *The Aztecs Under Spanish Rule,* 98-99.
[76] Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," 336.
[77] John Frederick Schwaller, *The Church and Clergy in Sixteenth-Century Mexico,* (Albuquerque: University of New Mexico Press, 1995), 77.
[78]Robert C. Padden argued that mendicants generally viewed secular attempts at evangelization as "a nuisance" and felt that secular clerics were too closely associated with the laity. Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," 339.
[79] Because of the extensive privileges it granted the regulars, Padden likened it to "a very piece of the rock of Saint Peter." Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," 339.
[80] The Pope had also established communication privileges for the mendicants in 1519. Hernáez, *Colección de bulas,* 1: 375-376.
[81] Poole, *Pedro Moya De Contreras,* 80.
[82] Poole points out that even clothing was a point of contention. Mendicants were identified by their clothing (the "habit of Saint Peter"), so to punish their subordinates, mendicant superiors would often deprive them of their habits and force them to dress like diocesan priests. Poole, *Pedro Moya De Contreras,* 83.
[83] In 1550, the King wrote to the viceroy to command that all mendicants involved in proseltyzing the natives were required to teach them "la lengua castellana." Richard Konetzke, *Colecciön de documentos para la historia de la formaciön social de Hispanoamërica, 1493-1810,* (Madrid: Consejo Superior de Investigaciones Cientïficas, 1958), 272-273.
[84] Juan de Torquemada, *Monarquía indiana,* 3 ed., (México: Editorial Salvador Chavez Hayhoe, 1943), 638.

[85] "Salió la Procesión de el Patio de San Francisco, acompañada de mucho numero de Indios, y algunos Españoles. Pusieron se los Clérigos, en la mitad de calle, al paso de la Acequia, que corre por la una, a cerca de ella, y comenzaron a detener las Andas…" Torquemada, *Monarquía indiana*, 639.
[86] "Y como los Indios vieron que los Clérigos se habían demasiado contra los Frailes, comenzaron un gran murmullo entre sí, y vueltos contra los clérigos, les decían, que se fuesen, y que dejasen pasar a sus ministros." Torquemada, *Monarquía indiana*, 639.
[87] Torquemada does not portray the secular clerics in a good light, and claimed that they were the ones who attacked first, so it is difficult to know for sure who landed the first blow. Juan de Torquemada, *Monarquía indiana*, 639.
[88] "Salieron muchos descalabrados, y toda la cuidad de los Indios estaba alborotada. Ya en esta sazón no bastaban las voces de los Frailes, para que los dejasen, y se aplacasen, porque no solo los Varones, sino también las Mujeres, convertidas en leonas bravas, a puños de Tierra fatigaban, y cegaban, asi a clérigos, como a seculares." Torquemada, *Monarquía indiana*, 639.
[89] However, Torquemada implied that it was ultimately a victory for the regulars since from then on "si algún clérigo se ponía en la calle, era para mirar, y no para ser estorbo en nada." Torquemada, *Monarquía indiana*, 639-640.
[90] "Tanta como esta era la devoción de los Indios, para la celebración de sus Fiestas; y no era menos el amor, y vigilancia, y Padres, que desde reverenciaban a sus Ministros y Padres, que desde sus principios habían criado." Torquemada, *Monarquía indiana*, 640.
[91] Poole, *Pedro Moya De Contreras*, 27.
[92] Elizabeth Andros Foster's Introduction to Toribio Motolinía, *History of the Indians of New Spain*, trans. Elizabeth Andros Foster, (Berkeley: Cortés Society, 1950), 3-4; Motolinía made a scathing comparison of the simple lives of the natives to the vice of the Spaniards, who he believed were too reliant on their last rites and wills for their salvation rather than living as good Christians. "la vida creciendo cada año más la codicia y los vicios, de manera que el día y la noche y casi toda la vida se les va sin acordarse de Dios ni de su ánima…" Motolinía, *Memoriales*, ed. O'Gorman, 98.
[93] Torquemada, *Monarquía indiana*, I:593, III:57.
[94] "the style of government under the Hapsburgs was 'confuse and rule'—surprising vacillation in the decision—making process and an equally surprising willingness to change policy or alter decrees under pressure from colonial interests." Poole, *Pedro Moya De Contreras*, 26.
[95] "the lord and ruler of all New Spain" Poole, *Pedro Moya De Contreras*, 24.
[96] Bishops could issue decrees to regulate the priests and laity and therefore each diocese had a slightly different corpus of local ecclesiastical law. John Frederick Schwaller, *The Church and Clergy in Sixteenth-Century Mexico*, (Albuquerque: University of New Mexico Press, 1995), 2, 10.
[97] According to Schwaller, the powers of the episcopal staff was unique in that their authority was totally dependent on that of the bishop, and thus were in jeopardy if anything happened to that particular bishop. For a description of the responsibilities of each position, see Chapter Two in Schwaller, *The Church and Clergy in Sixteenth-Century Mexico*.
[98] Schwaller, *The Church and Clergy in Sixteenth-Century Mexico*, 9.
[99] See John Frederick Schwaller, "The Cathedral Chapter of Mexico in the Sixteenth Century," *The Hispanic American Historical Review* 61, no. 4 (1981): 651-74.
[100] Schwaller lists three basic types of parishes: parishes within urban centers, mining district parishes, and partido de indios. Schwaller, *Origins of Church Wealth in Mexico*, 84.
[101] John Frederick Schwaller, The Ordenanza Del Patronazgo in New Spain, 1574-1600," *The Americas* 42, no. 3 (1986): 255-58.
[102] Schwaller, The Ordenanza Del Patronazgo in New Spain, 1574-1600," 255.
[103] Schwaller, *Origins of Church Wealth in Mexico*, 20.
[104] "no one should be elected who has not reached the full age of thirty years; nor one who is not the son of a married woman" Law XXII, *Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen (Partida I)*, Robert I. Burns, S.J., ed., 58.
[105] Francisco del Paso y Troncoso and Silvio Zavala, *Epistolario de Nueva España, 1505-1818*, (México: Antigua librería Robredo, de J. Porrúa e hijos, 1939), 237-249.
[106] However, it seems that Fernando was at least contemplated native's eventual ordination because, he stated: "Y esto hasta que otro cosa sus Altezas o sus sucesores determinen o provean sobre ello…" Hernáez, *Colección de bulas*, 1:22.

[107] "…estos sean proveidos por suficiencia, precediendo oposición y examen…" Hernáez, *Colección de bulas*, 1:22.
[108] The First Provincial Council mandated that clerics be examined prior to appointments, and the Second Provincial Council required that clerics learn native languages. However, neither council were formally sanctioned by the papacy, which could have undermined their authority as church law. Alonzo de Montúfar, *Concilios provinciales, primero y segundo, celebrados en la muy noble y muy leal ciudad de México, presidiendo el illmo. y rmo. Señor D. Fr. Alonzo de Montúfar, en los años de 1555 y 1565: dalos a luz el illmo. Sr. D. Francisco Antonio Lorenzana, arzobispo de esta santa metropolitana iglesia*, ed. Francisco Antonio Lorenzana, (México: Impr. de el Superior Gobierno, de Joseph Antonio de Hogal, 1769).
[109] Paso y Troncoso and Zavala, *Epistolario de Nueva España*, 240-241.
[110] Schwaller argues that the Ordenanza restructured the hierarchy within the ranks of the secular clergy. The Ordenanza changes the divisions between the upper and the lower clergy, between those that had won a benefice, those qualified to serve as interim curates, *cura vicarios*, and those who did not get either title. Schwaller, The Ordenanza Del Patronazgo in New Spain, 1574-1600," 271.
[111] Schwaller, "The Ordenanza Del Patronazgo in New Spain, 1574-1600," 260.
[112] Schwaller, "The Ordenanza Del Patronazgo in New Spain, 1574-1600," 267.
[113] For an example of when the viceroy functioned as a political "middle," see Schwaller, "The Ordenanza Del Patronazgo in New Spain, 1574-1600," 262.
[114] Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," 333.
[115] Schwaller, "The Ordenanza Del Patronazgo in New Spain, 1574-1600," 251.
[116] The Orders ultimately complied with submitting lists to the viceroy, but adamantly opposed the other *Artículos*. Gerónimo de Mendieta, *Codice Mendieta: documentos franciscanos, siglos XVI y XVII*, ed. Joaquín García Icazbalceta, (Mexico: Imprenta de Francisco Diaz de Leon, 1892), 201.
[117] The Franciscans said as much in their protest of the Ordenanza in 1574. Mendieta, *Codice Mendieta: documentos franciscanos, siglos XVI y XVII*, ed. Icazbalceta, 201.
[118] The Franciscans argued that the mandates in the Ordenanza would cause them to violate their order's rules: "según la cual y lo que a Dios en ella tenemos prometido, no podemos encargarnos como Curas, ni dar mano a personas eclesiásticas fueras de la Orden, ni menos seglares, para que pongan o quiten los Guardianes o otros Prelados de los monasterios o Provincias, o estorben que no se muden los otros frailes cuando a sus Prelados pareciere que conviene, porque esto será destruir el principal voto que es el de la obediencia…" Mendieta, *Codice Mendieta: documentos franciscanos, siglos XVI y XVII*, ed. Icazbalceta, 201.
[119] "La causa de determinarnos en dejar una obra tan pía y necesaria a la salvación de las lamas y de ahí venir a todo lo demás que se pusiere ofrecer, antes que admitir los Artículos que se nos proponen y ser Curas, protestamos…porque probablemente sabemos que si lo tal aceptásemos y recibiésemos vendría en pocos días nuestra Religión en notable relajación y caída, y la doctrina y cristiandad de los indios en mucho menoscabo…" Mendieta, *Codice Mendieta: documentos franciscanos, siglos XVI y XVII*, ed. Icazbalceta, 201.
[120] Moya de Contreras wrote to the Council of the Indies in October 1574, describing the state of New Spain after the release of the Ordenanza. He said that the religious were refusing to abide by the terms and threatening to leave their spiritual duties in protest. He also mentioned that the viceroy was sympathetic to their plight and hindering the implementation of the Ordenanza. "…no sé el que el virrey usara porque le veo contemporizar much con los religiosos…" Paso y Troncoso and Zavala, *Epistolario de Nueva España*, 205.
[121] "…estatuimos y ordenamos que así en nuestro arzobispado como en todos los otros obispados de nuestra provincia los dichos religiosos de cualquier orden de sean en sus monasterios ni fuera de ellos no oigan de penitencia a algunos de nuestros súbditos sin que primero tengan la aprobación y licencia que de Derecho se requiere." Alonzo de Montúfar, *Concilios provinciales, primero y segundo*, ed. Lorenzana, 54-55.
[122] Mendieta, *Codice Mendieta: documentos franciscanos, siglos XVI y XVII*, ed. Icazbalceta, 1-18.
[123] The Council stated that bishops had the right to make visitations on every institution within their dioceses and that no one, whether secular or regular, shall presume to preach, even in the churches of his own order in opposition to the will of the bishop. Council of Trent, *Canons and decrees of the Council of Trent*, trans. Henry Joseph Schroeder, (St. Louis, Mo: B. Herder Book Co, 1941), 193-196.
[124] Hernáez, *Colección de bulas*, 1: 399-400; Padden, "The Ordenanza Del Patronazgo, 1574: An Interpretative Essay," 340.
[125] Poole noted that only a small percentage of the third council's laws were originals, as they borrowed from the earlier two Mexican councils, as well as other councils in Spain. See Chapters 8-11 in Poole, *Pedro Moya De Contreras.*

Chapter Four Notes:

[1] Bartolomé de las Casas, *Historia de las Indias*, ed. Agustín Millares Carlo, (México: Fondo de Cultura Económica, 1951) 2: 441-442.
[2] Sherburne Cook and Woodrow Wilson Borah, *Essays in Population History*, (Berkeley: University of California Press, 1974), 2:180.
[3] Sherburne Cook and Woodrow Wilson Borah, *Essays in Population History*, 2:180.
[4] These figures have been taken from Table 2.1 in Sherburne Cook and Woodrow Wilson Borah, *Essays in Population History*, 2:197; Beltrán gives a slightly higher number for the Indian population in 1570. He estimated that Indian population in the bishopric of Mexico was 1,310,904. See *Cuadro VI* in Gonzalo Aguirre Beltrán, *La poblacion negra de Mexico: estudio etnohistorico*, (Mexico: Fondo de Cultura Economica, 1972), 210.
[5] Aguirre Beltrán calculated the total as 18,569, with the largest African population living in the bishopric of Mexico, which numbered 10, 595. See *Cuadro IV* in Aguirre Beltrán, *La poblacion negra de Mexico*, 207.
[6] He divided the mestizos into three subdivisions: Euromestizos, Afromestizos, and Indomestizos. Aguirre Beltrán, *La poblacion negra de Mexico*, 209-210; Aguirre Beltrán also illustrated the complex, multilayered, and often times conflicting racial categories applied to the various groups in colonial Mexico. See, Chapter 9 "Características Somáticas" in *La poblacion negra de Mexico*, 153-179.
[7] Jonathan I. Israel, *Race, Class, and Politics in Colonial Mexico, 1610-1670*, (London: Oxford University Press, 1975); John K. Chance, *Race and Class in Colonial Oaxaca*, (Stanford: Stanford University Press, 1978); Patricia Seed, *To Love, Honor, and Obey in Colonial Mexico: Conflicts Over Marriage Choice, 1574-1821*, (Stanford: Stanford University Press, 1988); R. Douglas Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660-1720*, (Madison, Wis: University of Wisconsin Press, 1994).
[8] Magnus Mörner, ***Race Mixture in the History of Latin America,*** **(**Boston: Little, Brown, 1967); Aguirre Beltrán, *La poblacion negra de* Mexico; Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies*, (Stanford: Stanford University Press, 2015) and *Public lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America*, (Stanford: Stanford University Press, 1999).
[9] According to Martínez, the indigenous were considered capable of blood purity, because they were pure of Judaism and Islam and had willingly accepted Christianity; therefore, the *sistema de castas* was relatively fluid in practice because natives could be seen as both pure and impure, both "good Christians" and "incorrigible idolaters." Martínez also argued that colonial political, religious, and genealogical discourses mirrored and reinforced each other through notions of strength and weaknesses; differences between racial groups were expressed in gendered terms, assigning male attributes to one group and female to another. María Elena Martínez, *Genealogical Fictions: Limpieza De Sangre, Religion, and Gender in Colonial Mexico*, (Stanford: Stanford University Press, 2008), 4-5, 7.
[10] William B. Taylor, *Magistrates of the Sacred: Priests and Parishioners in Eighteenth-Century Mexico*, (Stanford: Stanford University Press, 1996).
[11] Sherburne Cook and Woodrow Wilson Borah, *Essays in Population History*, 2:188.
[12] Herman L. Bennett, *Africans in Colonial Mexico: Absolutism, Christianity, and Afro-Creole Consciousness, 1570-1640*, (Bloomington: Indiana University Press, 2003); See Nicole von Gremeten's chapter in *Black Mexico: Race and Society from Colonial to Modern Times*, eds. Ben Vinson and Matthew Restall, (Albuquerque: University of New Mexico Press, 2009).
[13] Joan Cameron Bristol, *Christians, Blasphemers, and Witches: Afro-Mexican Ritual Practice in the Seventeenth Century*, (Albuquerque: University of New Mexico Press, 2007).
[14] Matthew Restall, *Black Middle: Africans, Mayas, and Spaniards in Colonial Yucatan*, (Stanford: Stanford University Press, 2013).
[15] See Rachel Sarah O'Toole's study of colonial Peru for a study of racial relations from a socioeconomic perspective. Rachel Sarah O'Toole, *Bound Lives: Africans, Indians, and the Making of Race in Colonial Peru*, (Pittsburgh: University of Pittsburgh Press, 2012).
[16] Laura A. Lewis, *Hall of Mirrors: Power, Witchcraft, and Caste in Colonial Mexico*, (Durham: Duke University Press, 2003); Martha Few, *Women Who Live Evil Lives: Gender, Religion, and the Politics of Power in Colonial Guatemala, 1650-1750*, (Austin University of Texas Press, 2003).
[17] Matthew D. O'Hara, *A Flock Divided: Race, Religion, and Politics in Mexico, 1749-1857*, (Durham: Duke University Press, 2010).
[18] J. R. S. Phillips, *The Medieval Expansion of Europe*, (Oxford [England]: Oxford University Press, 1988), 4.
[19] Phillips, *The Medieval Expansion of Europe*, 4.

[20] Macrobius, *Commentary on the Dream of Scipio*, ed. and trans. William Harris Stahl, (New York: Columbia University Press, 1966) 201-202.
[21] "…and by Asia I mean not just what is now the Roman province of Asia, but the whole continent of Asia which is sometimes reckoned as half, or more commonly, as a third of the whole world which consists of Asia, Europe, and Africa. These three continents are not equal in size. Continental Asia stretches far to the south, to the east and to the north; Europe, to the north and west; Africa, to the west and south. Thus, Europe and Africa together take up one half of the world and Asia the other. Africa is divided from Europe by the great oceanic gulf whose waters bathe both shores and which forms out Great Sea [Mediterranean] Hence, if the great circle of land is divided into East and West, Asia occupies the one half while Europe and Africa the other." Saint Augustine, *City of God*, trans. Demetrius B. Zema and Gerald G. Walsh, in *The Fathers of the Church: A New Translation*, ed. Bernard M. Peebles, Ludwig Schopp, Roy Joseph Deferrari, and Thomas P. Halton, (Washington, DC: Catholic Univ. of America Press, 1970), Book XVI, Chap 17.
[22] Phillips, *The Medieval Expansion of Europe*, 7.
[23] Phillips, *The Medieval Expansion of Europe*, 8.
[24] John Kirtland Wright, *The Geographical Lore of the Time of the Crusades: A Study in the History of Mediaeval Science and Tradition in Western Europe*, (New York: American Geographical Society, 1925), 2.
[25] Denys Hay, *Europe: The Emergence of an Idea*, (Edinburgh: Edinburgh University Press, 1968), 8.
[26] Genesis 10.
[27] Hay, *Europe: The Emergence of an Idea*, 9-10.
[28] "Europe was the land of Japheth, of the Gentiles, the Greeks and the Christians; Asia was the land of the Semitic peoples, glorious in that they had produced the patriarch and prophets, the chosen people of Christ himself; but—as the land of the circumcised adherents of older laws—condemned to an inferiority which was stated in the scriptures: 'God shall enlarge Japheth and he shall dwell in the tents of Shem.' As for Africa, the lot of the unhappy descendants of Ham, the Hamitic subjection was equally clearly laid down: Canaan was to be the servant of both Shem and Japheth…" Hay, *Europe: The Emergence of an Idea*, 14-15.
[29] "…it does not follow that the other hemisphere of the earth must appear above the surface of the ocean; or if it does, there is no immediate necessity why it should be inhabited by men…." Saint Augustine, *City of God*, trans. Zema and Walsh, Book XVI, Chap. 9.
[30] Isidore's family relocated to Seville from Cartagena shortly after his birth around the year 560. His brother Leander was made Bishop of Seville before 580, and Isidore would also become Bishop of Seville in 600. He was a prolific writer on various theological issues before his death in 636. For a list of his works see the "Introduction" in St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Stephen A. Barney, W. J. Lewis and J. A. Beach, (Cambridge: Cambridge University Press, 2006), 8-9.
[31] St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Barney, et al, Book XIV, Chap. 2.
[32] J. R. S. Philips argues that the ambiguity of Isidore's description derives from the fact that he relied solely on Latin theological and pagan treatises which were not based in the Greek scientific writings of the classic period, and were largely created to justify Christian creation myths. Phillips, *The Medieval Expansion of Europe*, 8-12.
[33] Isiodore quoted Augustine in his descriptions of the "ancient" geography: "The ancients did not divide the three parts of the globe equally, for Asia extends from south to north in the east, but Europe from the north to the west, Africa from the west to the south. 3.Whence it is clear that two of them, Europe and Africa, occupy half of the globe, Asia the other half by itself. But the former pair are divided into two regions, because from the Ocean the Mediterranean enters in between them and separates them. Wherefore, if you divide the globe into two parts, the east and the west, Asia will be in one, Europe and Africa in the other." St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Barney, et al, Book 14, Chap. 2, 285.
[34] Augustine also commented on the meanings of the sons' names, but Isiodore is accredited with connecting those meanings to specific characteristics of their respective settlement areas. Saint Augustine, *City of God*, trans. Zema and Walsh, Book XVI, Chap. 2.
[35] St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Barney, et al, Book 7, Chap. 6, 162-163.
[36] St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Barney, et al, Book 7, Chap. 6, 162-163.
[37] I have adopted the term of John Block Friedman, see John Block Friedman, *The Monstrous Races in Medieval Art and Thought*, (Cambridge: Harvard University Press, 1981).
[38] The importance of these theories is evidenced by their inclusion in many early modern global maps. For an examination of this and other visual evidence, see Friedman, *The Monstrous Races in Medieval Art and Thought*.

[39] "…the discoveries of new peoples in the Americas who replaced the races of the East in the European consciousness, assuming not only the name 'Indians' but also the burden of many traditional attitudes toward 'monstrous' men." Friedman, *The Monstrous Races in Medieval Art and Thought*, 4.
[40] "…with one eye in the middle of their forehead, others with feet growing backward; the Hermaphrodites with the left side of their chest like a woman's and the right side like a man's…; others who have no mouths, breathe only through their ears and live on air; others, no more than a few feet high, are called Pygmies…; others whose women conceive when they are five and die before they are eight years old. They also speak of people who have but one leg and two feet and who can run with remarkable speed without bending a knee. They are called Sciopodes…There are others who are neckless and with eyes in their shoulders…" Saint Augustine, *City of God*, trans. Zema and Walsh, Book XVI, Chap. 8; The same descriptions are repeated in St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Stephen A. Barney, W. J. Lewis and J. A. Beach, Book 11, Chap. 3; Pliny said there existed a race called "the Arimaspi" who lived North of the Alps that had one eye in the center of their forehead. Pliny, *Natural history*, trans. H. Rackham, (Cambridge, Mass: Harvard University Press, 1938), Book 7, Chap. 2.
[41] Isidore goes even further to state that: "Many parts of Scythia have good land, but many are nevertheless uninhabitable, for while many places abound in gold and precious stones, they are rarely visited by human beings because of the savagery of the griffins." St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Barney, et al, Book 14, Chap. 3, 288; Pliny the Elder asserted that "some Scythian tribes, and in fact a good many, feed on human bodies" as well as the tribes of the Alps were known to "habitually practiced human sacrifice." Pliny, *Natural history*, trans. H. Rackham, (Cambridge, Mass: Harvard University Press, 1938), Book 7, Chap. 2.
[42] St. Isiodore, *The Etymologies of Isidore of Seville*, trans. Barney, et al, Book 14, Chap. 5, 294; The definition of "Antipode" is taken from Augustine's *City of God*. Saint Augustine, *City of God*, trans. Zema and Walsh, Book XVI, Chap 8. John Block Friedman notes that the term "antipode" was a semantically ambiguous term that could either denote the southern temporal zone which was believed to be on the opposite of the earth from the "known world," or the "monstrous race" that was believed to live there. Friedman, *The Monstrous Races in Medieval Art and Thought*, 9-21, 47.
[43] Friedman, *The Monstrous Races in Medieval Art and Thought*, 37.
[44] Phillips limits European involvement in this flow of ideas. For example, he notes that while Ptolemy's treatises on astronomy and geography became a staple part of Muslim knowledge, they were seemingly unknown in the west. "From the port of Basra in Mesopotamia to China there was an unbroken chain of communication along which luxury goods of the east flowed back to the west, in which Europeans took no part, and of which they had virtually no knowledge." Phillips, *The Medieval Expansion of Europe*, 19. However, it seems unlikely that this was necessarily the case in Iberia, due to their close proximity to Arab controlled northern Africa and Spanish Christians' regular relations with Muslim culture during the centuries of the Reconquista.
[45] Phillips, *The Medieval Expansion of Europe*, 193.
[46] For an image of Andreas's map and more detailed description, see Friedman, *The Monstrous Races in Medieval Art and Thought*, 56-58; For examples of illustrated images of monstrous races, see Chapter 7.
[47] Friedman, *The Monstrous Races in Medieval Art and Thought*, 200.
[48] "…a hairy man…of human and animal traits…upon its naked human anatomy a growth of fur, leaving bare on its face, feet, and hands, at times its knees and elbows, or the breasts of the female…Frequently, the creature is shown wielding a heavy club or mace, or the trunk of a tree…" Richard Bernheimer, *Wild Men in the Middle Ages: A Study in Art, Sentiment, and Demonology*, (Cambridge: Harvard University Press, 1952), 1.
[49] Bartolomé de las Casas, *In Defense of the Indians: The Defense of the Most Reverend Lord, Don Fray Bartolomé De Las Casas, of the Order of Preachers, Late Bishop of Chiapa, against the Persecutors and Slanderers of the Peoples of the New World Discovered Across the Seas*, trans. Stafford Poole, (DeKalb: Northern Illinois University Press, 1992), Chapter 2.
[50] Las Casas, *In Defense of the Indians*, trans. Poole, 32.
[51] Las Casas, *In Defense of the Indians*, trans. Poole, 33-34.
[52] Las Casas, *In Defense of the Indians*, trans. Poole, 35-36.
[53] *Select Documents illustrating the Four Voyages of Columbus, Volume 1*, ed. Cecil Jane, (Farnham, GB: Hakluyt Society, 2011), 14-17.
[54] "…ellos no son más disformes que los otros, salvo que tienen costumbre de traer los cabellos largos como mugeres …" *Select Documents illustrating the Four Voyages of Columbus*, ed. Cecil Jane, 14-17.

[55] "no hay hombre ninguno, ellas no usan ejercicio femenil, salvo arcos y flechas, como los sobredichos, de canas, y se arman y cobijan con launas de arambre, de que tienen mucho." *Select Documents illustrating the Four Voyages of Columbus,* ed. Cecil Jane, 14-17.
[56] Lewis Hanke, *All Mankind Is One: A Study of the Disputation between Bartolomé De Las Casas and Juan Ginés De Sepúlveda in 1550 on the Intellectual and Religious Capacity of the American Indians*, (Dekalb: Northern Illinois University Press, 1974), 85.
[57] José de Acosta, *Obras del P. José de Acosta*, ed. Francisco Mateos, (Madrid: Ediciones Atlas, 1954), 52.
[58] The existence of the Antipode region and its likely composition is discussed early in Book 1. Acosta, *Obras del P. José de Acosta*, ed. Mateos, 52.
[59] He juxtaposed the benefits of "healthy" air with the negative impact of "unhealthy" air on human health: "Porque para la vida humana no hay cosa de igual pesadumbre y pena, como tener un cielo y aire contrario y pesado y enfermo; ni hay cosa mas gustosa y apacible que gozar del cielo y aire suave, sano y alegre." "Así que, aunque haya más riquezas y bienes, si el cielo es desabrido y malsano, por fuerza se ha de vivir vida penosa y disgustada." Acosta, *Obras del P. José de Acosta*, ed. Mateos, 52.
[60]"…si desengañasen de pretensiones inútiles y pesadas, sin duda podrían vivir en Indias vida muy descansada y agradable." Acosta, *Obras del P. José de Acosta*, ed. Mateos, 52.
[61] Some scholars argue that the *Summa Contra Gentiles* was "too intellectual" to be a viable manual for Christian missionaries of Muslims, but Anton C. Pegis argued that it was precisely its intellectual nature that made it a possible tool against contemporary readings of Aristotelian theories which by then were already well known in Muslim intellectual circles. St. Thomas Aquinas, *Summa Contra Gentiles: On the Truth of the Catholic Faith*, trans. Anton C. Pegis, (N.Y.: Doubleday, 1955), 21.
[62] For example, St. Thomas Aquinas argued that divine truth could be understood in two ways: some truths exceed reason and some truths that can be reached by reason. While the truths of God that could be reached by reason were considered ultimately self-evident, Aquinas argued that "truths" that could not be reached by reason, those that transcend reality, were therefore the basis of faith, and the pursuit of that markedly higher level of knowledge brought the believer closer to the higher nature of God. "There is a twofold mode of truth in what we profess about God. Some truths about God exceed all the ability of human reason…But there are some truths which the natural reason also is able to reach." St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 1: 63, 68.
[63] Anselm was born in northern Italy, but moved to France in his early twenties to pursue his education. He then entered the Benedictine monastery at Bec in 1060, which was quickly building its reputation as one of Europe's leading intellectual centers. He would later serve as the monastery's Prior from 1063-1078. St. Anselm, *St. Anselm's Proslogion: With A Reply on Behalf of the Fool*, trans. M. J. Charlesworth, (Notre Dame: University of Notre Dame Press, 1979), 8-10.
[64] For example, in his *De Libero Arbitrio*, St. Augustine outlined a rational argument for God's existence. In the work, he is engaged in a discussion with Evodius, who he asks if he is certain that God exists. Evodius answers that he believes that God exists, even though he cannot know for certain.[64] Augustine then asks how then would Evodius convince a non-believer of God's existence? Augustine argues that God implanted reason in man which makes him superior to the rest of his creations, and reason itself justified the existence of eternal truth. If anything was higher than eternal truth it had to be God, or if nothing was higher than eternal truth then eternal truth and God were one in the same. St. Augustine, *The Problem of Free Choice*, trans. and ed. Mark Pontifex, (Westminster, Md: Newman Press, 1955), 120.
[65] "God exists, and He exists truly and supremely. We not only hold this, I think, by our undoubted faith, but we also attain to it by a sure, though very tenuous kind of knowledge." St. Augustine, *The Problem of Free Choice*, trans. and ed. Pontifex, 120.
[66] For example, in his *De Libero Arbitrio*, or *On Free Choice*, Augustine discussed God's existence with "Evodius," who Augustine asked if he was certain that God existed. Evodius answered that he believed that God existed, even though he could not know for certain. According to Augustine, Reason fundamentally justified the existence of eternal truth, and if anything was higher than eternal truth it had to be God, or if nothing was higher than eternal truth then eternal truth and God were one in the same. St. Augustine, *The Problem of Free Choice*, trans. and ed. Pontifex, 77-78, 120.
[67] St. Anselm, *St. Anselm's Proslogion*, trans. Charlesworth, 117.
[68] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 15-17.
[69] Aquinas argued that by appealing to reason missionaries could convince Muslims or pagans of the sanctity of the Christian faith without having to rely on Scripture alone. St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 1: 62.

[70] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 1: 60-62.
[71] Nevertheless, Aquinas posits himself a "student of divine truth," as he states "I am aware that I owe this to God as the chief duty of my life, that my every word and sense may speak of Him." Furthermore, despite man's intellectual weaknesses, the goal of "the wise man" should be to speak "divine truth" and refute "impiety," which he defines as that which contradicts divine truth. St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 1: 61-62.
[72] For an extended assessment of the different levels of Divine knowledge, see St. Aquinas, *Summa Theologica*. (New York: Benziger Brothers, 1947), Vol 2, Question 2, Article 6.
[73] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 1: 66.
[74] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 3 (pt 2): 114.
[75] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 3 (pt 2): 129.
[76] "…the way in which a thing is known determines the way in which it is loved and desired. Therefore, he who is in error about God can neither love God not desire Him…man must be bound by divine law to hold a right faith concerning God…Through this consideration we exclude the error of those who say that it makes no difference to the salvation of man whatever by the faith with which he serves God." He then quotes Rom. 1:22-23: "For, professing themselves to be wise, [the Gentiles] became fools, and they changed the glory of the incorruptible God into the likeness of the image of a corruptible man and of birds, and of fourfooted beasts and of creeping things…" St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 3 (pt 2): 130, 140.
[77] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 3 (pt 2): 127-128.
[78] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 3 (pt 2): 222.
[79] "And since the ability to impede or not to impede the reception of divine grace is within the scope of free choice, not undeservedly is responsibility for the fault imputed to him who offers an impediment to the reception of grace." St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 3 (pt 2): 261.
[80] Stafford Poole, *Pedro Moya De Contreras: Catholic Reform and Royal Power in New Spain, 1571-1591*, (Norman: University of Oklahoma Press, 2011), 12.
[81] While my focus is on the colonial church, it is also important to note the impact of secular authorities on the spirituality of the natives. While I disagree with his argument that the relationship between the church and crown was secondary, Lesley Byrd Simpson argued that of the conquistadors in the establishment of colonial government. "The rivalry between the civil and religious governments over the manner of ruling the native populations….was, however, quite secondary in importance to the competition between the Crown and the conquerors over: the spoils of conquest; the kind of government, feudal or royal, which was to prevail; and…the right to exploit native labor." Lesley Byrd Simpson, *The Encomienda in New Spain; Forced Native Labor in the Spanish Colonies, 1492-1550*, (Berkeley, Calif: University of California press, 1950), 2.
[82] St. Aquinas, *Summa Contra Gentiles*, trans. Pegis, 1: 62.
[83] See editor's introduction of the relection, in Francisco de Vitoria, *Political Writings*, trans. Anthony Pagden and Jeremy Lawrance, (Cambridge: Cambridge University Press, 1991), 231.
[84] He cited Aristotle's definition of the lower sort of men in *Politics*. Vitoria argued that "none fit the bill better than these barbarians, who in fact appear to be little different from brute animals and are completely unfitted for government. It is undoubtedly better for them to be governed by others, than to govern themselves." However, by establishing that the Indians had legal dominion over their property, it negated them being defined as "slaves." Vitoria, *Political Writings*, trans. Pagden and Lawrance, 239-240.
[85] For of the seven "just titles," see Vitoria, *Political Writings*, trans. Pagden and Lawrance, 277-291.
[86] Vitoria, *Political Writings*, trans. Pagden and Lawrance, 290-291.
[87] Vitoria, *Political Writings*, trans. Pagden and Lawrance, 290-291.
[88] Vitoria, *Political Writings*, trans. Pagden and Lawrance, 292.
[89] For example, one of the questions were as follows: "El que bautizo por ventura declaro bien todas las santas palabras de la manera que manda nuestra santa Madre Iglesia Católica Romana?" Bancroft Library (BANC), Padre Fray Pedro de Contreras Gallardo, *El manual de administar los sanctos sacramentos a los españoles, y naturales desta nueva Espana conforme a la reforma de Paulo V. Pont. Max*, (Mexico: En la Imprenta de Juan Ruiz, 1638); This small manual also illustrates how the sacramental ceremonies were often a trilingual process; the required questions/instructions were printed in Spanish and Nauhatl, while the specific prayers were in Latin.
[90] Benson Latin American Collection (BEN), Bartolomé Roldán, *Cartilla y doctrina cristiana, breve y compendiosa, para enseñar los niños, y ciertas preguntas tocantes a la dicha doctrina, por manera de diálogo*, (Mexico: En la Imprenta de Pedro Ocharte, 1580), http://www.primeroslibros.org/detail.html?lang=en&work_id=303794.

[91] The book is a bilingual edition; each page includes the information or questions in both Huastecan (Chuchon) and Castilian. BEN, Roldán, *Cartilla y doctrina cristiana, breve y compendiosa, para enseñar los niños.*
[92] BEN, Roldán, *Cartilla y doctrina cristiana, breve y compendiosa, para enseñar los niños,* xxix.
[93] "Pues mirad hijo mío muy amado, que os conviene muy mucho; que honréis al santo vuestro nombre; encomendando os al para que ruegue a dios por vos. Y en esto le honrareis bien, en que se país su vida, y imitéis las virtudes y obras que hizo; con las cuales el acá en el suelo resplandecía. Sois cristiano?...Que quiere decir cristiano?" BEN, Roldán, *Cartilla y doctrina cristiana, breve y compendiosa, para enseñar los niños,* xxix-xxxii.
[94] Similar questions are included in a compilation of example sermons used to proselytize the natives, printed in 1550. BEN, Dominicans, *Doctrina cristiana en lengua española y mexicana hecha por los religiosos de la orden de Santo Domingo*, (Mexico: En la Imprenta de Juan Pablos, 1550). http://www.primeroslibros.org/detail.html?lang=en&work_id=303776.
[95] Vitoria, *Political Writings,* trans. Pagden and Lawrance, 303.
[96] Most Spaniards accepted Vitoria's definition of *just war,* and some refused to comment. Juan de Torquemada ended his brief consideration of *just war* with the following: "y porque no lo soy, sino historiador, no digo más." Juan de Torquemada, *Monarquía indiana,* 3 ed., (México: Editorial Salvador Chavez Hayhoe, 1943), 2:563.
[97] Vitoria, *Political Writings,* trans. Pagden and Lawrance, 326-327.
[98] Vitoria, *Political Writings,* trans. Pagden and Lawrance, 342, 347.
[99] The Laws of Burgos mandated that encomenderos were obliged to teach their natives the Ten Commandment, the seven mortal sins, and other basic "artículos de la fe." Antonio Muro Orejón, "Ordenanzas Reales Sobre Los Indios. Las Leyes de 1512-13, Transcripción, Estudio y Notas." *Anuario De Estudios Americanos* 13, (1956): 424; For broader studies of the encomienda system, see Lesley Byrd Simpson, *The Encomienda in New Spain*; Charles Gibson, *The Aztecs Under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519-1810,* (Stanford, California: Stanford University Press, 1964).
[100] Law 29-31 in Muro Orejón, "Ordenanzas Reales Sobre Los Indios. Las Leyes de 1512-13," 441-442.
[101] Richard Konetzke, *Coleccion de documentos para la historia de la formacion social de Hispanoamérica: 1493-1810,* (Madrid: Consejo superior de investigaciones cientificas, 1968) 1: 89-96.
[102] Hanke, *All Mankind Is One,* 21; Pope Paul III essentially expanded thirteenth century decrees of Pope Innocent IV, which had acknowledged the rights of Muslims and pagans during the Crusades, to the American Indians. See James Muldoon, *Popes, Lawyers, and Infidels The Church and the Non-Christian World, 1250-1550,* (Philadelphia: University of Pennsylvania Press, 1979), 6.
[103] "…no se pueda hacer esclavo indio alguno; y que remos que sean tratados como vasallos nuestros de la corona de castilla pues lo son." *The New Laws of the Indies for the Good Treatment and Preservation of the Indians, Promulgated by the Emperor Charles the Fifth, 1542-1543; A Facsimile Reprint of the Original Spanish Edition, Together with a Literal Translation into the English Language,* ed. Fred. W. Lucas and Henry Stevens, intro. Henry Stevens of Vermont and Fred W. Lucas, (New York: AMS Press, 1971), 6.
[104] *The New Laws of the Indies for the Good Treatment and Preservation of the Indians,* ed. Lucas and Stevens, 15.
[105] *The New Laws of the Indies for the Good Treatment and Preservation of the Indians,* ed. Lucas and Stevens, 18.
[106] Konetzke, *Coleccion de documentos,* 1: 236.
[107] For example, while Acosta believed that the indios could become Christians, he also argued that the encomienda system should be preserved because it benefitted both the indios and the Spaniards. "…es licito imponer los tributos que son necesarios para el fin que se pretende, y que tanto deben extenderse cuanto requiera el fin…" Acosta, *Obras del P. José de Acosta,* ed. Mateos, 473.
[108] Hanke, *All Mankind Is One,* 84.
[109] "those little men in whom you will scarcely find traces of humanity; who not only lack culture but do not even know how to write, who keep no records of their history…and who do not have written laws but only barbarous institutions and customs…What can you expect from men who were involved in every kind of intemperance and wicked lest and who used to eat human flesh? And don't think that before the arrival of the Christians they were living in quiet…On the contrary they were making war with such rage that they considered their victory worthless if they did not satisfy their monstrous hunger with the flesh of their enemies…" Hanke, *All Mankind Is One,* 85.
[110] Las Casas, *In Defense of the Indians,* trans. Poole, 86.
[111] Las Casas, *In Defense of the Indians,* trans. Poole, 26, 42.

[112] Las Casas, *In Defense of the Indians*, trans. Poole, 42.
[113] Las Casas, *In Defense of the Indians*, trans. Poole, 44.
[114] Diego Durán, *The History of the Indies of New Spain*, trans. Doris Heyden, (Norman: University of Oklahoma Press, 1994), 3.
[115] "…we can only speculate and conjecture about these beginnings, basing ourselves on the evidence provided by these people, whose strange ways, conduct, and lowly actions are so like those of the Hebrews. Thus we can almost positively affirm that they are Jews and Hebrew, and I would not commit a great error if I were to state this as fact, considering their way of life, their ceremonies, their rites and superstitions, their omens and hypocrises, so akin to and characteristic of those of the Jews; in no way do they seem to differ." Durán, *The History of the Indies of New Spain*, trans. Heyden, 3.
[116]He mentioned that some Spaniards saw similarities between some native and Muslim rituals, customs, and ceremonies, and therefore thought they could be descendant of the Moors. Others, saw more similarities between native and Jewish practices. Toribio Motolinía, *Memoriales; Libro de las cosas de la Nueva España y de los naturales de ella*, trans. Edmundo O'Gorman, (México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1971), 14.
[117] First, when the ten tribes of Israelites left Syria it was believed that they went to a faraway place that was not populated with people. Second, they had multiplied to such an extent they could not be counted, which explained the big difference between contemporary Jews and the Indians. Third, native language was believed to be a form of Hebrew, just as Spanish was Latin-based, the native dialects were Hebrew-based. Fourth, the Indians had similar ceremonies and rites as the Jews. He then proceeds to disprove each point. Torquemada, *Monarquía indiana*, 1: 23-25.
[118] Torquemada, *Monarquía indiana*, 1: 25.
[119] Michel Foucault, *Archaeology of Knowledge*, (London: Routledge, 2002).
[120] Chapter Eight is titled: "Que la dificultad de los barbaros para el evangelio nace no tanto de la naturaleza cuanto de la educación y la costumbre." He then goes on to explain, "Es cosa averiguada que más influye en la índole de los hombres la educación que el nacimiento." Acosta, *Obras del P. José de Acosta*, ed. Mateos, 412.
[121] Acosta, *Obras del P. José de Acosta*, ed. Mateos, 412; Acosta cited Aristotle's *Politics* (1269a 29), where he said "if [serfs] are kept on a loose rein, they become insolent, and proceed to claim equality with their masters: if they have a hard life, they fall into conspiracy and hatred." Aristotle, *Oxford World's Classics: Politics*, (Oxford, GB: Oxford Paperbacks, 1995), II 9:67.
[122] Betanzos would later recant the statement on his death bed in 1549. Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America*, (Boston: Little Brown, and Co.,1947), 12.
[123]The introduction of the Laws of Burgos stated that the issues of native conversion lied with the natives themselves: "porque de su natural son inclinados a ociosidad y malos vicios…ninguna manera de virtud ni doctrina" and the principal obstacle was that "no se hemendar de sus vicios e que la doctrina no les aproveche ni en ellos imprima no lo tomen es tener sus asientos y estancias tan lejos…de los lugares donde viven los españoles." It also claimed that the natives were being taught and indoctrinated by the Spaniards they served, but they would forget these teachings once they returned to their villages. "…al tiempo que vienen a servirlos los doctrinan y enseñan las cosas de nuestra fe como después de haber servido se vuelven a sus estancias, con estar apartados y la mala inclinación que tienen olvidan luego todo lo que les han enseñado y tornan a su acostumbrada ociosidad y vicios y cuando otra vez vuelven a servir están tan nuevos en la doctrina como de primer…" Muro Orejón, "Ordenanzas Reales Sobre Los Indios. Las Leyes de 1512-13," 418-419.
[124] Motolinía, *Memoriales*, ed. O'Gorman, 162.
[125] AGN, Instituciones Coloniales, Inquisicion Vol. 37 Exp 5-6.
[126] AGN, Instituciones Coloniales, Inquisicion Vol. 37 Exp 5-6.
[127] Christopher Columbus, *Select Letters of Christopher Columbus: with Other Original Documents, Relating to His Four Voyages to the New World*, ed. R. H. Major, (London: Hakluyt Society, 1847), 234.
[128] "los cuales sus Altezas pueden mandar poner en poder de personas con quien puedan mejor aprender la lengua, ejercitándolos en cosas de servicio" He also postulated that after their time in Spain, they could then return and serve as interpreters on the island. Columbus, *Select Letters of Christopher Columbus*, ed. Major, 234.
[129] "…porque entre las otras islas las de los caníbales son mucho grandes, y mucho bien pobladas, parecerá acá que tomar de ellos y de ellas y enviarlos allá a Castilla non sería sino bien, porque quitarse han una vez de aquella inhumana costumbre que tienen de comer hombres, y allá en Castilla entendiendo la lengua muy mas presto recibirían el Bautismo, y farian el provecho de sus animas." "Diréis a sus Altezas, que el provecho de las almas de los dichos caníbales, y aun de estos de acá, ha traído el pensamiento que cuantos más allá se llevasen

sería mejor, y en ello podrían sus Altezas ser servidos…" Columbus, *Select Letters of Christopher Columbus,* ed. Major, 234.

[130] Columbus describes the "peaceful indians" as follows: "Y como quier que ellos agora donde quier que hombre se halle non solo hacen de grado lo que hombre quiere que hagan más ellos de su voluntad se ponen a todo lo que entienden que nos puede placer…" "…aun entre estos pueblos que non son de esas costumbres, se ganaría gran crédito por nosotros viendo que aquellos prendiésemos y captivásemos, de quien ellos suelen recibir daños, y tienen tamaño miedo que del hombre solo se espantan…" Columbus, *Select Letters of Christopher Columbus,* ed. Major, 234.

[131] "…fiera y dispuesta, y bien proporcionada y de muy buen entendimiento, los cuales quitados de aquella inhumanidad creemos que serán mejores que otros ningunos esclavos…" Columbus, *Select Letters of Christopher Columbus*, ed. Major, 234.

[132] Hernán Cortés, *Cartas de relación de la conquista de Méjico*, (Madrid: Espasa-Calpe, 1932), 2: 65.

[133] "…los nuestros llaman Caribes, siempre sedientos de sangre, crueles con los extraños, que devoran carne humana, andan desnudos o cubren apenas sus vergüenzas." Acosta, *Obras del P. José de Acosta*, ed. Mateos, 393.

[134] "A todos estos que apenas son hombres, o son hombres a medias, conviene enseñarles que aprendan a ser hombres e instruirles como a niños. Y si atrayéndolos con halagos se dejan voluntariamente ensenar, mejor sería; más si resisten, no por eso hay que abandonarlo, sino que si se rebelan contra su bien y salación, y se enfurecen contra los médicos y maestros, hay que contenerlos con fuerza y poder convenientes, y obligarles a que dejen la selva y se reúnan en poblaciones y, aun contra su voluntad en cierto modo, hacerles fuerza para que entren en el reino de los cielos." Acosta, *Obras del P. José de Acosta*, ed. Mateos, 393.

[135] Acosta, *Obras del P. José de Acosta*, ed. Mateos, 393; Acosta cited Aristotle's *Politics*: "It also follows that the art of war is in some sense a natural mode of acquisition. Hunting is a part of that art; and hunting ought to be practiced, not only against wild animals, but also against human beings who are intended by nature to be ruled by others and refuse to obey that intention, because this sort of war is naturally just." Aristotle, *Oxford World's Classics: Politics*, (1256b 15), Book I, Chap. 8, 23.

[136] Cortés, *Cartas de relación de la conquista de Méjico*, 1: 194.

[137] E los traidores de aquel pueblo y de otros a el comarcanos, al tiempo que aquellos cristianos por allí pasaron, [hicieron les] buen recibimiento, para los asegurar y hacer en ellos la mayor crueldad que nunca se hizo, porque abajando por una cuesta y mal paso, todos a pie, trayendo los caballos de diestro, de manera que no se podían aprovechar [de ellos], puestos los enemigos en celada de una parte y de otra del mal paso, los tomaron en medio, y [de ellos] mataron…y ellos tomaron a vida para traer a Tesuico a sacrificar y sacarles los corazones delante de sus ídolos…" Cortés, *Cartas de relación de la conquista de Méjico*, 1: 194-195.

[138] Cortés says as much when he remarks that the story he just recounted is what appeared to have happened to the missing soldiers: "esto parece que fuí así. Cortés, *Cartas de relación de la conquista de Méjico*, 1: 194-195.

[139] "…en una casa de un pueblo que está entre Tesuico y aquel donde mataron y prendieron los cristianos, hallaron en una pared blanca escritas con carbón estas palabras: 'Aquí estuvo preso el sin ventura de Juan Yuste.'" Hernán Cortés, *Cartas de relación de la conquista de Méjico*, 1: 195.

[140] "mataron muchos, y prendió y cautivó muchas mujeres and niños, que se dieron por esclavos; aunque, movido a compasión, no quiso matar ni destruir cuanto pudiera…" Hernán Cortés, *Cartas de relación de la conquista de Méjico*, 1: 195.

[141] "llamar a algunos de los principales pobladores de ella…nuestra intención ha sido y es dar orden como los unos e los otros vivan en todo sosiego e tranquilidad e que los unos no agravian a los otros injustamente porque ellos sean más honrados e aprovechados…lo platique con los otros pobladores de la dicha isla y que nombren tres o cuarto personas de los prudentes y sabios con los cuales vosotros podáis hablar y negociar e tomar alguno buen medio para lo de delante de voluntad e consentimiento de las partes si ser pudiere y esto mismo diréis a los caciques de la dicha isla" *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, (Madrid: Sucesores de Rivadeneyra, 1885), 9: 53-54.

[142] *Coleccion de documentos ineditos relativos al descubrimiento, conquista y organizacion de las antiguas posesiones españolas de Ultramar*, 9: 75-77.

[143] The instructions referred to Amendment 4 of the Laws of Burgos, which stated "…por cuanto podría acaecer que andando el tiempo con la doctrina y con la conversación de los cristianos y san tan políticos y entendidos que por si sepan regirse y tomen la manera de vida que allá viven los cristianos…" Muro Orejón, "Ordenanzas Reales Sobre Los Indios. Las Leyes de 1512-13," 448; For an explanation of the Jeronymite Interrogatory, see

Chapter 3 in Lewis Hanke, *The First Social Experiments in America: A Study in the Development of Spanish Indian Policy in the Sixteenth Century*, (Cambridge: Harvard University Press, 1935).

[144] In a letter to Juan Rodriguez de Fonseca, about the findings of the Jeronymite friars. He listed the main objective was to find out "si los indios tienen habilidad para que se les de libertad para que puedan vivir por si políticamente como viven en Castilla algunos labradores…" *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de América y Oceanía, sacados de los archivos del reino, y muy especialmente del de Indias,1864-84*, (Vaduz: Kraus Reprint, 1964), 1: 291; Also see a list of the questions asked by the friars in same collection, Volume 34: 201-229.

[145] "Las catorce o quince personas para esto llamadas son de las más antiguas e hábiles de Indias, e todos so cargo de juramente afirma que los indios no son hábiles para vivir entre sí. Solo un fraile dominico siente lo contrario." *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de América y Oceanía, sacados de los archivos del reino, y muy especialmente del de Indias.* 1: 291; Also see the list of responses in the same collection, Volume 34: 207

[146] Hanke, *The First Social Experiments in America*, 29.

[147] Gilberto Freyre had first proposed the interpretation of a benign Latin American slavery in the 1940s. While he was specifically studying the Portuguese slave trade and their colonies in Brazil, his theories were later applied to other Latin American countries by their respective scholars. He argued the Portuguese were more willing to accept African culture and more accepting of racial mixing, which led to a "racial democracy." He also emphasized that slaves had greater possibility for manumission in Portuguese colonial law and the influence of the Catholic church helped to blur the barriers between master and slave. For Freyre, the Portuguese colonist was "a Spaniard without the warlike flare of the dramatic orthodoxy of the conquistador of Mexico and Peru; an Englishman without the harsh lineaments of the Puritan. The compromiser type. With no absolute ideals, with no unyielding prejudices." Gilberto Freyre, *The Masters and the Slaves: A Study in the Development of Brazilian Civilization*, trans. Samuel Putnam, (New York: Knopf, 1946), 161.

[148] Partida IV: LAW VI, *Las Siete Partidas, Volume 4: Family, Commerce, and the Sea: The Worlds of Women and Merchants (Partidas IV and V),* Robert I. Burns, ed., (Philadelphia, US: University of Pennsylvania Press, 2012), 979.

[149] "in cases of this kind said slaves can complain to the judge; and the latter in the discharge of his official duty should investigate and ascertain whether the charge is true, and if he finds that it is, he should sell the slaves, and give the price of them to their master" Partida IV: LAW VI, *Las Siete Partidas, Volume 4: Family, Commerce, and the Sea: The Worlds of Women and Merchants (Partidas IV and V),* Burns, ed., 979.

[150] Konetzke, *Coleccion de documentos*, 1: 237-240.

[151] Konetzke, *Coleccion de documentos*, 1: 167.

[152] A similar ordinance against slaves being out after dark had been passed in Panama a few years earlier, but as the new cedula implies, this was a concern throughout the colonies. Konetzke, *Coleccion de documentos*, 1: 237-240, 213-214.

[153] Konetzke, *Coleccion de documentos*, 1: 237-240.

[154] Restall, *Black Middle: Africans;* Bennett, *Africans in Colonial* Mexico; Vinson and Restall, *Black Mexico.*

[155] For general and comparative studies of American slave societies, see Herbert S. Klein, *African Slavery in Latin America and the Caribbean*, (New York: Oxford University Press, 1986) and *Slavery in the Americas: A Comparative Study of Virginia and Cuba*, (Chicago: University of Chicago Press, 1967); David Brion Davis, *The Problem of Slavery in Western Culture*, (Ithaca, N.Y.: Cornell University Press, 1966); Philip D. Curtin, *The Atlantic Slave Trade: A Census*, (Madison: The University of Wisconsin Press, 1969); Richard Price, *Maroon Societies: Rebel Slave Communities in the Americas*, (Garden City: Anchor Press, 1973); Robert Brent Toplin, *Slavery and Race Relations in Latin America*, (Westport, Conn: Greenwood Press, 1974); Leslie B. Rout, *The African Experience in Spanish America, 1502 to the Present Day*, (Cambridge: Cambridge University Press, 1976); David Eltis, *The Rise of African Slavery in the Americas*, (Cambridge, UK: Cambridge University Press, 2000); Vincent Brown, *The Reaper's Garden: Death and Power in the World of Atlantic Slavery*, (Cambridge, Mass: Harvard University Press, 2008).

[156] Aguirre Beltrán, *La poblacion negra de Mexico.*

[157] Suzanne Miers and Igor Kopytoff emphasized variability within African forms of slavery and slave systems, thereby challenging traditional notions of slavery as the North American model of chattel slavery. African slavery took many forms: some were captured in war, families could "sell" family members to settle debts, individuals could "sell" themselves to wealthier families to better their own economic status. I use the term "sell" here very loosely because slaves were often treated as members of an extended kinship group rather than material possessions. While they had a low status, slaves could eventually marry into the family and their

children were considered free; therefore, for most African tribes slavery was not perpetual, or hereditary. Suzanne Miers and Igor Kopytoff, *Slavery in Africa: Historical and Anthropological Perspectives*, (Madison: University of Wisconsin Press, 1977).

[158] *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de América y Oceanía, 1864-84*, 31: 23.

[159] Philip D. Curtin, *The Atlantic Slave Trade: A Census*, (Madison: The University of Wisconsin Press, 1969), 21.

[160] See Table 77 in Philip D. Curtin, *The Atlantic Slave Trade: A Census*, 268.

[161] Historians estimate that slavers, worried by the potential for slaves to try to escape overboard, only brought groups of slaves above deck for about an hour a day. With such tight quarters, minimal nutrition, and limited attention to their cargo's hygiene, disease could claim about a quarter of the slaves before they ever made port in the New World.

[162] For a recent overview of different forms of Latin American slavery, see Herbert S. Klein and Ben Vinson, *African Slavery in Latin America and the Caribbean*, (Oxford: Oxford University Press, 2007).

[163] Lucille Mathurin Mair,, Hilary Beckles, and Verene Shepherd. *A Historical Study of Women in Jamaica: 1655-1844.* (Jamaica: University of the West Indies Press, 2006), 41, 222.

[164] Colin A. Palmer, *Slaves of the White God: Blacks in Mexico, 1570-1650*, (Cambridge: Harvard University Press, 1976), 27-28.

[165]This is known as the "social death" theory, first postulated by Orlando Patterson in his study of North American slavery. Orlando Patterson, *Slavery and Social Death: A Comparative Study*, (Cambridge, Mass: Harvard University Press, 1982).

[166] For studies on "passing" in colonial Spanish America, see Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies*, (Stanford: Stanford University Press, 2015) and *Public lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America,* (Stanford: Stanford University Press, 1999).

[167] Aguirre Beltrán, *La poblacion negra de Mexico*, 267-271.

[168] For a discussion of the unreliability of *asiento* records, see Curtin, *The Atlantic Slave Trade.*

[169] Bennett, *Africans in Colonial Mexico*, 197 n. 2.

[170] Magali Marie Carrera, *Imagining Identity in New Spain: Race, Lineage, and the Colonial Body in Portraiture and Casta Paintings*, (Austin: University of Texas Press, 2003); Ilona Katzew, *Casta Painting: Images of Race in Eighteenth-Century Mexico*, (New Haven: Yale University Press, 2004).

[171] Frank Tannenbaum had originally argued that because of its central position in the Spanish and Portuguese American colonies the Catholic Church provided a check to master's power because they were both equal in the eyes of God. He reasoned that this was bolstered by the traditional law code, the *Siete Partidas*, which was highly influenced by Christian theology. "…the moral value of the individual outlasted slaver and became the chief source of its undoing; the acceptance of the idea of the spiritual equality of all men made for a friendly elastic milieu within which social change could occur in peace." Frank Tannenbaum, *Slave and Citizen: The Negro in the Americas*, (New York: Vintage Books, 1946), x.

[172] Colin A. Palmer followed the work of Aguirre Beltrán, who was the first to study the lives of enslaved and free blacks in Mexico. Like Beltran, Palmer argued that despite pressure from civil and religious authorities Afro-Mexicans were able to hold on to their West African cultural traditions. This incorporated into the overarching theme of the work, which illustrated the often wide gap between theory and practice: "the protective measures of the *Siete Partidas* counted little when they conflicted with the interests of the colonists." Palmer, *Slaves of the White God,* 188.

[173] Bennett, *Africans in Colonial Mexico;* Bristol, *Christians, Blasphemers, and Witches.*

[174] Gen 9: 25. "And he said, Blessed be the Lord God of Shem; and Canaan shall be his servant." "God shall enlarge Japheth, and he shall dwell in the tents of Shem; and Canaan shall be his servant." Gen 9: 26-27.

[175] "De estas palabras se colige que la cautividad y servicio fue pena del pecado; porque esta maldición, que el santo patriarca hecho no fue por vengarse de la injuria sino profecía y declaración de lo que había de suceder en su linaje de [Ham]." Torquemada, *Monarquía indiana*, 2: 561.

[176] Torquemada's main argument was that the American Indians had darker skin color, but not every area of the New World had a hot or humid climate and skin colors did not change, those of the Spaniards nor the natives, changed when they moved to a different climate. Torquemada, *Monarquía indiana*, 2: 568.

[177] "…y si por lo dicho quisiere alguno argüirme que estos son descendientes de Ham no se lo concedo, pero tampoco se lo negaría cuando quisiese afirmarlo por lo que dejamos dicho aunque caso tan dudoso, y obscuro

debemos remitirlo a Dios, que es claridad de todas las cosas, y las sabe, como ellas son, y no cabe duda en su saber infinito." Torquemada, *Monarquía indiana*, 2: 571.

[178] Leslie B. Rout and others have emphasized how African ancestry was widely considered highly detrimental to familial line by colonial Spanish families. Leslie B. Rout, *The African Experience in Spanish America, 1502 to the Present Day*, (Cambridge: Cambridge University Press, 1976), 126-127; The *Siete Partidas* emphasized that masters should refrain from corporal punishments or deprivation in treating their slaves, except where "he finds him with his wife or his daughter, or where he commits some other offence of this kind, for then he has certainly a right to kill him."[178] Partida IV: LAW VI, *Las Siete Partidas, Volume 4: Family, Commerce, and the Sea: The Worlds of Women and Merchants (Partidas IV and V),* Robert I. Burns, ed., 979.

[179] Aguirre Beltrán, *La poblacion negra de Mexico*, 186-189; Frederick P. Bowser, "Colonial Spanish America" in *Neither Slave nor Free: The Freedmen of African Descent in the Slave Societies of the New World*, eds. David William Cohen and Jack Phillip Greene, (Baltimore: Johns Hopkins University Press, 1974), 39.

[180] "Más aún: los hijos de los negros etíopes, educados, ¡oh, caso extraño!, en palacio, salen de ingenio tan pronto y tan dispuestos para todo que, quitado aparte el color, se les tomaría por uno de los nuestros." Acosta, *Obras del P. José de Acosta*, ed. Mateos, 413.

[181] Ben Vinson, *Bearing Arms for His Majesty: The Free-Colored Militia in Colonial Mexico*, (Stanford: Stanford University Press, 2001).

[182]María Elena Martínez, "The Black Blood of New Spain: Limpieza De Sangre, Racial Violence, and Gendered Power in Early Colonial Mexico," *William and Mary Quarterly* 61: (2004), 489-490.

[183] Martínez, "The Black Blood of New Spain," 490.

[184] Frederick P. Bowser, "Colonial Spanish America" in *Neither Slave nor Free: The Freedmen of African Descent in the Slave Societies of the New World*, eds. David William Cohen and Jack Phillip Greene, 27 n. 37.

[185] "si allá fueron personas sospechosas en la Fe a la dicha conversión, podría dar algún impedimento, non concentréis ni daréis logar que allá vayan moros ni judíos, ni herejes ni reconciliados, ni personas nuevamente convertidas a Nuestra Fe, salvo si fueren esclavos negros u otros esclavos que hayan nascido en poder de cristianos, Nuestros súbditos e naturales." *Colección de documentos inéditos relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de América y Oceanía*, 31: 23.

[186] AGN, Instituciones Coloniales, Inquisicion Vol 167, Exp 5.

[187] AGN, Instituciones Coloniales, Inquisicion Vol 167, Exp 5.

[188] "los acotes fueron moderación dados un acote de cuero de una silla de un caballo" AGN, Instituciones Coloniales, Inquisicion Vol 167, Exp 5.

[189] AGN, Instituciones Coloniales, Inquisicion Vol 167, Exp 5.

[190] "que ningún mulato, ni mestizo, ni hombre que no fuere legítimo, pueda tener indios, ni oficio real ni público." Konetzke, *Coleccion de documentos*, 1: 256.

[191] Konetzke, *Coleccion de documentos*, 1: 482.

[192] Council of Trent, *Canons and decrees of the Council of Trent*, trans. Henry Joseph Schroeder, (St. Louis, Mo: B. Herder Book Co, 1941), 73.

[193] A defense of the priests' role in transubstantiation is included in a sermon on the Eucharist in those provided in the sixteenth century Dominican manual discussed earlier in the chapter: "nuestro amoroso redemptor e hijo de Dios…convertir aquel pan y vino en su verdadero cuerpo y en su preciosa sangre con aquellos sanctas palabras que dijo/ mas también dio poder a los padres sacerdotes para que hicieron lo mismo…" BEN, Dominicans, *Doctrina cristiana en lengua española y mexicana*, ciij.

[194] "as an antidote where we may be freed from daily faults and be preserved from mortal sins" Council of Trent, *Canons and decrees of the Council of Trent*, trans. Schroeder, 74.

[195] Motolinía, *Memoriales*, ed. O'Gorman, 141.

[196] Motolinía, *Memoriales*, O'Gorman, 142.

[197] Motolinía, *Memoriales*, ed. O'Gorman, 143.

[198] This notion was hinted to in the prelimary notes of the First Provincial Council in Mexico. See Alonzo de Montúfar, *Concilios provinciales, primero y segundo, celebrados en la muy noble y muy leal ciudad de México, presidiendo el illmo. y rmo. Señor D. Fr. Alonzo de Montúfar, en los años de 1555 y 1565: dalos a luz el illmo. Sr. D. Francisco Antonio Lorenzana, arzobispo de esta santa metropolitana iglesia*, ed. Francisco Antonio Lorenzana, (México: Impr. de el Superior Gobierno, de Joseph Antonio de Hogal, 1769), 4.

[199] Motolinía, *Memoriales*, ed. O'Gorman, 142.

[200] "para que tengan vida y vivan espiritual, temporal y eternalmente." Motolinía, *Memoriales*, ed. O'Gorman, 142.

[201] "no saben la lengua de ellos, ni nunca la deprendieron…ni saber las conciencias y vidas por las confesiones." Motolinía, *Memoriales*, ed. O'Gorman, 142.
[202] Motolinía, *Memoriales*, ed. O'Gorman, 143.
[203] BANC, *Tractado de que se deben administratar los Sacramentos de la Sancta Eucharistia y Extremaunction: a los indios de esta nueva Espana, Compuesto por el muy Reverendo Padre Fray Pedro de Agurto.*
[204] BANC, *Tractado de que se deben administratar los Sacramentos de la Sancta Eucharistia y Extremaunction: a los indios de esta nueva Espana, Compuesto por el muy Reverendo Padre Fray Pedro de Agurto,* 4.
[205] BANC, *Tractado de que se deben administratar los Sacramentos de la Sancta Eucharistia y Extremaunction: a los indios de esta nueva Espana, Compuesto por el muy Reverendo Padre Fray Pedro de Agurto,* 11.
[206] Agurto cited Luke 24: 30-31. "And it came to pass, as he sat at the table with them, took bread and blessed it, and gave it to them. And their eyes were opened, and they knew him; and he vanished out of their sight."
[207] BANC, *Tractado de que se deben administratar los Sacramentos de la Sancta Eucharistia y Extremaunction: a los indios de esta nueva Espana, Compuesto por el muy Reverendo Padre Fray Pedro de Agurto,* 67.
[208] "[los monjas] reciban la sacro sancta Eucaristía, para que con aquel saludable socorro, y favor se armen y fortalezcan para vencer fuertemente a todas las tentaciones del demonio. Y si pensamos, que les faltan fuerzas y virtud…" BANC, *Tractado de que se deben administratar los Sacramentos de la Sancta Eucharistia y Extremaunction: a los indios de esta nueva Espana, Compuesto por el muy Reverendo Padre Fray Pedro de Agurto,* 69.
[209] "Y preguntado el sacerdote al enfermo, acerca de lo que un cristiano por rudo que sea tiene obligación de saber, dirá de esta manera a lo cual ira respondiendo el enfermo." BANC, Padre Fray Pedro de Contreras Gallardo, *El manual de administar los sanctos sacramentos a los españoles, y naturales desta nueva Espana conforme a la reforma de Paulo V. Pont. Max*, (Mexico: En la Imprenta de Juan Ruiz, 1638), 33-34; Pope Innocent III had mandated that every Christian receive the Eucharist at least once a year at Easter.
[210] BEN, Dominicans, *Doctrina cristiana en lengua española y mexicana,* cvi.
[211] Martin Austin Nesvig, "The 'Indian Question' and the Case of Tlatelolco," in *Local Religion in Colonial Mexico*, ed. Martin Austin Nesvig, (Albuquerque: University of New Mexico, 2006), 63-89.
[212] Nesvig illustrates that the decline of Colegio de Santa Cruz founded in Tlatelolco in 1536 was due to differences in clerical opinions of native capacity, differences in language, epidemics and subsequent low native population, loss of royal funding, and the first two provincial councils prohibited the ordination of priests. Nesvig, "The 'Indian Question' and the Case of Tlatelolco."
[213] In 1568, the Crown had advised against the Church in colonial Quito not to allow the ordination of mestizos. It argued that "por no ser las personas a quien se han de han las dichas ordenes, recogidas, virtuosos y suficientes…tengáis en el dar las dichas ordenes el cuidado que de vuestro buen celo y cristiandad se confía…por ahora no las daréis a los dichos mestizos de ninguna manera hasta que habiéndose mirado en ello se os avise de lo que se ha de hacer." Konetzke, *Coleccion de documentos,* 1: 569.
[214] Konetzke, *Coleccion de documentos,* 1: 569.
[215] Konetzke, *Coleccion de documentos,* 1: 607-608, 2 pt 1: 65-67, 2 pt 2: 691-693.
[216] In a letter to Don Diego Colón, viceroy of Española in 1514, King Fernando described the marriage between Spanish men and native women as "sería muy útil y provechoso al servicio de Dios y nuestro y conveniente a la población de esa dicha isla…" Konetzke, *Coleccion de documentos,* 1: 61.
[217] Konetzke, *Coleccion de documentos,* 1: 173.
[218] William B. Taylor, *Magistrates of the Sacred: Priests and Parishioners in Eighteenth-Century Mexico*, (Stanford: Stanford University Press, 1998).
[219] Seed, *To Love, Honor, and Obey in Colonial Mexico.*
[220] AGN, Instituciones Coloniales, Matrimonios, Vol 5.
[221] The remaining petitions were those which did not specific racial statuses for both the bride and the groom, or the witnesses. AGN, Instituciones Coloniales, Matrimonios, Vol 5.
[222] Indian witnesses were only listed in marriages where one of the couple was also Indian.
[223] AGN, Instituciones Coloniales, Matrimonios, Vol 5, Exp 32.

Chapter Five Notes:

[1] Gerónimo de Mendieta, *Historia eclesiástica indiana*, ed. Joaquín García Icazbalceta, (México, D.F.: Editorial Salvador Chávez Hayhoe, 1945), 3:72.

[2] The first convent for Indian noblewomen was founded in 1724.

[3] Anthropological studies stressed the fact that the lives of women had been documented by men, and therefore, history was "the image which the men have of their society." Anthropologists, like Sherry Ortner, question the origins of women's generally lower social status to men and why it seems to be one of the few constants among various cultures at various times and places, termed a "pan-cultural devaluation of women." Ortner argues that societies typically regulated women's social roles to mirror her procreative functions, i.e. pregnancy. Her ability to carry and birth children gave her a unique and longer connection to a basic natural process than her male counterparts. This inherently increased the cultural connection between women and nature and "natural" characteristics like emotion and instinct. However, men, due to their limited connection to the natural process of procreation, were more likely to be connected to that which transcends nature, or "culture," and characteristics like intellect and reason. Sherry Ortner, "Is Female to Male as Nature is to Culture?" in *Woman, Culture and Society*, ed. Michelle Zimbalist Rosaldo and Louise Lamphere (Stanford: Stanford University Press, 1974), 67-87. These general histories would become the foundation for later social histories which focused on understanding larger political and economic systems. They incorporated methods from other disciplines (specifically sociology and anthropology) to gather economic and demographic data and used quantitative analysis to uncover the everyday lives of past societies.

[4] Women's history during this period is commonly dubbed "herstory," because of their encyclopedic treatments of women's lives. They argued that half of the population had been historically silenced, and attempted to insert women's experiences into the traditional narratives. In essence, women's history became an adjunct, or subfield, to the conventional, male-centered history. For Latin Americanists, much of their research centered on contemporary politics, so their studies emphasized female agency and women's participation in major historical movements.

[5] The "second school" of social historians continued to cite and use the quantitative methods of their predecessors, but they argued that society was more than a system of grand structures, but a composite of individual experiences within those social systems.

[6] William E. French and Katherine Elaine Bliss define *discourse* as "the production of particular kinds of knowledge about a subject through the use of language, images, spaces, and symbols." For an excellent summary of major trends in modern women's history, see their Introduction in *Gender, Sexuality, and Power in Latin America Since Independence*, William E. French and Katherine Elaine Bliss eds., (Lanham: Rowman & Littlefield Publishers, 2006), 1-30.

[7] Trained as a historian of modern French labor history, Joan W. Scott switched to studying how gender functioned as a form of power. Her work in the late 1980s outlined how scholars could use *gender* as a category for historical analysis. Scott explained how "female/male," "feminine/masculine" were social understandings of perceived biological differences that were defined by the societies in which they existed, thus reflecting and evolving with said societies. In this way, gender was not static, but could mean different things in different time periods. Joan W. Scott, "Gender: A Useful Category of Historical Analysis." *American Historical Review* 91, no. 5 (December 1986): 1067-1070. Also see, Joan W. Scott, "Deconstructing Equality-Versus-Difference: Or, the Uses of Post-Structuralist Theory for Feminism." *Feminist Studies* 14, no. 1 (Spring, 1988): 33-51.

[8] See the introductory chapter in William E. French and Katherine Elaine Bliss, *Gender, Sexuality, and Power in Latin America Since Independence*. For examples of works on Latin America that consider gender see, Elizabeth Dore and Maxine Molyneux. *Hidden Histories of Gender and the State in Latin America* (Durham, NC: Duke University Press, 2000); Steve J. Stern, *The Secret History of Gender: Women, Men, and Power in Late Colonial Mexico* (Chapel Hill: University of North Carolina Press, 1995).

[9] Aída Hurtado, *The Color of Privilege: Three Blasphemies on Race and Feminism*, (Ann Arbor: University of Michigan Press, 1996).

[10] For a recent examination of convent historiography, specifically how scholars have challenged the idea of the "impermeable cloister," see Barbara B. Diefendorf, "Rethinking the Catholic Reformation: The Role of Women," in *Women, Religion, and the Atlantic World, 1600-1800*, ed. Daniella Kostroun and Lisa Vollendorf, (Toronto: University of Toronto Press, 2009), 31-59.

[11] Electa Arenal and Stacey Schlau argue that "separation from men gave women a sense of power and motivated creative expression." Electa Arenal and Stacey Schlau, *Untold sisters: Hispanic Nuns in Their Own Works* (Albuquerque: University of New Mexico Press, 1989), 5.

[12] "By subordinating women on the grounds of their lesser rationality and relegating them to the domain of feeling," women's religious writing was ultimately less valuable than those of men. Jean Franco, *Plotting Women: Gender and Representation in Mexico*. (New York: Columbia University Press, 1989), xiv.
[13] For histories on medieval female religious, see Angela Muñoz Fernández, *Las mujeres en el cristianismo medieval: imágenes teóricas y cauces de actuación religiosa* (Madrid: Asociación Cultural Al-Mudayna, 1989); Angela Muñoz Fernández and María del Mar Graña Cid, *Religiosidad femenina: expectativas y realidades, ss. VIII-XVIII* (Madrid: Asociación Cultural Al-Mudayna, 1991); Richard L. Kagan, *Lucrecia's Dreams: Politics and Prophecy in Sixteenth-Century Spain* (Berkeley, Calif: University of California Press, 1990); Jane Tibbetts. Schulenburg, *Forgetful of Their Sex: Female Sanctity and Society, Ca. 500-1100* (Chicago: University of Chicago Press, 1998); Elizabeth M. Makowski, *Canon Law and Cloistered Women: Periculoso and its Commentators, 1298-1545* (Washington, D.C.: Catholic University of America Press, 1997) and *A Pernicious Sort of Woman: Quasi-Religious Women and Canon Lawyers in the Later Middle Ages* (Washington, D.C.: Catholic University of America Press, 2005); Ronald E. Surtz, *Writing Women in Late Medieval and Early Modern Spain: The Mothers of Saint Teresa of Avila* (Philadelphia: University of Pennsylvania Press, 1995).
[14] The *Encyclopedia of Christianity* defines "piety" to signify both "religious disposition and attitude ("inner religiosity," involving fear of God, godliness, zeal for God, etc.) and religious practice." This can either be specific, as in piety of a particular individual, or collective, as in the collective practices of an entire religious group. The author also notes that the term has been largely replaced with "spirituality" in modern usage. Erwin Fahlbusch and Geoffrey William Bromiley, *The Encyclopedia of Christianity* (Grand Rapids, MI: Leiden: Eerdmans, E. J. Brill, 1999), 224. The Biblical use of the term was in regards to children's proper honor and respect for their parents, which was by association connected to the worship of God. "But if any widow have children or nephews, let them learn first to shew piety at home, and to requite their parents: for that is good and acceptable before God." (1 Tim. 5:4)
[15] For general studies on medieval Spanish women see, Heath Dillard, *Daughters of the Reconquest: Women in Castilian Town Society, 1100-1300* (Cambridge: Cambridge University Press, 1989); Cristina Segura Graiño, *Las mujeres en el medievo hispano* (Madrid: 1984); Cristina Segura, *Los espacios femeninos en el Madrid medieval* (Madrid: Comunidad de Madrid, 1992).
[16] Asunción Lavrín. "Indian Brides of Christ: Creating New Spaces for Indigenous Women in New Spain," *Mexican Studies/Estudios Mexicanos* 15 (1999): 226.
[17] Laura A. Lewis, *Hall of Mirrors: Power, Witchcraft, and Caste in Colonial Mexico*, (Durham: Duke University Press, 2003).
[18] Martha Few, *Women Who Live Evil Lives: Gender, Religion, and the Politics of Power in Colonial Guatemala, 1650-1750*, (Austin: University of Texas Press, 2003).
[19] An early example is Joan Morris's *The Lady Was a Bishop; The Hidden History of Women with Clerical Ordination and the Jurisdiction of Bishops* (New York, NY: Macmillan, 1973). In it, Morris discusses how women "naturally assumed administrative duties in the apostolic period." She also cites the fact that in the Acts of the Apostles and in the Epistles of St. Paul the meetings were said to have been held in the houses of women. For a more recent work on female roles in early Christianity see, Jane Tibbetts Schulenburg, *Forgetful of Their Sex: Female Sanctity and Society, Ca. 500-1100* (Chicago: University of Chicago Press, 1998). Bishop of Alexandria, Saint Athanasius (296-372) wrote to Roman emperor Constantius II in 356 about the consecrated virgins of the church of Alexandria. "The Son of God, our Lord and Savior Jesus Christ…in addition to all His other benefits bestowed this also upon us, that we should possess upon earth, in the state of virginity, a picture of the holiness of Angels…the brides of Christ. And the heathen who see them express their admiration of them as the temples of the World. For indeed this holy and heavenly profession is nowhere established, but only among us Christians, and it is a very strong argument that with us is to be found the genuine and true religion." Athanasius, *Historical tracts of S. Athanasius, Archbishop of Alexandria,* trans. John Henry Newman and Miles Atkinson, (Oxford: J.H. Parker, 1843), 185. Ann Yarbrough argues that due to Roman laws against celibacy and the traditional impulse to pass family wealth to the next generation, women, especially elite women, were key in generating wider acceptance of Christian asceticism. She, therefore, challenges Peter Brown's theory of a benign transference of Christian custom to the females of the Roman aristocracy. Anne Yarbrough, "Christianization in the Fourth Century: The Example of Roman Women." *Church History* 45, no. 2 (1976): 149-65.
[20] According to Fiona Griffiths, religious houses for men and women "though physically separate, were spiritually linked" and this connection was a hallmark of the Benedictine monasticism, the prevailing model of religious asceticism until it was somewhat replaced by the Cluniac reforms beginning in the late tenth century. Fiona J. Griffiths, "The Cross and the Cura Monialium: Robert of Arbrissel, John the Evangelist, and the

Pastoral Care of Women in the Age of Reform," *Speculum* 83, no. 2 (2008): 304-305. In her foundational study of double monasteries in early Christianity, Mary Bateson notes that male founders of Christian monasticism allowed their devout sisters to organize female communities in their neighborhood. She argued that double monasteries arose in many countries and at many times as the natural sequel to an outburst of religious enthusiasm. Mary Bateson, "Origin and Early History of Double Monasteries," *Transactions of the Royal Historical Society* 13 (1899): 139, 197. However, scholars still debate on the actual level of authority these women exerted in these double monasteries. For example, Bateson's work revealed that male clerics feared the close proximity of the two sexes from the beginning. Mary Bateson, "Origin and Early History of Double Monasteries." Furthermore, records from the first seven ecumenical councils show that early clerics were also very concerned with keeping the sexes separate. Women could achieve the status of deaconess, a female counterpart to deacon, but their responsibilities were limited to women only. Their duties were first outlined in Canon 12 of the Fourth Council of Carthage in 398, which was to assist the female candidates for holy baptism and give them instruction. Schaff, Philip and Henry Wace, eds., *The Seven Ecumenical Councils, Nicene and Post-Nicene Fathers. Second Series Second Series* (Peabody, Mass: Hendrickson Publishers, 1994), 41.

[21] In addition to the work of Joan Scott, I have used Gerda Lerner's classic definition of patriarchy: "the manifestation and institutionalization of male dominance over women and children in the family and the extension of male dominance over women in society in general," and even though women were denied civic power, they did influence their societies. Gerda Lerner, *The Creation of Patriarchy*, (Oxford: Oxford University Press, 1995), 239.

[22] St. Basil (330-379) is considered one of the founding fathers of Christian asceticism. In his writing on ascetical life, St. Basil wrote, "Indeed, women as well as men followed after the Lord during His life on earth and both sexes ministered to our Savior. Since this is the glorious recompense laid up for the army of Christ, the fathers of sons and the mothers of daughters should be filled with longing for it." Saint Basil, *Saint Basil Ascetical Works*, trans. M. Monica Wagner, in *The Fathers of the Church: A New Translation*, ed. Bernard M. Peebles, Ludwig Schopp, Roy Joseph Deferrari, and Thomas P. Halton, (Washington, DC: Catholic Univ. of America Press, 1970), 12-13.

[23] Aristotle, *Oxford World's Classics: Politics*, (Oxford, GB: Oxford Paperbacks, 1995), (1254b2), I Chap 5: 16.

[24] Aristotle, *Oxford World's Classics: Politics*, (1260a4) I 13: 35.

[25] For more current studies, see Thomas Head, *Hagiography and the Cult of Saints: The Diocese of Orléans, 800-1200*, (Cambridge [England]: Cambridge University Press, 1990); John Moffatt Mecklin, *The Passing of the Saint: A Study of a Cultural Type*, (Chicago, Ill: University of Chicago Press, 1941); Donald Weinstein and Rudolph M. Bell, *Saints & Society: The Two Worlds of Western Christendom, 1000-1700*, (Chicago: University of Chicago Press, 1982); For studies specifically on female sanctity see, Elizabeth Petroff, *Body and Soul: Essays on Medieval Women and Mysticism* (New York: Oxford University Press, 1994); Barbara Newman, *From Virile Woman to Woman Christ: Studies in Medieval Religion and Literature* (Philadelphia: University of Pennsylvania Press, 1995).

[26] Hippolyte Delehaye wrote "a person whom the Christian places at the pinnacle of his respect and admiration is one who in the service of God lives the superior life. The saint is a hero in the moral and religious order; he is a perfect Christian." In this way, "the hagiographer was not a biographer at least in a modern sense, he was an agent of mythmaking mechanism." Hippolyte Delehaye, *The Legends of the Saints: An Introduction to Hagiography* (Notre Dame, Ind.: University of Notre Dame Press, 1961), 235, 276-278. I have used the English translation; the original was published in French in 1903. Donald Weinstein and Rudolph M. Bell argue that the pursuit of holiness was ultimately an individual endeavor but it was not without its ties to a concept of piety that was defined by society and culture. Donald Weinstein and Rudolph M. Bell, *Saints & Society: The Two Worlds of Western Christendom, 1000-1700* (Chicago: University of Chicago Press, 1982), 4.

[27] "Let the woman learn in silence, with all subjection. But I suffer not a woman to teach, nor to use authority over a man, but to be in silence. For Adam was first formed, then Eve. And Adam was not seduced; but the woman being seduced, was in the transgression." 1 Tim. 2.11-15

[28] Donald Weinstein and Rudolph M. Bell argue that stories of celibate men assaulted by lewd women was so common "you could suggest that it is another standard topos of medieval hagiography…it was used as a moment of heroism for the saint to defend against such attacks to their piety." *Saints & Society*, 81. St. Basil compares women to wine and warns that these two temptations when together, "will cause even the wise to fall away." (He is citing Eccli. 19.2) St. Basil, *Saint Basil Ascetical Works*, 35.

[29] "Wives, submit to your own husbands, as to the Lord. For the husband is the head of the wife even as Christ is the head of the church, his body, and is himself its Savior. Now as the church submits to Christ, so also wives should submit in everything to their husbands." Eph. 5.22-24 "Let your women keep silence in the churches: for

it is not permitted for them to speak; but to be subject. And if they will learn anything, let them ask their husbands at home. For it is a shame for women to speak in the church." 1 Cor. 14.34-36

[30] "The married woman and the virgin differ from each other. The unmarried woman thinks on things of the Lord, that she may be holy both in body and spirit. But she that is married thinks on the things of the world, how she may please her husband." 1 Cor. 7.32-35

[31] St. Ambrose served as the bishop of Milan. He worked to spread the cult of the Virgin Mary and advocated increased separation of the church from the secular world. He did both by emphasizing the merits of perpetual virginity among cloistered female religious. Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York: Columbia University Press, 1988), 363.

[32] "a twofold martyrdom, of modesty and of religion" Saint Ambrose, *Saint Ambrose: Select Works and Letters,* trans. H. de Romestin, in Philip Schaff and Henry Wace, *Nicene and Post-Nicene Fathers. Second Series Second Series,* (Peabody, Mass: Hendrickson Publishers, 1994), 365.

[33] St. Jerome became a priest and served as secretary to Pope Damasus. After being ousted from Rome in 384, he established a monastery at Bethlehem in connection to a convent founded by the widow Paula, she was one of a group of noblewomen who had settled there after their pilgrimage to Jerusalem. According to Peter Brown, Jerome's work on virginity is an important example of male cleric's beliefs about celibacy. Brown notes that, "the human body remained for Jerome a darkened forest, filled with the roaring of wild beasts, that could be controlled only be rigid codes of diet and by the strict avoidance of occasions of sexual attraction." Brown, *The Body and Society*, 376. Jerome discusses at length his own struggles with sexual temptation and his extreme guilt over his affair with a married woman; after which he fled to Bethlehem. Saint Jerome, *Saint Jerome: Letters and Select Works,* trans. W. H. Fremantle, in Philip Schaff and Henry Wace, *Nicene and Post-Nicene Fathers. Second Series Second Series,* (Peabody, Mass: Hendrickson Publishers, 1994).

[34] St. Jerome, *Saint Jerome: Letters and Select Works,* trans. Fremantle, 202.

[35] He goes on to say, "I praise wedlock, I praise marriage, but it is because they give me virgins I gather the rose from the thorns, the gold from the earth, the pearl from the shell." St. Jerome, *Saint Jerome: Letters and Select Works,* trans. Fremantle, 30-31. In his *Commentary on the Epistle to the Ephesians*, Jerome wrote, "As long as a woman is for birth and children, she is different from man as body is from soul. But when she wishes to serve Christ more than the world, then she will cease to be a woman and will be called a man" Katharina M. Wilson, ed., *Medieval Women Writers* (Athens: The University of Georgia Press, 1984), xxiii.

[36] Leander of Seville, *Leander of Seville,* trans. Claude W. Barlow, in*The Fathers of the Church: A New Translation,* ed. Bernard M. Peebles, Ludwig Schopp, Roy Joseph Deferrari, and Thomas P. Halton, (Washington, DC: Catholic Univ. of America Press, 1970), 187.

[37] "The virgin who is ignorant of such evils keeps her sex, but does not feel the compulsion of sex. Forgetful of her natural feminine weakness, she lives in manly vigor and has used virtue to give strength to her weak sex, nor has she become a slave to her body, which by natural law should be subservient to a man." Leander of Seville, *Leander of Seville,* trans. Barlow, 192. Leander also warned of the dangers of virgins interacting with married women; the underlying prejudice against the sexual nature of lay women is very clear. "What have a married woman and a nun in common? She does not follow your ways, but rather loves her husband. She avoids your desire to leave the world, or even if she pretends to admire it, she is lying to deceive you. What has such a woman to do with you, when you do not bear the yoke of Christ upon your neck in common with her? She is different in dress, different in attitude. An instrument of Satan, she will sing you songs which will stir the attractions of the world and which will cause you to fall into the paths of the devil…Flee the sirens songs, my sister, and shut your ears from the tongue of those who persuade evil ways." Leander of Seville, *Leander of Seville,* trans. Barlow, 197.

[38] "The virtue that governs a good life controls from the seat of the soul every member of the body, and the body is rendered holy by the act of a holy will." Saint Augustine, *City of God,* trans. Demetrius B. Zema and Gerald G. Walsh, in *The Fathers of the Church: A New Translation,* ed. Bernard M. Peebles, Ludwig Schopp, Roy Joseph Deferrari, and Thomas P. Halton, (Washington, DC: Catholic Univ. of America Press, 1970), 45, 395-402.

[39] It is interesting that arguably one of the most famous fathers of Christianity, St. Augustine, was not overly concerned with either female or male celibacy among clerics; he himself had maintained a monogamous relationship in concubinage for 13 years prior to his baptism.

[40] "He took a bone from the man's side and made of it a mate to collaborate in procreation," "The fact that woman was made from the side of the man shows clearly enough how highly we were meant to esteem the relationship between husband and wife." St. Augustine, *City of God*, trans. Zema and Walsh, 290, 296. Also see, Saint Augustine, *Marriage and Virginity: The Excellence of Marriage; Holy Virginity; The Excellence of*

Widowhood; Adulterous Marriages; Continence, eds., David G. Hunter, John E. Rotelle, Ray Kearney, (Hyde Park, N.Y.: New City Press, 1999).

[41] Jo Ann McNamara studies how the spread of sexual asceticism affected early Christian women. She notes that all Christians in the early centuries adhered to the ideal that virginity was no longer to be restricted to the few iconic figures, but was advocated for all members of the church which allowed women to express their piety at a similar level as male ascetics. Jo Ann McNamara, *A New Song: Celibate Women in the First Three Christian Centuries,* (New York: Institute for Research in History, 1983).

[42]"Everywhere is modesty the companion of her singular virtues in the Virgin. This, without which virginity cannot exist, must be the inseparable companion of virginity." St. Ambrose, *Saint Ambrose: Select Works and Letters,* trans. Romestin, 375.

[43] "Let virginity be first marked by the voice, let modesty close the mouth, let religion remove weakness, and habit instruct nature. Let her gravity first announce a virgin to me, a modest approach, a sober gait, a bashful countenance, and let the march of virtue be preceded by the evidence of integrity." St. Ambrose, *Saint Ambrose: Select Works and Letters,* trans. Romestin, 383.

[44] "while men could be sanctimonious about their ability to resist sexual assaults, women, considered the lustful and morally weak sex, had great difficulty in establishing their credibility in the face of gossip and male ridicule." Weinstein and Bell. *Saints & Society,* 88.

[45] Weinstein and Bell. *Saints & Society*, 97; For an examination of important themes in female hagiography, see Thomas J. Heffernan, *Sacred Biography: Saints and Their Biographers in the Middle Ages* (New York: Oxford University Press, 1988), 265-286.

[46] Makowski, *Canon Law and Cloistered Women: Periculoso and its Commentators,* 15; Penelope D. Johnson, *Equal in Monastic Profession: Religious Women in Medieval France,* (Chicago: Univ. of Chicago Press, 1991), 260.

[47] Penny Schine Gold argues that dependence of female monastics on men could take several forms: spiritual service, service of physical labor, and business management. *The Lady & the Virgin: Image, Attitude, and Experience in Twelfth-Century France,* (Chicago: University of Chicago Press, 1985), 76-77. Also see, Fiona J. Griffiths, " 'Men's Duty to Provide for Women's Needs': Abelard, Heloise, and Their Negotiation of the Cura monialium," *Journal of Medieval History* 30 (2004): 1-24, and "The Cross and the Cura Monialium: Robert of Arbrissel, John the Evangelist, and the Pastoral Care of Women in the Age of Reform," *Speculum* 83, no. 2 (2008): 303-30.

[48] Couched in themes of protection, the mandates are quick to emphasize the potential "maldad" to have "familiaridades con las vírgenes de Cristo." *Concilios visigóticos e hispano-romanos*. España Cristiana, trans. José Vives, (Barcelona: Consejo Superiod de Investigaciones Científicas, Instituto Enrique Flórez, 1963), Council 20:8-9; The *Siete Partidas* is relatively silent on nuns and the adminstration of convents, however. See *Partida* I in *The Middle Ages Series: Las Siete Partidas, Volume 1: The Medieval Church: The World of Clerics and Laymen* (Partida I), Robert I. Burns, ed., (Philadelphia, US: University of Pennsylvania Press, 2012).

[49] Many clerics upheld similar interpretations as St. Jerome, who used the parable of the sower and the seed to denote different levels of female piety: virgin, widow, wife. "But other fell into good ground, and brought forth fruit, some a hundredfold [virgins], some sixtyfold [widow], some thirtyfold [wife]" Matt. 13.8

[50] The debate over male cleric celibacy can be traced back to the 380s. The idea of male lifelong celibacy among the clergy divided the church, which was largely due to a relatively small ecclesiastic population. At the time, only the major churches in the cities could attract adolescents to a life of celibacy, so provincial churches settled for clergymen who practiced post-marital celibacy. See Brown, *The Body and Society.*

[51] While St. Jerome's ideas on virginity were some of the most extreme, it did resonate with prevailing concepts of gender relations. In many ways, virginity was to be revered *because* it was something believed to be very easily lost. "I will say it boldly, though God can do all things He cannot raise up a virgin when once she has fallen. He many indeed relieve one who is defiled from the penalty of her sin, but He will not give her a crown." St. Jerome, *Saint Jerome: Letters and Select Works,* trans. Fremantle, 24.

[52] Weinstein and Bell. *Saints & Society*, 223.

[53] Clerical marriage was prohibited at the Second Lateran Council in 1139, Canon 7. *Decrees of the Ecumenical Councils,* ed. and trans. Norman P. Tanner, (Washington, D.C., 1990), 1:198. See also the declaration of the First Lateran Council in 1123, Canon 7, that "presbyters, deacons, or subdeacons" were not to marry," 1:191.

[54] R. I. Moore argued that reform was fundamentally a project to sharpen the distinction between the spiritual and the secular and to exalt the clergy over the laity. R. I. Moore, *The First European Revolution, c. 970-1215* (Oxford, 2000), 11; Maureen Miller echoes Moore's interpretation by arguing that "the real struggle in the reform movement was not men against women, but clerical men against lay men." Maureen C. Miller,

"Masculinity, Reform, and Clerical Culture: Narratives of Episcopal Holiness in the Gregorian Era," *Church History* 72 (2003), 49; Fiona J. Griffiths has a similar argument in "The Cross and the Cura Monialium," 310-311.

[55] Dyan Elliott notes that close spiritual relationships between men and women were possible during the medieval period but Cluniac reform was essentially "a campaign which aimed at nothing less than completely purging of male clergy of their female companions;" it was inevitable that "women in general would become the enemy." Dyan Elliott, *Spiritual Marriage: Sexual Abstinence in Medieval Wedlock,* (Princeton: Princeton University Press, 1993), 10. A similar interpretation runs throughout the anthology *Medieval Masculinities* edited by Clare A. Lees, Thelma S. Fenster, and Jo Ann McNamara. The authors contend that misogyny has increasingly been identified as a central aspect of the Gregorian reforms. In "The Herrenfrage: The Restructuring of the Gender System, 1050-1150," Jo Ann McNamara recognizes that a "new gender system" may have seemed possible during the late eleventh century, but reform "aimed at a church virtually free of women at every level but the lowest stratum of the married laity." Clare A. Lees, Thelma S. Fenster, and Jo Ann McNamara eds., *Medieval Masculinities: Regarding Men in the Middle Ages,* (Minneapolis: University of Minnesota Press, 1994), 7, 12.

[56] Mary Elizabeth Perry, *Gender and Disorder in Early Modern Seville*, (Princeton N.J.: Princeton University Press, 1990), 75.

[57] Shulamith Shahar, *The Fourth Estate: A History of Women in the Middle Ages,* (London: Methuen, 1983), 2-3.

[58] There is evidence that the numbers of women connected to these orders reached such heights that some orders tried to limit their admittance, claiming that they no longer had the means to provide for the spiritual care of such large groups of women. Makowski, *Canon Law and Cloistered Women: Periculoso and its Commentators,* 12.

[59] Makowski, *A Pernicious Sort of Woman*, x.

[60] For a facsimile of the original manuscript, see *El "Codice rico" de las Cantigas de Alfonso X el Sabio: ms. T.I.1 de la Biblioteca de El Escorial* (Madrid: Edilán, 1979); For analyses of the manuscript, see Matilde López Serrano, *Cantigas de Santa María de Alfonso X el Sabio, Rey de Castilla* (Madrid: Editorial Patrimonio Nacional, 1974); John Esten Keller, *Pious Brief Narrative in Medieval Castilian & Galician Verse: From Berceo to Alfonso X* (Lexington: University Press of Kentucky, 1978); John Esten Keller and Richard P. Kinkade, *Iconography in Medieval Spanish Literature* (Lexington: The University Press of Kentucky, 1984); John Esten Keller and Annette Grant Cash, *Daily Life Depicted in the Cantigas De Santa Maria* (Lexington, Ky: University Press of Kentucky, 1998).

[61] Perry, *Gender and Disorder in Early Modern Seville*, 38.

[62] Weinstein and Bell, *Saints & Society*, 82.

[63] For a translation of this commentary, see Aquinas, *Commentary on the Nicomachean Ethics*, trans. C. I. Litzinger Thomas, (Chicago: Regnery, 1964).

[64] For a Latin transcript and English translation of the *Periculoso*, see Appendix I in Makowski, *Canon Law and Cloistered Women*, 133-136.

[65] Appendix I in Makowski, *Canon Law and Cloistered Women*, 136.

[66] Some scholars argue that the late medieval period witnessed dramatic changes in Christian ideals. For example, Clarissa W. Atkinson uses late medieval female saints' hagiographies to argue that definitions of saintly virginity became less literal after the thirteenth century; wives and mothers could also be "true" virgins despite their engaging in the physical act of sex. She goes further to state that, due to the religious watershed of the thirteenth century, virginity was no longer a prerequisite for sanctity for Christian women of the thirteenth through the fifteenth centuries. "Precious Balsam in a Fragile Glass: The Ideology of Virginity in the Later Middle Ages." *Journal of Family History* 8, no. 2 (Summer, 1983): 131-132. While I agree that thirteenth century expansion of religious beliefs offered more opportunities for women, it did not lessen the discursive connection between virginity and feminine piety nor the Church's perception of it.

[67] José García Oro, *Cisneros y la reforma del clero español en tiempo de los Reyes Católicos* (Madrid: Consejo superior de investigaciones científicas, 1971).

[68] Allyson M. Poska and Elizabeth A. Lehfeldt, "Redefining Expectations" in *Women and Religion in Old and New Worlds*, ed. Susan E. Dinan and Debra Meyers, (New York: Routledge, 2001), 28.

[69] I use the term "Catholic Reformation" rather than "Counter-Reformation" because, as many scholars have illustrated, the term "Counter-Reformation" implies Catholic Church reform was solely reactionary and dismisses earlier attempts, especially in Spain, to standardize church practices well before Luther's publication of his *Theses*.

[70] Sara Nalle demonstrates that reforms in lay religious education increased both men and women's abilities to recite basic prayers by the middle of the seventeenth century in Castile. Sara Tilghman Nalle, *God in La Mancha: Religious Reform and the People of Cuenca, 1500-1650* (Baltimore: Johns Hopkins University Press, 2008), 126; Jean Pierre Dedieu illustrated that that church efforts to increase parishioner knowledge of both practices and prayers was successful, specifically during the years 1550-1580. Jean Pierre Dedieu, "'Christianization' in New Castile: Catechism, Communion, Mass, and Confirmation in the Toledo Archbishopric, 1540-1650", trans. Susan Isabel Stein, in Anne J. Cruz and Mary Elizabeth Perry ed., *Culture and Control in Counter-Reformation Spain* (Minneapolis: University of Minnesota Press, 1992).
[71] Luther cited Hebrew Scriptures from the Old Testament to emphasize the religious value of family life which differed from the earlier theories discussed above which relied heavily on the New Testament.
[72] Scholars generally agree with Roland Bainton when he remarked that the sixteenth century Reformation in Protestant Europe "had greater influence on the family than on the political and economic sphere." While medieval and early modern kinship patterns is not the focus of this chapter, they did influence both secular and religious views of virginity. Roland H. Bainton, *Women of the Reformation in Germany and Italy,* (Minneapolis: Augsburg Pub. House, 1971), 9.
[73] Perry, *Gender and Disorder in Early Modern Seville*, 33.
[74] Perry uses famous paintings of Mary from the period, with her in more passive poses and sorrowful demeanor in later centuries as evidence of the apparent shift in popular concepts. Perry, *Gender and Disorder in Early Modern Seville*, 38-39.
[75] Donald Weinstein and Rudolph M. Bell note a considerable increase in misogynistic themes within male hagiographies from the period; painful struggles over the loss of marriage and family were replaced with overtly negative portrayals of women. The authors also note that it was during this same time period that one of the most infamous, misogynistic treatises was created: Kramer and Sprenger's *Witch's Hammer* (published in 1484). This manual played on the traditional sentiments outlined thus far in the chapter, specifically the conviction that "women had a peculiar affinity for devil worship." Weinstein and Bell, *Saints & Society*, 227.
[76] For an examination of Teresa de Cartagena and other female religious writers who predate Saint Teresa, including transcriptions of certain passages, see Ronald E. Surtz, *Writing Women in Late Medieval and Early Modern Spain: The Mothers of Saint Teresa of Avila*. (Philadelphia: University of Pennsylvania Press, 1995).
[77] She uses the metaphor of tree bark (*corteza*) and pith (*meollo*) to explain the interdependent relationship between male and female. Quoted in Surtz, *Writing Women in Late Medieval and Early Modern Spain,* 25.
[78] Quoted in Surtz, *Writing Women in Late Medieval and Early Modern Spain,* 26.
[79] Fray Martín de Córdoba, *Jardín de nobles donzellas,* ed. Harriet Goldberg, (Chapel Hill, University of North Carolina Press, 1974), 97.
[80] Fray Martín de Córdoba, *Jardín de nobles donzellas,* ed. Goldberg, 193-207.
[81] "las mujeres tienen tres menos buenos condiciones…Las tres menos buenas son éstas: la primera, que son intemperadas; la otra, que son parleras y porfiosas; la otra, que son variables sin constancia." Fray Martín de Córdoba, *Jardín de nobles donzellas,* ed. Goldberg, 209.
[82] "Las condiciones buenas de las mujeres son tres, ca son las mujeres vergonzosas, son piadosas, son obsequiosas." Fray Martín goes on to explain the merits of her in subsequent chapters. Fray Martín de Córdoba, *Jardín de nobles donzellas,* ed. Goldberg, 193-207.
[83] He gives famous examples of virginal chastity, describing it as "más excelente grado de todos." "…que ni la castidad es nada sin las buenas obras ni buenas obras valen nada sin castidad…" Fray Martín de Córdoba, *Jardín de nobles donzellas,* ed. Goldberg, 255-256.
[84] The history of humanism in Spain is not as straightforward, however. Erasmus was arguably one of the most popular humanists in Spain during the period, but his popularity was short-lived because after he came under suspicion of the Church, he and his followers were soon ousted from the country. Scholars continue to disagree on both its short and long-term influences in Spanish thought. For a study of Erasmus, see Marcel Bataillon, *Erasmo y España: estudios sobre la historia espiritual del siglo XVI, (*México: Fondo de Cultura Económica, 1950).
[85] This is not surprising considering Fray Luis de León's commitment to the Castilian language. By publishing in the vernacular, it would have been more widely accessible than Latin manuscripts. For example, it became a common wedding gift given to young brides in Spain. Luis de León, *A bilingual edition of Fray Luis de León's La perfecta casada: the role of married women in sixteenth-century Spain* trans. John A. Jones and Javier San José Lera, (Lewiston, NY: E. Mellen Press, 1999), lviii.

[86] According to Luis de León, marriage was sanctioned due to its necesity "por la necesidad que hay del en el mundo para se conserven los hombres." Luis de León, *Escritores del siglo XVI. Tomo segundo,* ed. Gregorio Mayans y Siscar, (Madrid: Ediciones Atlas, 1950), 211; Luis de León, *A Bilingual Edition of Fray Luis de León's La Perfecta Casada*, trans. Jones and San José Lera, 6, 10-11.
[87] "Porque, como la mujer sea de su natural flaca y deleznable más que ningún otro animal, y de su costumbre e ingenio una cosa quebradiza y melindrosa, y como la vida casada sea vida subjecta a muchos peligros, y donde se ofrecen cada día trabajos y dificultades muy grandes…para que tanta flaqueza salga con victoria de contienda tan dificultosa y tan larga, menester es que la que ha de ser buena casada este cercada de un tan noble escuadrón de virtudes, como son las virtudes…" Luis de León, *Escritores del siglo XVI. Tomo segundo,* ed. Mayans y Siscar, 215; Luis de León, *A Bilingual Edition of Fray Luis de León's La Perfecta Casada*, trans. Jones, and San José Lera, 32.
[88] "Porque, a la verdad, aunque el estado del Matrimonio en grado y perfección es menor que el de los continentes o vírgenes…" Luis de León, *Escritores del siglo XVI. Tomo segundo,* ed. Gregorio Mayans y Siscar, 211; Luis de León, *A Bilingual Edition of Fray Luis de León's La Perfecta Casada*,, ed. Jones and Javier San José Lera, 6.
[89] Charles Fantazzi, "Introduction" in Juan Luis Vives, *The Other Voice in Early Modern Europe: The Education of a Christian Woman: A Sixteenth-Century Manual*, trans. Charles Fantazzi, (Chicago, US: University of Chicago Press, 2007) 1.
[90] "Marriage was instituted not so much for the production of offspring as for community and indissoluble companionship." Luis Vives, *The Education of a Christian Woman: A Sixteenth-Century Manual*, trans. Fantazzi, 175.
[91] "Virginity is such a great and noble subject that any discussion of it neither can nor should be brief." Vives goes to say that losing one's virginity or giving into carnal urges is shameful for a man, but is even more so for a woman because that is the one thing truly expected of her. "Depraved men suffer it, but women more acutely, since their crimes are more repulsive in the eyes of all and they are more scrupulous by nature. And truly, if one weighs the matter carefully, women who take little care of their chastity are worthy of these calamities and even worse." Luis Vives, *The Education of a Christian Woman: A Sixteenth-Century Manual*, trans. Fantazzi, 80, 85.
[92] Luis Vives, *The Education of a Christian Woman: A Sixteenth-Century Manual*, trans. Fantazzi, 85.
[93] Twenty-Fifth Session, Council of Trent, *Canons and decrees of the Council of Trent*, trans. Henry Joseph Schroeder, (St. Louis, Mo: B. Herder Book Co, 1941), 220-221.
[94] Twenty-Fifth Session, Council of Trent, *Canons and decrees of the Council of Trent*, trans. Henry Schroeder, 221.
[95] William A. Christian, *Local Religion in Sixteenth-Century Spain* (Princeton, N.J.: Princeton University Press, 1981), 18.
[96] See Table 4.1 in Perry, *Gender and Disorder in Early Modern Seville*, 76.
[97] Christian also notes that half of these houses were concentrated in Toledo, Madrid, and Alcalá. Christian, *Local Religion in Sixteenth-Century Spain*, 15.
[98] For the advantages and dangers to being a *beata*, see Chapter 5 in Perry, *Gender and Disorder in Early Modern Seville*, 97-117.
[99] Some scholars disagree on the connection between mysticism and the Alumbrados, however. José C. Nieto, "The Non-Mystical Nature of the Sixteenth Century Alumbrados of Toledo," in *The Spanish Inquisition and the Inquisitorial Mind*, ed. Angel Alcalá (Boulder: Atlantic Research and Publication, 1987), 431-456.
[100] "las imaginaciones ávidas de sucesos sobrenaturales y la superstición imperante rodeaban la atmósfera de un aire irreal de presagios macabros y de hechos extraordinarios que se decía que acaecían en todos los lugares del reino" Juan Blázquez Miguel, *Sueños y procesos de Lucrecia de León*, (Madrid: Tecnos, 1987), 65-66; Christian, *Local Religion in Sixteenth-Century Spain*, 160.
[101] One of the reasons the Inquisition found the Alumbrados so dangerous was the fact that some advocated *dejamiento*, or spiritual abandonment; it was a version of *recogimiento* where, rather than participate in a specific prayer ritual, the practitioner would simply submit himself to God. In a sense, the practitioner would "abandon" his own will in order to receive the will of God. *Dejados* believed that God could present himself in both good and evil ways, and the individual should not combat temptations, but not consent to them willingly. Alastair Hamilton, *Heresy and Mysticism in Sixteenth-Century Spain: The Alumbrados* (Toronto: University of Toronto Press, 1992), 1-2, 29-23.
[102] Leading *Alumbrado* member, Pedro Ruiz de Alcaraz, was reported to have said that God's love was independent of human effort. "all our good works proceeded from god and that man could do nothing for

himself but subject himself to God and recognize his own worthlessness…" As quoted in Hamilton, *Heresy and Mysticism in Sixteenth-Century Spain,* 35.

[103] Inquisitor-General and Archbishop of Seville, Alonso Manrique, released an edict of faith in 1525 against the *Alumbrados*, it contained forty-eight propositions of alleged heretical beliefs and statements of key members; it was read publicly in order to warn the faithful of the dangers of this new group. Hamilton, *Heresy and Mysticism in Sixteenth-Century Spain,* 27-28.

[104] "Young postulants frequently took their vows after spending a childhood in the convent. Letters of payment from Seville show that parents paid dowries to convents for daughters as young as four years, although the acceptable age for becoming a postulant was sixteen." Perry, *Gender and Disorder in Early Modern Seville*, 91.

[105] Perry, *Gender and Disorder in Early Modern Seville*, 78-79.

[106] Elisabeth A. Lehfeldt, *Religious Women in Golden Age Spain: The Permeable Cloister,* (Aldershot (GB): Ashgate, 2005), 175.

[107] For a recent examination of convent historiography, specifically how scholars have challenged the idea of the "impermeable cloister," see Barbara B. Diefendorf, "Rethinking the Catholic Reformation: The Role of Women," in *Women, Religion, and the Atlantic World, 1600-1800,* ed. Daniella Kostroun and Lisa Vollendorf, (Toronto: University of Toronto Press, 2009), 31-59.

[108] Mary Elizabeth Perry points out that the numbers of *beatas* in Seville increased tremendously during the early seventeenth century. Perry, *Gender and Disorder in Early Modern Seville*, 101.

[109] Alison More, "Institutionalization of Disorder: The Franciscan Third Order and Canonical Change in the Sixteenth Century," *Franciscan Studies* 71, no. 1 (2013): 158.

[110] A wealth of studies already exists on Teresa of Avila, so her life and works will not be discussed at length here. For further reading see Saint Teresa, *The Complete Works of St. Teresa of Jesus*, ed. and trans. E. Allison Peers, (London: Sheed and Ward, 1978); Jodi Bilinkoff, *The Avila of Saint Teresa: Religious Reform in a Sixteenth-Century City* (Ithaca: Cornell University Press, 1989); Gillian T. Ahlgren W., *Teresa of Avila and the Politics of Sanctity* (Ithaca, NY: Cornell University Press, 1996); Alison Weber, *Teresa of Avila and the Rhetoric of Femininity* (Princeton, N.J.: Princeton University Press, 1990).

[111] Gillian T. W. Ahlgren, "Francisca de los Apotoles: A Visionary Voice for Reform in Sixteenth-Century Toledo," in *Women in the Inquisition: Spain and the New World*, ed. Mary E. Giles (Baltimore: The Johns Hopkins University Press, 1999), 119-133.

[112] Ahlgren, "Francisca de los Apotoles: A Visionary Voice for Reform in Sixteenth-Century Toledo," 120.

[113] Ahlgren, "Francisca de los Apotoles: A Visionary Voice for Reform in Sixteenth-Century Toledo," 124.

[114] For an examination of the ways in which the discovery of the Americas impacted secular Spanish women, see Chapter 1 in Perry *Gender and Disorder in Early Modern Seville*, 14-32.

[115] I have used the periodization outline by John Frederick Schwaller. During the first stage, from the time of the conquest to about 1540, the church was not yet institutionalized. Priests worked on a freelance basis, with little ecclesiastical supervision, and typically accompanied the conquerors and later served encomenderos without an official royal appointment. The second period, 1540-1575, realized the official establishment of many of the dioceses and cathedral chapters, and methods for appointing parish priests became regularized. The third stage spanned the years between the 1570s and the mid-eighteenth century. The most significant change of the I570s was the enactment of the *Ordenanza del Patronazgo*, a set of laws issued by the king in 1574 that had far-reaching effects for both the secular and the regular clergy in the New World. John Frederick Schwaller, *The Church and Clergy in Sixteenth-Century Mexico,* (Albuquerque: University of New Mexico Press, 1995), 77.

[116] Francisco de Vitoria, *Political Writings*, trans. Anthony Pagden and Jeremy Lawrance, (Cambridge: Cambridge University Press, 1991), 55.

[117] Vitoria, *Political Writings*, trans. Pagden and Lawrance, 127.

[118] The citations are as follows: 1 Cor. 14:34-35, 1 Tim. 2:11-12, the Council of Carthage, the writings of St. Ambrose, Aristotle's *Politics*. All of which have been discussed at length in the first section of the chapter. Vitoria, *Political Writings*, trans. Pagden and Lawrance, 130.

[119] He ends the passage: "Therefore, I assume that in this case too it is not lawful to consecrate a woman in any kind of divine order, and if anyone acts otherwise, their actions are altogether null." Vitoria make the separation of the sexes even more clear in a following article: "No Christian, other than women, are excluded from holding ecclesiastical power." Vitoria, *Political Writings*, trans. Pagden and Lawrance, 130, 132.

[120] One of the most famous examples being Malintzin, who served as interpreter for Cortes and gave birth to his son Martin. For a recent analysis, see Camilla Townsend, *Malintzin's Choices: An Indian Woman in the Conquest of Mexico,* (Albuquerque: University of New Mexico Press, 2006).

[121] Silvio Zavala, *Estudios indianos,* (México: Colegio Nacional, 1949), 185-187.

[122] He stated that "not only fighting men lacking women arrived there, but from the beginning and in ever greater numbers, colonists with their wives and children went to establish themselves in the country, and married men whose families would later follow them to the new homeland." Richard Konetzke, "La Emigración De Mujeres Españolas a América Durante La Época Colonial," *Revista Internacional De Sociología* 3, no. 9 (1945): 124.
[123] "Most of the women traveled in groups, usually accompanied by husbands, fathers, sons, or relatives. A few young single women, almost always from Seville, traveled as 'servants'…" Peter Boyd-Bowman, *Indice geobiográfico de más de 56 mil pobladores de la América Hispánica* (México: Instituto de Investigaciones Históricas UNAM, 1985), xviii. Ana María Ortega Martínez counts 306 women for the same time period as Boyd-Bowman. Ana María Ortega Martínez, *Mujeres espanolas en la conquista de México* (México: Imprimio Vargas Rea, 1945), 23.
[124] "In the second period [1520-1539] among 13,262 emigrants, 845, or 6.3% were women, most of them bound for Mexico and Santo Domingo. Two hundred fifty-two married women traveled with their husbands and 85 went to join [their husbands]. Four hundred fifty-seven were single women and girls, plus 51 widows and women of uncertain marital status," José Luís Martinez, *Pasajeros de Indias: viajes transatlánticos en el siglo XVI* (México: Alianza, 1984),161.
[125] *Cartas De Indias,* (Guadalajara, México: Edmundo Aviña Levy, 1970), 169.
[126] *Cartas De Indias,* 169.
[127] Asunción Lavrín, "Indian Brides of Christ: Creating New Spaces for Indigenous Women in New Spain," *Mexican Studies* (1999): 227.
[128] Josefina Muriel, *Conventos de monjas en la Nueva España,* (México, D.F.: Editorial Jus, 1995), 26; Josefina Muriel, *La sociedad novohispana y sus colegios de niñas,* (México, D.F.: Universidad Nacional Autónoma de México, 1995), 54-55. In 1529, Bishop Juan de Zumárraga reported, "In the city of Texcoco, there is an impressive house surrounded by a large wall….[T]he Franciscan friars are the guardians and custodians of the house, dedicated to enclosure and recogimiento like a convent, where a great number of women, unmarried girls (daughters of important personages), and widows live along with other women who voluntarily wish to enter and who are inclined to learn the Christian doctrine." As quoted in Richard E. Greenleaf. *The Mexican Inquisition of the Sixteenth Century*. (Albuquerque: University of New Mexico Press, 1969).
[129] Muriel, *Conventos de monjas en la Nueva España,* 27.
[130] Sampson Vera Tuleda, "Fashioning a Cacique Nun: From Saint's Lives to Indian Lives in the Spanish America," *Gender & History* 9 (1997): 173-4.
[131] Muriel, *Conventos de monjas en la Nueva España,* 30; A letter to the King from the Audiencia in 1533 gives the impression that the education of daughters of the Indian elite was expanding: "tiene en esta ciudad una casa y otro en Tescuco y otra en Guaxocingo y otra en Chilula y se da orden como haya otra en Tascala y otra en Chalco…" Francisco del Paso y Troncoso, *Epistolario de Nueva España, 1505-1818,* ed. Silvio Zavala, (México: Antigua librería Robredo, de J. Porrúa e hijos, 1939) 112; Jacqueline Zuzann Holler, *"Escogidas Plantas": Nuns and Beatas in Mexico City, 1531-1601* (New York: Columbia University Press, 2005), 57-59.
[132] José María Kobayashi, *La educación como conquista: empresa franciscana en México,* (México: El Colegio de México, 1974), 321-322.
[133] Lavrín, "Indian Brides of Christ," 227.
[134] "Después, como los padres vinieron al baptismo, no hubo necesidad de más ser ensenadas de cuanto supiesen bien ser cristianas, y vivir en ley de matrimonio" Toribio Motolinía, *Memoriales; o, Libro de las cosas de la Nueva España y de los naturales de ella,* trans. Edmundo O'Gorman, (México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1971), 259.
[135] "estas niñas no se enseñaban más de para ser casadas, y para que supiesen coser y labrar…" Motolinía, *Memoriales,* ed. O'Gorman, 258.
[136] "estos niños, que los frailes criaban y enseñaban, salieron muy bonitos y muy hábiles, y tomaban tan bien la buena doctrina, que enseñaban a otros muchos; y demás ayudaban mucho, porque descubrían a los frailes los ritos e idolatrías, y muchos secretos de las ceremonias de sus padres." Motolinía also notes that these children also educated the friars in native religious practices, revealing "los ritos e idolatrías, y muchos secretos de las ceremonias de sus padres." Motolinía, *Memoriales; o, Libro de las cosas de la Nueva España,* ed. O'Gorman, 31.
[137] "muchas de estas niñas, a las veces con sus maestras, otras veces acompañadas de algunas indias viejas…con éstas salían a ensenar ansí en los patios de las iglesias como a las casas de las señoras y a muchas convertían a se bautizar y ser devotas cristianas y limosneras y siempre han ayuntado a la doctrina a las mujeres aunque no discurriendo" Motolinía, *Memoriales,* ed. O'Gorman, 259; Zummáraga also talks about the proseltyzing

potential of Indian women, specifically their ability to spread Christianity to their husbands and children. Mariano Cuevas, *Historia de la Iglesia en Mexico*, 4 vols (Patricio Sanz, Mexico, 1921-26), 4:177.

[138] "porque muchas de ellas viven en perpetua continencia; y donde menos aparejo parece que hay para el recogimiento, y más ocasiones y peligros, allí se halla mucha virtud" Gerónimo de Mendieta, *Historia eclesiástica indiana,* ed. Joaquín García Icazbalceta, (México, D.F.: Editorial Salvador Chávez Hayhoe, 1945), 72.

[139] For a detailed history of these early colegios, see Holler, *"Escogidas Plantas,"* 43-104.

[140] José María Kobayashi emphasized that Spanish and native culture operated under different gender systems, and after "indoctrination" into Spanish ways, Indian girls began to adopt traditional expectations of the male breadwinner rather than the equal but gender-specific workloads expected in native society. Kobayashi, *La educación como conquista*, 285; For an explanation of Nahua gender norms, see Susan Kellogg, "From Parallel and Equivalent to Separate but Unequal: Tenochca Mexica Women, 1500-1700," in *Indian Women of Early Mexico*, eds. Schroeder, Susan, Stephanie Gail Wood, and Robert Stephen Haskett, (Norman: University of Oklahoma Press, 1997).

[141] Lavrín, "Indian Brides of Christ," 227. For an examination of convents in colonial Peru, see Kathryn Burns, *Colonial Habits: Convents and the Spiritual Economy of Cuzco, Peru* (Durham, NC: Duke University Press, 1999).

[142] Holler, *"Escogidas Plantas*," 85.

[143] Lavrín argues that its strict racial lines became the model that all later foundations were to follow. Lavrín, "Indian Brides of Christ," 229.

[144] Jacqueline Holler remarks that "of the twenty-one 'true' convents for women that would be established in New Spain's capital during the colonial period, eleven were created between 1540 and 1601," which is impressive considering that only five convents were founded between the years 1601 and 1699, and only five more would be founded in the eighteenth century. Holler, *"Escogidas Plantas*," 13-14.

[145] He states that these women were in all parts of the city but due to a decline in population and the heavy tax burden many had to forgo their religious way of life: "Ahora en muy pocas partes hay de estas matronas o beatas que se ejerciten en semejantes obras espirituales, por haberse disminuido mucho la gente que solía haber, y porque dicen tienen harto que haber en buscar lo que han menester para su sustento, y para pagar su tribute y otras imposiciones que siempre les van añadiendo." Mendieta, *Historia eclesiástica indiana,* ed. Joaquín García Icazbalceta, 3:74.

[146] The Crown rejected a joint letter of the bishops requesting that cloistered nuns, not lay *beatas,* carry out the indoctrination of Indian women. Kobayashi, *La educación como conquista,* 285.

[147] According to Lavrín, in the sixteenth century, dowries ranged from 1,000-1,500 pesos, but continued to climb, and by end of the eighteenth century at least 4,000 pesos were required in most convents. Asunción Lavrín, *Brides of Christ: Conventual Life in Colonial Mexico* (Stanford, Calif: Stanford University Press, 2008), 24.

[148] Lavrín, *Brides of Christ*, 19.

[149] Spanish descent and legitimacy of birth were verified via baptismal records and the witness testimonies. While *hijas naturales* of white parents could profess, they had to have this "defect of birth" "excused" by the bishop or archbishop. Lavrín, *Brides of Christ*, 21.

[150] For a description of both the novice and final profession ceremony, see Lavrín, *Brides of Christ*, 54-77.

[151] For a typical day in the lives of colonial Mexican nuns see Lavrín, *Brides of Christ*, 118-119, 123-134.

[152] Lavrín, *Brides of Christ*, 121.

[153] Lavrín states that every bishopric had a Vicar of Nuns who oversaw convent activities in that diocese, and the regular orders also had an assigned individual to oversee the convents under their order. *Majordomos* were the male administrators appointed by the episcopacy to collect income from the convent's real estate properties and manage its accounts. Lavrín, *Brides of Christ*, 121.

[154] Arenal and Schlau, *Untold Sisters,* 339; For an examination of the convent as a financial institution, see Kathryn Burns, *Colonial Habits: Convents and the Spiritual Economy of Cuzco, Peru* (Duke University Press Books, 2012).

[155] In Francisco Cervantes de Salazar's famous *Dialogues*, he uses the literary device of recreating a conversation between two *vecinos*, or locals, Zuazo and Zamora, who are escorting a foreigner, Alfaro, through Mexico City. Alfaro repeatedly compares the city's architecture and organization to European cities like Venice and Rome. For example, he is amazed by the size of the city's plaza, emphasizing that it has no equal: "Ciertamente que no recuerdo ninguna, ni creo que en ambos mundos pueda encontrarse igual." After seeing the Audiencia, Alfaro comments, "En verdad, que habiendo visto esta Audiencia, no hay para qué desear ver las de

Granada y Valladolid, que son las más insignes de España." Francisco Cervantes y Salazar, *México en 1554: 3 diálogos latinos*, ed. Joaquín García Icazbalceta, intro. Julio Jiménez Rueda, (México: La Univ. Nacional Autónoma, 1952), 62, 69; Francisco Cervantes de Salazar, *Life in the Imperial and Loyal City of Mexico in New Spain, and the Royal and Pontifical University of Mexico, As Described in the Dialogues for the Study of the Latin Language*, trans. Minnie Lee Barrett Shepard, (Westport, Conn: Greenwood Press, 1970), 41, 45.

[156] Lavrin notes that the practice of founding religious houses for women was a way to show the status and wealth of a city, which in the early period was largely confined to major cities like Mexico City, but later in the colonial period towns outside the center began to found female religious houses as well. Asuncion Lavrin, "The Role of the Nunneries in the Economy of New Spain in the Eighteenth Century," *The Hispanic American Historical Review* 46, no. 4 (1966): 371-393.

[157] Arenal and Schlau. *Untold sisters*, 293.

[158] J. H. Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven, Conn: Yale University Press, 2007), 185.

[159] Elliott, *Empires of the Atlantic World*, 195.

[160] Margo Glantz also quotes the work of D.A. Brading on early *criollo* patriotism. Margo Glantz, "Introducción," in Carlos de Sigüenza y Góngora, *Parayso occidental: Plantado y cultivado por la liberal benefica mano de los muy catolicos y poderosos reyes de España nuestros señores en su magnifico y real convento de jesus maria de mexico*, (México: UNAM. Facultad de Filosofía y Letras, 1995), xix. For example, Sigüenza y Góngora stated: "perdiendo crédito por mexicanos y doméstico, lo que aquel ha merecido en otras partes por europeo y romano, como si la bondad de las cosas no las distribuye Dios indefinidamente a todas las partes donde llego su poder." Sigüenza y Góngora, *Parayso occidental*, 5.

[161] "porque si aquel se compañía de lo que experimento la voracidad del tiempo por vegetable…se forma de flores, que se han de inmortalizar por racionales en el mismo empíreo…" Sigüenza y Góngora, "Presentación," in Sigüenza y Góngora, *Parayso occidental*,1-2.

[162] Sigüenza y Góngora, *Parayso occidental*, 108.

[163] "se recojan y remediaron hijas y nietas de los descubridores y antiguos pobladores de esta tierra por las virtuosas," "no se pierda ni a mancille el honor de las pobres hijas" AGN, Instituciones Coloniales, Templos y Conventos, Vol 157A, Exp 9.

[164] "por fundación nuestra el dicho monasterio y dotar le así para que esta buena y santa obra permanezca," "alguna limosna…para que…le pueda edificar lo que conviniere y que también…alguna buena cantidad para que aumentarse el numero de las dichas religiosas" AGN, Instituciones Coloniales, Templos y Conventos, Vol 157A, Exp 9.

[165] Sigüenza y Góngora, *Parayso occidental*, 6.

[166] "glóriese México de que ni aun en el tiempo de su gentilidad y barbarismo, lloró en sus vírgenes la falta de integridad, que tal vez en Roma fue triste presagio de los infortunios que a tal desgracia siguieron…" Sigüenza y Góngora, *Parayso occidental*, 5.

[167] For nuns' spiritual writings during the late seventeenth and eighteenth century, see Kathleen Ann Myers and Amanda Powell, *A Wild Country Out in the Garden: The Spiritual Journals of a Colonial Mexican Nun*, (Bloomington: Indiana University Press, 1999).

[168] Lisa Vollendorf, *The Lives of Women: A New History of Inquisitional Spain*, (Nashville: Vanderbilt University Press, 2005), 119.

[169] María de San José was a prolific writer. Over the course of 30 years, she produced over twelve volumes about her secular and religious life. Selections of these writings have been published by different historians. I have utilized the transcriptions provided by Josefina Muriel and Kathleen Meyers. Josefina Muriel, *Cultura femenina novohispana*, (México, D.F.: Universidad Nacional Autónoma de México, 1982); María de San José, *Word from New Spain: The Spiritual Autobiography of Madre María de San José (1656-1719)*, ed. Kathleen Ann Myers, (Liverpool: Liverpool University Press, 1993).

[170] María de San José, *Word from New Spain*, ed. Myers, 15-16.

[171] María de San José recalled that she received a sign from God to take religious vows of poverty, chastity, obedience, and enclosure, at age eleven, but opposition from her family would prevent her from taking the veil for close to twenty years. María de San José, *Word from New Spain*, ed. Myers, 96.

[172] Muriel, *Cultura femenina*, 376.

[173] María de San José, *Word from New Spain*, ed. Myers, 151.

[174] For a more detailed examination of the roles of *beatas* in New Spain, see Holler, *"Escogidas Plantas."*

[175] Moshe Sluhovsky illustrates how extreme self-scrutiny and self-reflection made many female religious women pre-disposed to doubting the validity of their own visions, and for many the "symptoms" of demonic possession only appeared after male clerics' positive diagnoses. However, Sluhovsky acknowledges women's agency by arguing that they were active participants in the evaluation process of their visions. Moshe Sluhovsky, *Believe Not Every Spirit: Possession, Mysticism, & Discernment in Early Modern Catholicism,* (Chicago: University of Chicago Press, 2007).
[176] Francisco de Osuna (1492-1540), a Franciscan and leading authority on the act of *recogimiento* and his followers believed that the process required eliminating all thoughts, suspending the soul in a form of sensory deprivation, until it reached a level where it could no longer differentiate itself from the will of God. Angela Selke and José Luis L. Aranguren, *El Santo Oficio de la Inquisición: proceso de Fr. Francisco Ortíz: 1529-1582*, (Madrid: Guadarrama, 1968), 232.
[177] Perry, *Gender and Disorder in Early Modern Seville*, 98; The term *recogimiento* was actually used for several different methods of enclosure, the most popular being monastic retreat and spiritual contemplation, but it could also mean temporary enclosure as in the casas de *recogimiento*. For example, single women could live in these quasi-religious houses prior to marriage, married women could stay there while their husbands were away, or "deviant" women could be mandated to stay as a form of penitence. For an examination of the many forms of *recogimiento*, see Nancy Van Deusen, *Between the Sacred and the Worldly: The Institutional and Cultural Practice of Recogimiento in Colonial Lima* (Stanford, Calif: Stanford University, 2002).
[178] Perry, *Gender and Disorder in Early Modern Seville*, 98; Marcel Bataillon, *Erasmo*, 1: 207.
[179] María de Cazalla and Santo Oficio de la Inquisición, *Proceso de la Inquisición contra María de Cazalla*, ed. Milagros Ortega Costa, (Madrid: Fundación Universitaria Española, 1978); For an examination of contemporary case against *Alumbrado beata*, Marina de San Miguel, in Mexico, see Jacqueline Holler, "'More Sins than the Queen of England:' Marina de San Miguel before the Mexican Inquisition," in *Women in the Inquisition*, ed. Mary E. Giles, 209-228.
[180] Not much is known about the early life of Isabel de la Cruz, other than that she was a Franciscan *beata* who lived in Guadalajara in the first decade of the sixteenth century. She is believed to have been the first to transform Franciscan teachings into the basic doctrines of the *Alumbrados*. She and fellow leader Pedro Ruiz de Alcaraz were arrested by the Inquisition in 1524 and sentenced to prison at the auto de fe in Toledo in 1529.
[181] "que darían ellos mayor autoridad a Isabel de la Cruz que a San Pablo e a todos los Santos," "era que estando ella en el acto carnal con su marido estaba más allegada a Dios que si estuviese en la más alta oración del mundo," "los había concebido sin delectación e que no los quería más que a hijos de sus vecinos e que menospreciaba el estado de la virginidad" María de Cazalla and Santo Oficio de la Inquisición, *Proceso de la Inquisición contra María de Cazalla*, ed. Milagros Ortega Costa, 31.
[182] María de Cazalla and Inquisición, *Proceso de la Inquisición contra María de Cazalla*, ed. Ortega Costa, 47.
[183] María de Cazalla and Inquisición, *Proceso de la Inquisición contra María de Cazalla*, ed. Ortega Costa, 81.
[184] "deseo congoxoso de ver a Dios ya sin velos e sin mi cuerpo," "yo no sé más de estos errores que ponen a estos que llaman alumbrados." María de Cazalla and Inquisición, *Proceso de la Inquisición contra María de Cazalla*, ed. Ortega Costa, 99, 101.
[185] María de Cazalla and Inquisición, *Proceso de la Inquisición contra María de Cazalla*, ed. Ortega Costa, 113-114.
[186] María de Cazalla and Inquisición, *Proceso de la Inquisición contra María de Cazalla*, ed. Ortega Costa, 497-504.
[187] AGN, Instituciones Coloniales, Inquisición, Vol 176, Exp 9.
[188] AGN, Instituciones Coloniales, Inquisición, Vol 176, Exp 9.
[189] Pedro Salmerón, *Vida de la venerable madre Isabel de la Encarnación*, ed. Robin Ann Rice, (Madrid: Iberoamericana, 2013),19.
[190] She said that the nuns told her, "Hija no temas que de esta religion has de ser." Salmerón, *Vida de la venerable madre Isabel de la Encarnación*, ed. Rice, 19.
[191] She was described as: "tantos ejemplos nos ha dejado de caridad, de obediencia, de paciencia, y de las demás virtudes…" Salmerón, *Vida de la venerable madre Isabel de la Encarnación*, ed. Rice, 297.
[192] "Lo primero en figura de una culebra fiera le ciñó la frente y la cabeza, atormentándole los sentidos y asfixiándola en tanto extremo que no puede decir. Metiósele un demonio en el oído y dábale intolerable tormento con tanto rigor que quedaba tan atormentada como si con un puñal le atravesaran el cerebro. Entonces estaba sin poder mover pie ni mano como cosa muerta. Por espacio de seis años no pudo alzar los ojos ni mirar una imagen ni otra cosa porque los demonios le tiraban los ojos tanta fuerza que parecía se los querían sacar." Clerics attempted to exercise these demons eight different times. Miguel Godínez, ed. Rosalva Loreto López,

"La vida y heroicas virtudes de la madre Isabel de la Encarnacion," in *Diálogos espirituales manuscritos femeninos hispanoamericanos, siglos XVI-XIX*, eds. Asunción Lavrin and Rosalva Loreto López, (Puebla: Instituto de Ciencias Sociales y Humanidades de la Benemérita Universidad Autónoma de Puebla, 2006), 189.

[193] "permitió Nuestro Senor que por un brevísimo espacio padeciese las penas del Purgatorio lo cual le causó…gritos por la terribilidad de aquellas penas que alborotó el convento admirándose las religiosas de una novedad como esta en quien veían tanto sufrimiento y fortaleza…" "tomó tan a pecho el ayudarlas que de ordinario estaba ocupada en rogar a Dios por ellas…" Salmerón, *Vida de la venerable madre Isabel de la Encarnación*, ed. Rice, 167-8.

[194] "por sus oraciones y las que pidió a las religiosas y por mucho que padeció, le perdonó el Señor los once años y finalmente hizo tanto en esto que la sacó del Purgatorio" Salmerón, *Vida de la venerable madre Isabel de la Encarnación*, ed. Rice, 167-8.

[195] Miguel Godínez, "La vida y heroicas virtudes de la madre Isabel de la Encarnacion," ed. López, 193.

[196] Sigüenza y Góngora, *Parayso occidental*, 55.

[197] "Halláronla entonces no solo ceñida desde la cintura al pecho con una cadena en extremo gruesa, sino lastimadas las piernas, los muslos y los brazos con coracinas de hierro y punzantes rayos…Creo que el que más sentía su espíritu le quitasen del cuerpo aquellos instrumentos de merecer, que ni aún el mismo cuerpo, siendo así que se le arrancaban pedazos suyos entre los rayos y cadenas con vehemente dolor." Sigüenza y Góngora, *Parayso occidental*, 103.

[198] "cuyas correas fue necesario se cortasen con tijeras y con cuchillos por estar ya cubierta de carne las ligaduras" Sigüenza y Góngora, *Parayso occidental*, 103.

[199] Caroline Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley: University of California Press, 1987).

[200] Marie-Florine Bruneau, *Women Mystics Confront the Modern World: Marie De L'Incarnation (1599-1672) and Madame Guyon (1648-1717)*, (Albany: State University of New York Press, 1998); Kristine Ibsen, *Women's Spiritual Autobiography in Colonial Spanish America*, (Gainesville: University Press of Florida, 1999).

[201] However, as Barbara Diefendorf argues that these critiques inadvertently dismiss the choices of these religious women. While self-abasement and obedience adhered to patriarchal gender norms, these practices were not forced onto these women, but were chosen by them. "I remain convinced that they deliberately chose these practices because they saw heroic asceticism as a viable path to religious enlightenment." Barbara B. Diefendorf, "Rethinking the Catholic Reformation," in *Women, Religion, and the Atlantic World (1600-1800)*, eds. Daniella J. Kostroun and Lisa Vollendorf, (Toronto: University of Toronto Press, 2009), 43-44; Barbara B. Diefendorf, *From Penitence to Charity: Pious Women and the Catholic Reformation in Paris* (Cary: Oxford University Press, 2004).

[202] A famous example was Paula from the writings of St. Jerome. Jerome praised her ability to deny herself even the most basic needs (specifically her extreme fasting) in her devotion to Christ.

[203] María Elena Martínez, *Genealogical Fictions Limpieza De Sangre, Religion and Gender in Colonial Mexico*, (Stanford, California: Stanford University Press, 2008).

[204] For an examination of honor, see Steve J. Stern, *The Secret History of Gender: Women, Men, and Power in Late Colonial Mexico*, (Chapel Hill: University of North Carolina Press, 1995); Lyman L. Johnson and Sonya Lipsett-Rivera, *The Faces of Honor: Sex, Shame, and Violence in Colonial Latin America*, (Albuquerque: University of New Mexico Press, 2008); Patricia Seed, *To Love, Honor, and Obey in Colonial Mexico: Conflicts Over Marriage Choice*, (Stanford, California: Stanford University Press, 1988); Ann Twinam, *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America* (Stanford, Calif: Stanford University Press, 1999).

[205] Most of these studies focus on the impact of the eighteenth century Bourbon reforms on colonial convents. For examples, see D. A. Brading, *Church and State in Bourbon Mexico: The Diocese of Michoacán, 1749-1810*, (Cambridge: Cambridge University Press, 1994); **Ellen Gunnarsdóttir,** "The Convent of Santa Clara, the Elite and Social Change in Eighteenth Century Queretaro," *Journal of Latin American Studies* 33 (2001): 257-290; **Margaret Chowning, "Convent Reform, Catholic Reform, and Bourbon Reform in Eighteenth-Century New Spain: The View from the Nunnery," *Hispanic American Historical Review* 85 (2005): 1-37 and *Rebellious nuns: the troubled history of a Mexican convent, 1752-1863*, (**Oxford, New York : Oxford University Press, 2006); John J. Clune, "A Cuban Convent in the Age of Enlightened Reform: The Observant Franciscan community of Santa Clara of Havana, 1768-1808," *The Americas* 57 (2001): 309-327.

[206] Lavrín, *Brides of Christ*, 5.

[207] "The Church was proving to be one of the strongest bastions of racial identity and racial exclusivism." Lavrín, "Indian Brides of Christ," 237.
[208] Gonzalo Aguirre Beltrán, *La Poblacion Negra De Mexico: Estudio Etnohistorico*, (Mexico: Fondo de Cultura Economica, 1972), 217. However, Beltrán does not take into account the different circumstances of urban and rural slaves. As discussed in the previous chapter, later scholars like Douglas R. Cope, remind us that slaves could serve very different purposes in cities and agricultural plantations and therefore have different life expectancies. Douglas R. Cope, *The Limits of Racial Domination Plebeian Society in Colonial Mexico City, 1660-1720*, (Madison: University of Wisconsin Press, 1994), 95.
[209] The *vida* of Juana Esperanza claims that she, along with her younger sister, had been baptized when they reached the slave market in Veracruz. José Gómez de la Parra, *Fundación y primer siglo: crónica del primer convento de carmelitas descalzas en Puebla. 1604-1704*, ed. Manuel Ramos Medina, (México, D.F.: Universidad Iberoamericana, 1992), 310.
[210] Herman L. Bennett, *Africans in Colonial Mexico: Absolutism, Christianity, and Afro-Creole Consciousness, 1570-1640*, (Bloomington: Indiana University Press, 2003) and *Colonial Blackness: A History of Afro-Mexico*, (Bloomington, IN: Indiana University Press, 2009).
[211] Kathryn Joy McKnight argues that Inquisition cases against slave men and women were expressions of the precarious nature, or illusion of control, inherent to institution of slavery. For McKnight, the clear evidence lies in the discrepancy between the high number of blasphemy cases against slaves and the comparably low number of blasphemy cases against free blacks and mulatos. Kathryn Joy McKnight, "Blasphemy as Resistance: An African Slave Woman before the Mexican Inquisition," in *Women in the Inquisition*, ed. Mary E. Giles, 236.
[212] Kathryn Joy McKnight estimates that a large percentage of the slaves brought before the Inquisition were charged with blasphemy. McKnight, "Blasphemy as Resistance: An African Slave Woman before the Mexican Inquisition," 229.
[213] Joan Cameron Bristol illustrates this dynamic in her examination of an Inquisition against a female slave by her nun mistress. Bristol, "Patriarchs, Petitions, and Prayers: Intersections of Gender and Calidad in Colonial Mexico," in *Women in the Inquisition*, ed. Giles, 193-198.
[214] Maria Elena Martinez, "The Black Blood of New Spain: Limpieza De Sangre, Racial Violence, and Gendered Power in Early Colonial Mexico," *William and Mary Quarterly* 61 (2004): 479-520.
[215] Her *vida* is included in the convent's history compiled by José Gómez de la Parra in written in 1703. Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 308-321. For an additional analysis on the life of Juana Esperanza, see Chapter 1 in Joan Cameron Bristol, *Christians, Blasphemers, and Witches: Afro-Mexican Ritual Practice in the Seventeenth Century*, (Albuquerque: University of New Mexico Press, 2007).
[216] Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 310.
[217] Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 310.
[218] Esperanza was quoted to have said the following in her defense: "Hijas de Jerusalén, esposas de Jesucristo, aunque soy negra, soy hermosa, y el poderoso Rey me amó y me trajo a su Iglesia y me introdujo en este retrete de sus delicias." Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 310.
[219] Bristol, *Christians, Blasphemers, and Witches*, 53.
[220] Bristol, *Christians, Blasphemers, and Witches*, 53.
[221] The writers use the metaphor of a precious stone to illustrate the extent of Esperanza's exceptional piety despite her race. "De esta piedra preciosa que aunque por el color negra es despreciable y se tiene por rústica, en lo interior encierra y contiene algo de divinidad." Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 309.
[222] "En el alma con esta corona, por el color negro que le dio la naturaleza en el cuerpo, podremos decir que tuvo la espiritual diadema interior guarnecida, en lo exterior con otra corona de finísimo azabache porque, conociendo su calidad, se juzgaba indigna de estar entre las religiosas, y así crecía y se aumentaba la perfección en el ejercicio de las virtudes, y principalmente en la humildad." Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 309.
[223] Esperanza's common response in these situations was reported to be, "Bendito sea Dios, amado sea Jesús." Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 310-311.
[224] When asked why she gave food to the sick even when she herself was very ill, she claimed, "si vienen las pobrecitas con necesidad, que tengo de hacer; más vale yo no cene, que no que estos ángeles padezcan." Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 311-312.
[225] Gómez de la Parra, *Fundación y primer siglo*, ed. Ramos Medina, 316.
[226] While Gómez de la Parra implied that Esperanza did her penitence in secret because of her incredible modesty, it seems more likely that she had realized the possible repercussions if she, a black slave, had

attempted to do the same rituals and practices restricted to professed nuns. Gómez de la Parra, *Fundación y primer siglo,* ed. Ramos Medina, 316.

[227] "Sin haber leído ni sabido esta doctrina la hermana Esperanza, el fuego del divino amor, que ardia en su corazón, lo avivaba…mortificación y penitencia…" Gómez de la Parra, *Fundación y primer siglo,* ed. Ramos Medina, 311.

[228] Asunción Lavrín uses the term "given" person to define *donada*. Lavrín, *Brides of Christ,* 33.

[229] Sigüenza y Góngora, *Parayso occidental*, 172.

[230] "que se originaban las diversiones, pérdidas de tiempo, chismes y pesadumbres que son consiguientes a estas detestables amistades particulares" Sigüenza y Góngora, *Parayso occidental*, 172.

[231] "al instante sintió los admirables efectos de esta merced, quedando tan encendida en el amor divino, que solo con el respiraba, y en él vivía." Sigüenza y Góngora, *Parayso occidental*, 172.

[232] Sigüenza y Góngora, *Parayso occidental*, 172.

[233] "En esta meditación se le suspendían los sentidos quedándole estática por muchas horas, y con tanto extremo, que no solo no vía, oía en estos casos, pero ni aun sentía…" Sigüenza y Góngora, *Parayso occidental*, 173.

[234] "Por India, por retirada a un convento, y por no cuidar de otra cosa que de ser santa…" Sigüenza y Góngora, *Parayso occidental*, 174.

[235] Sigüenza y Góngora, *Parayso occidental*, 175.

[236] Sigüenza y Góngora, *Parayso occidental*, 175.

[237] Laura A. Lewis, *Hall of Mirrors: Power, Witchcraft, and Caste in Colonial Mexico*, (Durham: Duke University Press, 2003), 13.

[238] She argues that it not only developed out of colonialism, but it also upheld the allure of the wealth, mobility, and power controlled by the elites." Lewis, *Hall of Mirrors*, 13.

[239] AGN, Instituciones Coloniales, Inquisición Vol 552 1a, Exp 2.

[240] AGN, Instituciones Coloniales, Inquisición Vol 552 1a, Exp 2.

[241] AGN, Instituciones Coloniales, Inquisicion, Vol 1551 2a, Exp 25.

[242] AGN, Instituciones Coloniales, Inquisicion, Vol 1551 2a, Exp 25.

[243] Baptista reported that the women had tried to sell her the powders for three pesos, but she had heard that they had sold powders to other women for four. AGN Instituciones Coloniales, Inquisición, Vol 176, Exp 15.

[244] "Una carta tengo que enviarte, no tengo mensajero que te la lleve, halla te envío a Dios padre y a santa María su madre y a santo Jesús el de la Cruz, que no puedas estar ni reposa hasta que conmigo vengas a hablar, así como el clérigo no puede decir misa sin el altar, ni el pez sin agua puede nadar." AGN Instituciones Coloniales, Inquisición, Vol 176, Exp 15.

[245] AGN Instituciones Coloniales, Inquisición, Vol 176, Exp 15.

[246] For histories of the convent see, Lavrín, "Indian Brides of Christ" and *Brides of Christ*; Elisa Sampson Vera Tudela, *Colonial Angels Narratives of Gender and Spirituality in Mexico, 1580-1750*, (Austin: University of Texas Press, 2000); Mónica Díaz, *Indigenous Writings from the Convent: Negotiating Ethnic Autonomy in Colonial Mexico*, (Tucson: University of Arizona Press, 2013).