

# Heretical Propositions on the Islands

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*Canaries and Mallorca, 1569-1610*

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## Sammendrag

Hensikten med denne masteroppgaven har vært å se nærmere på saker som omhandlet kjetterske utsagn fra den Spanske Inkvisisjonens tribunaler på Kanariøyene og Mallorca. Det har ikke blitt gjort en undersøkelse som har sammenlignet disse to tribunalene tidligere, og det ble ansett som interessant å se hvor forskjellig eller lik behandlingen av sakene var på de to spanske øyene, som lå under hvert sitt kongedømme. Hovedproblemstillingen handler om hvilke forskjeller og likheter det var mellom straffeutmålingen av kjetterske utsagn mellom tribunalene på Kanariøyene og Mallorca fra 1569 til 1610. Hvem inkvisisjonen dømte, hvilke kjetterske utsagn de ble dømt for og hvilken straff de fikk er spørsmål som blir besvart i oppgaven. For å svare på disse spørsmålene ble alle kjente saker angående kjetterske utsagn fra de to øygruppene gjennomgått, fra de såkalte «*relaciones de causas*» som oppsummerer sakene. Denne oppsummeringen ble skrevet av det enkelte tribunalet som videre var pålagt å sende sakene inn til den Spanske Inkvisisjonens sentralorgan, Suprema.

Ut ifra dette materialet blir de statistiske forskjellene og likhetene mellom tribunalene diskutert. Der kommer det frem at det var en overvekt av menn i midten av 30 årene som ble dømt for kjetterske utsagn på begge tribunalene. Begge tribunalene dømte kvinner og menn i alle aldre, hvor den yngste var 13 år og den eldste 100 år, ifølge kildene. Hos begge tribunalene var det flest kjetterske utsagn i form av blasfemi, leiermål og ulike heretiske proposisjoner, de største av fem underkategorier lagd for å klassifisere utsagnene i denne masteroppgaven. Den store forskjellen mellom tribunalene var at nesten dobbelt så mange på Mallorca ble dømt for å ha påstått at sex med en ugift kvinne eller mann ikke var en synd. Når det kommer til straffeutmålingen, blir det fort klart at tribunalet på Mallorca generelt sett hadde strengere strafferammer enn deres kolleger på Kanariøyene. Det har blitt lagd et skjema som forsøker å vise alvorlighetsgraden av straff, her fremkommer det tydelig at tribunalet på Mallorca jevnt over gav strengere straffer for kjetterske utsagn. Hele ni personer ble dømt til galeitjeneste, den strengeste straffen gitt til personer dømt for kjetterske utsagn, mens bare en person ble dømt til galeitjeneste av tribunalet på Kanariøyene.

Deretter blir utvalgte enkeltsaker gjennomgått, for å se trendene og variasjonene mellom utsagnene også innenfor de fem kategoriene skapt for å klassifisere proposisjonene. Der blir det klart at forskjellene blant straffeutmålingen av personer fra samme sosioøkonomiske bakgrunn som ble dømt for eksakt samme utsagn også fikk en strengere straff av tribunalet på Mallorca.



## Preface

I would first and foremost like to thank Professor of early modern history Gunnar W. Knutsen. Without his guidance, knowledge and help throughout the entire process, this master thesis would not have come to fruition. His interest and enthusiasm has spurred me on during the process, invigorating me to try and do my best. I would also like to thank Bruno Costa, PhD Candidate for the University of Bergen for his thorough and astute comments. A sincere thanks to both.

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## 1. Introduction

The intent of this master thesis is to look at the cases concerning heretical propositions that the Spanish Inquisition prosecuted, and compare the two island tribunals of Mallorca and the Canary Islands. Differences in which statements are considered an offence and thereby pursued by the two courts and differences in sentencing levels will be the focal point throughout the master thesis. The two tribunals on Mallorca and in the Canaries are the objectives of study in this study based on the fact that both exist on an island, making them less accessible to the Spanish Inquisitions power base located in mainland Spain, therefore, theoretical a higher chance of more of an autonomy in the tribunals.

With the Papal Bull 1. November 1478, Pope Sixtus IV allowed the creation of the Spanish Inquisition in Castile under the command of the Spanish Royalty and allowed the appointment of three inquisitors in the kingdom of Castile. The previous Inquisition were never properly dismantled in the kingdom of Aragon, and the Spanish Inquisition took over the mantle and entered the kingdom with the first appointed inquisitor in 1481.<sup>1</sup> Moreover, by 1493, there were 23 different tribunals of the Inquisition in Spain, a higher number of tribunals then ever seen before by another inquisition.<sup>2</sup>

The Spanish Inquisition's activities in the newly conquered territories of the Canary Islands was overseen by the tribunal in Seville during the formative years after they were given mandate over the archipelago in 1488.<sup>3</sup> This arrangement, however, did not last very long when it became clear that the visitations demanded of the inquisitors over to the Canary Islands were both expensive and time-consuming. As a result of this, the inquisitors in Seville did not prioritise the visitations, which was an important part of every inquisitor's duty. Therefore, in 1505 a new tribunal was created in Las Palmas, and an inquisitor was appointed to the Canary Islands.<sup>4</sup> The newly appointed inquisitor operated alone in the first ten years of his tenure. During these years he conducted twenty cases that are known, with thirteen of

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<sup>1</sup> Contreras, J., & Dedieu, J. P. (1980). "Geografía de la inquisición española: La formación de los distritos" ("1470-1820"). *Hispania*, 40, 144. Read 30 January 2017 <https://search.proquest.com/docview/1300494284?accountid=8579> p. 40

<sup>2</sup> Contreras et al, "Geografía de la inquisición" p. 42

<sup>3</sup> Ronquillo Rubio, Manuela. *Los Orígenes de la Inquisición en Canarias 1488-1526*. Las Palmas: Abildo insular de Gran Canaria, 1991 p. 55

<sup>4</sup> Ronquillo, *Los Orígenes* p. 60

them tried in 1510.<sup>5</sup> The Spanish historian Manuela Ronquillo Rubio, who in 1991 wrote a book on the origins of the tribunal, also points out that its creation was not only as a means to find heretics, but was also a part of a unification process. The islands were a newly conquered territory of Spain that needed to be institutionalised in the Castilian way, both politically and religiously. The task of the inquisitors in Seville was to monitor the situation and gather information until a tribunal could be established on the islands that could deal with the problem as they saw it.<sup>6</sup>

The tribunal on Mallorca was founded in the summer of 1488 when the former inquisitor in Barcelona was appointed to stay in the city of Palma on Mallorca. He was to have jurisdiction over Mallorca, Menorca and adjacent islands.<sup>7</sup> That gives the inquisitor in Mallorca approximately 4887km<sup>2</sup> of land where he was responsible for the people living the Balearic archipelago.<sup>8</sup> The Canaries, on the other hand, consists of seven islands with a total of 7253 km<sup>2</sup> of land that the tribunal had jurisdiction and was responsible for.<sup>9</sup> There is also a considerable difference in distance to mainland Spain. The distance from the coastal line from Cadíz in mainland Spain to the city of Las Palmas in Gran Canaria, where the Inquisition's tribunal was located in the Canaries, is approximately 1268 kilometres.<sup>10</sup> From Palma on Mallorca to the city of Barcelona, there are around 200 kilometres.<sup>11</sup> One can assume that being closer to the mainland, meant that the Mallorca tribunal had more contact with the mainland Spain, and therefore easier to exert control over by the powers in Spain.

## 1.1 Thesis

“What are the differences and similarities in sentencing concerning the cases of heretical proposition between the two island tribunals of the Canaries and Mallorca from 1569 to 1610?”

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<sup>5</sup> Fajardo Spínola, Francisco. *Las Víctimas de la Inquisición en las Islas Canarias*. La Laguna: Francisco Lemus Editor, 2005 p. 287

<sup>6</sup> Ronquillo, *Los Orígenes* p. 58-60

<sup>7</sup> Escandell, Bartolomé Bonet, Joaquín Pérez Villanueva. *Historia de la Inquisición en España y América: Las estructuras del Santo Oficio*. Spain: Biblioteca de Autores Cristianos. 2000 p. 34

<sup>8</sup> Ross, MacPhee D. E. *Extinctions in Near Time Causes, Contexts and Consequences*. New York: Kluwer Academic/ Plenum Publishers. 1999 p. 166

<sup>9</sup> Contreras et al, "Geografía de la inquisición" p. 46

<sup>10</sup> <https://www.freemaptools.com/measure-distance.htm> 07.03.2017

<sup>11</sup> <https://www.freemaptools.com/measure-distance.htm> 07.03.2017

The main information needed to be able to answer the research question lies within the Inquisition's trial records, *Relaciones de causas*, shortened to RDC throughout the rest of this study. The RDC is a summary of the trial records of the Spanish Inquisition. In these documents, one can find information about the alleged offence, committed by the defendant and the outcome of the trial. A more thorough presentation of the RDC sources will be explained in depth in Chapter 3.1. It might be relevant to consider the age and education of the accused, when the sources provides that kind of information, which is not always the case. Extracting these types of information will provide a good platform for a discussion about whether there are significant differences in the practice of the two different tribunals. Are there differences in which part of Spanish society the offenders on the two archipelagos predominantly belonged to? Is there an overweight of people who worked in the primary sector, or are there more of the prominent and educated punished for the offence of heretical propositions? Do lower class citizens receive stricter sentences in one of the two tribunals, or does the punishment correlate with the offence in both courts?

The timeframe chosen for this study has been decided on the basis of Dedieu's statement that the offence of heretical propositions did not become a significant part of the Spanish Inquisition's jurisdiction before 1560.<sup>12</sup> 1569 is selected as a starting point because this is the year where the earliest RDC from one of the two tribunals exists.<sup>13</sup> The reason for choosing 1610 as the last year of investigation is that it will give a good representation over time. During these 41 years, the percentage of cases that the Inquisition dealt with concerning heretical propositions was at its peak, solidifying this as an important phase of the Spanish Inquisition to study. Even though the earliest RDC available from the tribunal on Mallorca is from 1579, ten years after the first RDC in the Canaries, it does not make the cases in 1569 in the Canaries less relevant for comparison, since they are both after the alleged shift in focus in the 1560's. According to Monter, the first annual report from the tribunal on Mallorca is from 1579 because that year a veteran inquisitor were appointed to the archipelago, where a local unpaid inquisitor had operated previously. After that, the system of annual reports functioned very smoothly, even in as he writes, "unimportant" places like Mallorca.<sup>14</sup>

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<sup>12</sup> Dedieu Jean-Pierre. "El modelo religioso: las disciplinas del lenguaje y de la acción" 208-230. In *Inquisición española: poder político y control social*, by Bennassar, Bartolomé Barcelona: Editorial Crítica, 1984 p. 212-13

<sup>13</sup> Dropping the RDC from 1569 and starting at 1570, would mean dropping 22 cases from the Canaries, which is a considerable amount of the 173 cases involving heretical proposition in the Canaries during this time

<sup>14</sup> Monter, William. *Frontiers of Heresy* Cambridge: Cambridge University Press, 1989. p. 71

## 1.2 Theme

“Propositions are verbal statements containing expressions contrary to the Holy Scripture, as the Catholic Church interpreted them or against what the Church taught; but also, against the authority and respect due to their ministers and their hierarchy.”<sup>15</sup>

Heretical propositions were not a significant part of the Spanish Inquisition’s workload or focus during the earliest years of the institution’s existence. There was a notable turn happening in this regard in the years from 1550 to 1560. During this time, the inquisitors received a new instruction to also deal with “Christian offences”, rather than Judaism and other non-Christian offences like Islamism that had previously occupied most of the inquisitor’s time.<sup>16</sup> According to Kamen, the offence of heretical proposition was a category dominated by the “Old Christians”, meaning individuals decedent from a long line of Christians. The offence of heretical proposition was not, something Moriscos or Conversos often found themselves accused of having committed.<sup>17</sup> Kamen continues to write that the spoken word at this time in history, even though the written word was preferred, the spoken word were deemed as of similar value because of the still high number of illiterates. In the 15<sup>th</sup> century, being literate one could say was a privilege rather than the norm. Therefore one can say that the spoken word was “everything”. Consequently, the two main powers in Spain, the Catholic Church and the Royalty, deemed unwanted utterings even more severe and “dangerous” than one might consider it in today’s society.

Propositions in this context are defined as those expressions uttered by a Christian in which opposing views were reflected, either to articles of faith, the essence of the Catholic faith, against the teachings of the Catholic Church or Holy Scripture. The propositions, therefore, contain either contradictions of dogmatic definitions, doubt about the validity of the doctrines of the Catholic Church, the denial of saints or the denial of other holy traditions, such as communion, confession and so on. “The heretical proposition is, in short, that which is clearly contrary to any of the statements taken as Catholic truths, meaning it is defined as

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<sup>15</sup> Fajardo *Las victimas* p. 141 “Con el nombre de “proposiciones” se denominaba a las expresiones verbales que contuvieran afirmaciones contrarias a las Sagradas Escrituras, tal como la Iglesia Católica las interpretaba, a lo que la Iglesia misma enseñaba y a sus mandamientos; así como a la autoridad y respeto que se debía a sus jeraquías y a sus ministros.”

<sup>16</sup> Dedieu, Jean-Pierre. “El modelo” p. 208

<sup>17</sup> Kamen, Henry *The Spanish Inquisition: An Historical Revision*. London: Weidenfeld & Nicolson, 1997 p. 260

matters of faith.”<sup>18</sup> When the inquisitors were dealing with the issue of heretical propositions, it was necessary for them to both determine whether the expression had been uttered, and if the exteriorized belief related to matters of faith which in itself was constitutive of a crime. Thought alone could suffice to commit such a crime, and the words used might cause scandal, but also the rationale for their use could constitute an offence. During this process is where the judicial and prosecutorial investigation of the inquisitors came in, to establish the correspondence between thought and its expression. Moreover, to rule on whether the conduct of the accused was severe enough to merit a response, and then to deal out the necessary sanctions or punishment.<sup>19</sup>

The Spanish Inquisition also operated with several different subcategories of propositions. The severity of the propositions depended on, in part, the importance of the belief that was opposed. The Spanish Inquisition and theologians, therefore, distinguished between different categories of propositions. A single proposition could be considered to belong to several different categories. In chapter 2, there will be an attempt to create a single category for each proposition, using categories created for this master thesis, whilst now the categories that the inquisitors used themselves will be presented.

A proposition deemed heretical is one that openly contradicted some questions of faith, and is a very severe proposition. A proposition with suspicion of heresy, however, was not treated as openly contradictory, and the person having said the proposition was deemed to have done so without the intent of contradicting the teachings of the Catholic Church. Other categories the inquisitors used were erroneous propositions, that is a proposition that contains something contradictory to doctrine but not defined or a secondary issue. The Spanish Inquisition also used the closely related categories of scandalous, reckless, impious and timorous propositions.

The final category of blasphemy is on the other hand much more complex and contrary to the other categories, also under the jurisdiction of civil and ecclesiastical law.<sup>20</sup> The word blasphemy originates from the Greek word “blaptein” meaning “to injure” and “pheme” “reputation”. The Catholic Encyclopaedia describes blasphemy as “gross irreverence

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<sup>18</sup> Alejandro, Juan Antonio, María Jesús Torquemada. *Palabra De Hereje : La Inquisición De Sevilla Ante El Delito De Proposiciones*. Colección De Bolsillo / Universidad De Sevilla. Sevilla: Universidad de Sevilla, Secretariado de Publicaciones, 1998.p. 17

<sup>19</sup> Alejandro, Torquemada *Palabra De Hereje* p. 15

<sup>20</sup> Fajardo *Las Víctimas* p. 141

towards any person or thing worthy of exalted esteem.”<sup>21</sup> Before 1560 the few cases that the Spanish Inquisition had with the offence of blasphemy were dealt with quickly, often with spiritual punishment and a fine.<sup>22</sup> After 1560, the Inquisition started to take these offences a lot more serious with some severe cases receiving the harshest punishments besides the actual death sentence, galley service. Even though the punishments became more severe, it was not common to be given such a harsh punishment for uttering a heretical proposition.<sup>23</sup> Dedieu further writes that there existed a discrepancy between penances imposed by the Holy Office<sup>24</sup> and the theological seriousness of blasphemy. Theologically blasphemy is considered to be a mortal sin. The inquisitors seem to have understood the “true nature” of blasphemy. In most cases with a few exceptions, the person accused of having uttered something blasphemous does not question the Catholic faith with intent but is a result of ignorance, anger or despair.<sup>25</sup> Blasphemy is often related to swearing. Words like “Reniego de Dios”, which translates to “I deny God”, or “Pese Dios” meaning “despite God” are examples of typical blasphemous propositions. The propositions were in most circumstances spoken during some argument or in a situation where the blasphemer probably did not necessarily literally mean what he said.

The offence of heretical proposition, with all its subcategories, is the offence that this study is examining. A member of another faith uttering heresies with a connection to another religion goes under their specific category, like Judaism or Islamism. There are however cases where Old Christians say something favourable about the Islamic faith, Muslims or Protestants or their teachings and it is categorised as a heretical proposition and not as a specific faith offence, because of the defendant’s lineage and the suspect’s Catholic identity. What kind of heretical propositions that was being said, or claimed to have been uttered, we know today thanks to the inquisitors and the notaries who wrote them down. However, it is important to keep in mind and understand that the notaries of the Spanish Inquisition were not some ancient Dictaphone, a neutral object writing everything down exactly as it happened during the trials. The notaries worked for and were paid by the Inquisition, and we cannot be certain that every defendant did commit the offence they were accused of committing.<sup>26</sup> The

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<sup>21</sup> Melody, John. "Blasphemy." *The Catholic Encyclopedia*. Vol. 2. New York: Robert Appleton Company, 1907. 5 May 2016 <<http://www.newadvent.org/cathen/02595a.htm>>.

<sup>22</sup> Dedieu, "El modelo" p. 212-13

<sup>23</sup> Dedieu, "El modelo" p. 214

<sup>24</sup> Holy Office is another word for the Spanish Inquisition

<sup>25</sup> Dedieu, "El modelo" p. 214-15

<sup>26</sup> Fajardo *Las Víctimas* p. 142

cases do not necessarily reflect what was said, but it gives a strong indication of what was said, or at least what the powers at the time in Spain and the Catholic Church deemed as unwanted thoughts and beliefs. The interest of this study, however, is not to find out if the person said the proposition they were accused of, but the interest lies in what was considered punishable and the outcome of the case.

### 1.3 How the Spanish Inquisition operated

Provincial tribunals of the Inquisition were set up all throughout Spain, both in Castile and Aragón, and had to answer to the central power called the Suprema. The Suprema, presided over by the Inquisitor General, co-ordinated the Inquisition's activities in the provinces. Annual reports from the provinces were sent to the Suprema, and in this way, they had more of a direct influence over the provincial tribunals.<sup>27</sup> These reports are called "*Relaciones de causas*", and they are the sources used in this thesis. Helen Rawlings wrote in her book *The Spanish Inquisition* that the tribunals were staffed by two or three inquisitors, who got the job based on their academic prowess and the purity of their blood, which was a paramount concept in Spain during this time. The term *limpieza de sangre*, purity of blood, was the term and law used to keep people with another heritage than Christian from holding important positions in the state.

This composition was the ideal, and not always reflected the reality, as William Monter writes in his book *Frontiers of Heresy* from 1989. He writes that the Suprema complained to Philip II, the then reigning king of Spain in 1578.

“Until now in the Inquisition of the Kingdom of Mallorca there has been only one Inquisitor, and he and the ministers of that Inquisition are all natives who serve in these offices without any salary. These officials use their offices badly and lack the honesty and style of life which are required for such a holy ministry.”<sup>28</sup>

The letter culminated in the appointment of a veteran inquisitor from the outside.<sup>29</sup> However, he underlines that there were difficulties in staffing remote and obscure tribunals in the Aragonese kingdom throughout the Inquisition's history, as the example from the tribunal on Mallorca shows.<sup>30</sup>

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<sup>27</sup> Rawlings, Helen. *The Spanish Inquisition*. Oxford: Blackwell publishing, 2006 p. 24-26

<sup>28</sup> Monter, *Frontiers* p. 60

<sup>29</sup> Monter, *Frontiers* p.71

<sup>30</sup> Monter, *Frontiers* p.61

There were also others on the Inquisition's payroll, some notaries, a constable, a prosecutor and an assessor.<sup>31</sup> Inquisitors were required since 1500 to travel throughout their appointed district in search of offenders. When they arrived on these visitations, they read an edict of faith after Mass on Sunday, where everyone was to swear an oath pledging allegiance to the Inquisition and the Catholic faith. They were also prompted to come forward and denounce their sins, or the sins of someone else in the village. When someone was denounced, the inquisitor along with *calificador* determined whether the offence fell into a category of heresy and if it did, the person was arrested and put in the Inquisition's prison to await his or her trial. The belongings of the prisoner were also confiscated. The trial was then carried out in three separate hearings, where personal details, information about lineage, and witness statements was considered. The accused was also allowed a lawyer during his proceedings, whose main job was to make sure the rules of the Inquisition was followed and entice the defendant to confess so that the inquisitors could save the soul of the perpetrator.<sup>32</sup>

Henningsen writes that not all defendants were convicted based on genuine and freely given confessions and that the inquisitors in their devotion to saving the souls of the defendants tended to make witness statements fit in with the denunciation rather than examining all the facts.<sup>33</sup> Torture was also a tool that could be used to obtain a confession or to clarify the intent behind the offence, but it was never used as a punishment. Modern research suggests that around a quarter of those charged with major heresy was tortured and under 5 percent of the people accused of lesser offences were tortured.<sup>34</sup> The inquisitors along with a representative of the local bishop called *ordinario* and several legal or theological advisors, *consultores*, then voted on the sentence to be imposed. The ruling was publicly proclaimed to the rest of the community during an *auto de fe*, or during Mass. When the convicted was sentenced at Mass and not during an *auto de fe*, it was usually during a holiday, which was when the crowds were largest.<sup>35</sup>

The *auto de fe* is described by Rawlings as a stage-managed theatrical event, a costly event where the convicted people were gathered and made to walk in a procession to the

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<sup>31</sup> Rawlings, *The Spanish* p. 26-27

<sup>32</sup> Rawlings, *The Spanish* p. 29-32

<sup>33</sup> Henningsen, Gustav. *The Witches' Advocate. Basque Witchcraft and the Spanish Inquisition (1609-1614)*. Reno: University of Nevada Press, 1980 p. 43

<sup>34</sup> Rawlings, *The Spanish* p. 33

<sup>35</sup> Rawlings, *The Spanish* p. 37



church during the day, where their offence and sentence was read aloud.<sup>36</sup> Whatever they possessed were confiscated by the Inquisition and had to wear the penitential garment called *sambenito*. The length of time they had to wear it varied with the offence, but after the person was allowed to take off the garment, it was hung up in the parish church with the name of the convicted attached to it, so that everyone could see and remember. The harshest punishment, the death penalty, was according to Helen Rawlings only given in two and a quarter percent of all the cases between 1560 and 1614, amounting to 637 individuals.<sup>37</sup> No one was given the death penalty by the Inquisition in the Canaries or Mallorca during that time.<sup>38</sup>

#### 1. 4 Method

The primary method utilised in this study is, to a great extent the use of comparison. The research question is itself a comparative question, making the use of comparative method necessary. What are the possible dangers of using such a method, and what are the advantages? Comparing the offence of heretical proposition between two tribunals of the Spanish Inquisition in the same timeframe makes it a synchronic comparison. That makes it easier to use the comparative method without the need of too much abstract thinking because the empirical complexity is reduced. Leidulf Melve points out in his article about comparative history that even though it is a synchronic comparison, there might be significant differences in the historical context of what one want to compare.<sup>39</sup> Comparing the tribunal in the Canaries and Mallorca does not belong to entirely different historical contexts, although there are some differences even though both are island communities in Spain.

One such difference is that the Canaries were a relatively newly conquered territory, less than 100 years ago, at the start of this comparison, while Mallorca had been a part of the kingdom of Aragon since 1230.<sup>40</sup> The geography, mainly distance from mainland Spain as seen before and the ethnicity of parts of the population. The Balearic Islands, being part of the kingdom of Aragon, and previous to that, the islands had been held by Muslims for a little

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<sup>36</sup> Rawlings, *The Spanish* p. 37-41

<sup>37</sup> Rawlings, *The Spanish* p. 35

<sup>38</sup> Gunnar W. Knutsen, Mauricio Drelichman, Jean-Pierre Dedieu and Gustav Henningsen, *Early Modern Inquisition Database (EMID)*. Accessed date: 28.10. 2016

<sup>39</sup> Melve, Leidulf. «Komparativ historie: Ei utfordring for historiefaget?». *Historisk tidsskrift* 88, nr. 1 (2009): 61-90 p. 67

<sup>40</sup> Santamaría Arández, Álvaro. «Precisiones sobre la expansión marítima de la Corona de Aragón». *Anales de la Universidad de Alicante. Historia Medieval*, N. 8 (1990-1991). 187-255 13.02.17 <http://rua.ua.es/dspace/handle/10045/6987>

more than 300 years, shaping the culture.<sup>41</sup> The Balearic Islands are also close to Italy, and the North African countries of Algeria and Tunis, and every other country in the Mediterranean Sea. While the population in the Canaries, being newly conquered would have more of a settler like population, with some aboriginal people, The Canary Islands was also a trading outpost and an important port for the ships that ventured over to the new territories in the Americas. Therefore, there would have been a large group of sailors from England, Portugal, Spain stopping in their ports. That coincides with looking at the ethnicity of the victims of the Inquisition on the Canary Islands from 1569 to 1610. The RDC's show there are plenty of Portuguese and Englishmen tried by the tribunal in this period. These differences in geography and population one can assume influenced the tribunals in who and what kind of offences were committed.

Melve also points out that historians while conducting the synchronic comparison, tend to focus on dissimilarities rather than similarities, which is the logical and natural thing to do.<sup>42</sup> However, this can contribute to a distorted view of the past in question. If one is looking for differences and there are few to find, one might tend to put more of an emphasis on those differences than they deserve. In a sense, one can create an image of the past that does not give an accurate reflection of the past. Another problem Melve points out is that even when comparing something close both in time and space, it might not be that the sources are comparable.<sup>43</sup> The sources in this study, however, are of the same nature, being reports from the local tribunal to the central powers of the institution.

### 1.5 Research status

Heretical propositions in the Canaries is something the historian Francisco Fajardo Spínola has written about in his book, *Las Víctimas de la Inquisición en las Islas Canarias*, a book centred around the people convicted by the Holy Office. Fajardo dedicates a chapter to the offence of heretical propositions and starts by mentioning that one-third of the Inquisition's cases during its lifespan in the Canaries were because of a verbal slip by the accused.<sup>44</sup> The crime was also a masculine offence, with 590 men and only 132 women tried in this category. Heretical proposition, according to Fajardo was more of a masculine offence than the other offences with 81,7% of the convicted being men, when the male percentage in all offences is

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<sup>41</sup> Santamaría «Precisiones sobre» p. 191

<sup>42</sup> Melve «Komparativ historie», p. 67

<sup>43</sup> Melve «Komparativ historie», p. 73

<sup>44</sup> Fajardo *Las víctimas* p. 143

73,7%.<sup>45</sup> One can also read from his work that the age of the typical offender was somewhat younger than the average, but he claims this is because of the nature of the other offences are more common to commit in advanced age. Almost nine out of ten of the accused were of Spanish or European heritage, where all offences combined had an average of a little under eight out of ten, 58% were native of the Canaries, while the average is around 53,5%.<sup>46</sup> This information strengthens what Kamen found to be true about the Inquisition that Old Christians dominate the offences of heretical proposition. The offence of heretical proposition on the Balearic archipelago is a subject without any substantial work dedicated to the crime during the period of this study. However, Monter does cover some of the cases of heretical proposition in his book *Frontiers of Heresy*, where he writes about heresy in the Aragonese tribunals. The tribunal on Mallorca is not a part of the five tribunals with their own chapter but is mentioned sporadically throughout the book.

## 1.6 Structure

This study consists of two main parts. Chapter two is a statistical chapter, where the aim of the chapter is to show the statistical differences and similarities between the two tribunals. The information used to create the statistics comes from the RDC's which is the trial summaries and is further explained in chapter 3.1. The *Early Modern Inquisition Database* is also single out the cases containing heretical proposition. The statistical chapter presents the average age and gender of the people convicted of heretical propositions, along with the social and economic status of the offenders, which in turn gives a clear presentation in whom the Spanish Inquisition convicted of such crimes on the two archipelagos. What type of heretical proposition the tribunals prosecuted is also answered in chapter 2.3, along with the severity of punishment, which will be presented in chapter 2.5, along with introducing a severity of punishment scale created for this study. The last part of the statistical chapter is a short presentation of the few cases during this period that was suspended.

The third chapter contains a presentation and analysis of selected individual cases. The chapter is split into six main subchapters, with some divided into even more subchapters. The main goal of chapter three is to show the differences and similarities in the cases by analysing both the uncommon and common cases in each subcategory of the heretical proposition. The first subchapter, 3.1, contains a presentation of the trial records called RDC, explaining what

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<sup>45</sup> Fajardo *Las víctimas* p. 143

<sup>46</sup> Fajardo *Las víctimas* p. 143

kind of information the sources can reveal, and more importantly, what they might not reveal. Afterwards, from chapter 3.2 until 3.6, selected cases from each subcategory of both the tribunals are presented and analysed, with a comparison.

The final chapter, contains a summary of the findings presented in this study, and a conclusion regarding whom the two tribunals prosecuted, and for what, along with the punishment issued by the court.

## 2. Statistical analysis

Between 1569 and 1610, the tribunals on Mallorca and the Canary Islands had, according to the harvested data extracted from the *Early Modern Inquisition Database*, 878 cases in total.<sup>47</sup> Of these 878 cases, 348 of them are cases concerning heretical propositions.<sup>48</sup> Which results in a total of 39,6% of the cases that were tried and convicted by the Spanish Inquisition on Mallorca and the Canaries, which were against someone having said a heretical proposition. The percentage gives an indication that the offence of heretical proposition was a significant and widespread offence in this period. When one also takes into consideration that, according to Henningsen and Contreras there is a total of 10 categories of punishable offences in total, 39,6% is a very high amount indeed.<sup>49</sup> In the Canary Islands, during the 41 years' in question, there was a total of 480 cases, and of these 171 of them contained people accused of having uttered something that was considered a danger to the faith and the faithful.<sup>50</sup> Over one-third of every trial held by the tribunal during this period was against someone accused of a heretical proposition. On Mallorca, 177 out of 398 cases were against someone who had made a heretical proposition.<sup>51</sup> That is 44,5% of every case the tribunal dealt with, almost half of every trial were against people accused of this specific category. These numbers can only be said to strengthen what Dedieu wrote when he claimed that the offence of heretical proposition was one of the major offences that the Holy Office dealt with during these years.<sup>52</sup>

### 2.1 Gender

Fajardo found that the offence of heretical propositions, during the entirety of the tribunals lifespan in the Canaries, was dominated by male offenders, with 81,7% of them being men.<sup>53</sup> The same can be said for the period of 1569 to 1610, with an even higher percentage of male offenders. 144 men tried under the category of heretical proposition during the period, which

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<sup>47</sup> Knutsen et al, *EMID* Accessed date: 28.10. 2016

<sup>48</sup> Knutsen et al, *EMID* Accessed date: 28.10. 2016

<sup>49</sup> Henningsen, Gustav. "La elocuencia de los números: Promesas de las "relaciones de causas" inquisitoriales para la nueva historia social", In *Inquisición española y mentalidad inquisitorial*, by Àngel Alcalà and others, 207-225. Barcelona: Editorial Ariel, S.A., 1984 p. 213

<sup>50</sup> Knutsen et al, *EMID* Accessed date: 12.05.2017

<sup>51</sup> Knutsen et al, *EMID* Accessed date: 12.05.2017

<sup>52</sup> Dedieu, "El modelo" p. 214

<sup>53</sup> Fajardo *Las víctimas* p. 143

is 83,2% of the total.<sup>54</sup> There were only 29 women tried and sentenced found in the RDC, a low 16,8%.<sup>55</sup> On Mallorca, the cases are also dominated by male offenders, as it is in the Canaries, but not as dominant of a percentage as seen in the Canaries. 135 men, 76,3% of the offenders on Mallorca were male, which makes the female percentage 23,7%, with 42 women in total.<sup>56</sup> 6,9% more female offenders were sentenced on Mallorca than in the Canaries. Granted this is not a very high number, but it is still interesting to consider the reasons for these small differences. One of the reasons that there was a considerably higher number of male offenders might be as simple a reason as wine. In the age of the tavern, wine and gambling were a large part of the society, and one could argue that drunk people tend to have looser tongues and say things without thinking that might get them in trouble. A number of the individuals convicted of uttering heretical proposition blamed the effect of wine and being drunk. Accusations of having blasphemed while playing card games, which for the most part happened in taverns and almost certainly involved some alcohol, was not unusual. Another possible reason for the higher number of men prosecuted for the offence of heretical propositions might stem from the fact that the Canaries was still a newly conquered territory and therefore more of a settler like population. Combined with being a trading outpost, and with a large number of ships stopping there, the male to female ratio in the Canaries was probably dominated by the male presence. There was also, according to Ronquillo, who wrote a book on the origins of the Spanish Inquisition in the Canaries, a large, predominantly male, black and Morisco population on the islands. The need for labourers on the islands was great, so they imported, mostly slaves, but also some free men from the coast of Africa. The imported workforce was forced to convert to Catholicism but did not receive any instruction in the Catholic faith, and they kept their traditions, which lead to many cases involving sorcery during Inquisition's formative years on the archipelago.<sup>57</sup>

The question about which type of propositions the women were convicted of having uttered arises as a result. The propositions said by women, in both tribunals, is as varied as the men's crimes. In chapter 2.2 different categories of offences will be explained in detail, and the women are represented in every category in both tribunals. On Mallorca, heretical propositions and blasphemy were the most common offences amongst women, with simple fornication with nearly as many, even though statistically, statements about marriage and

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<sup>54</sup> Knutsen et al, *EMID*

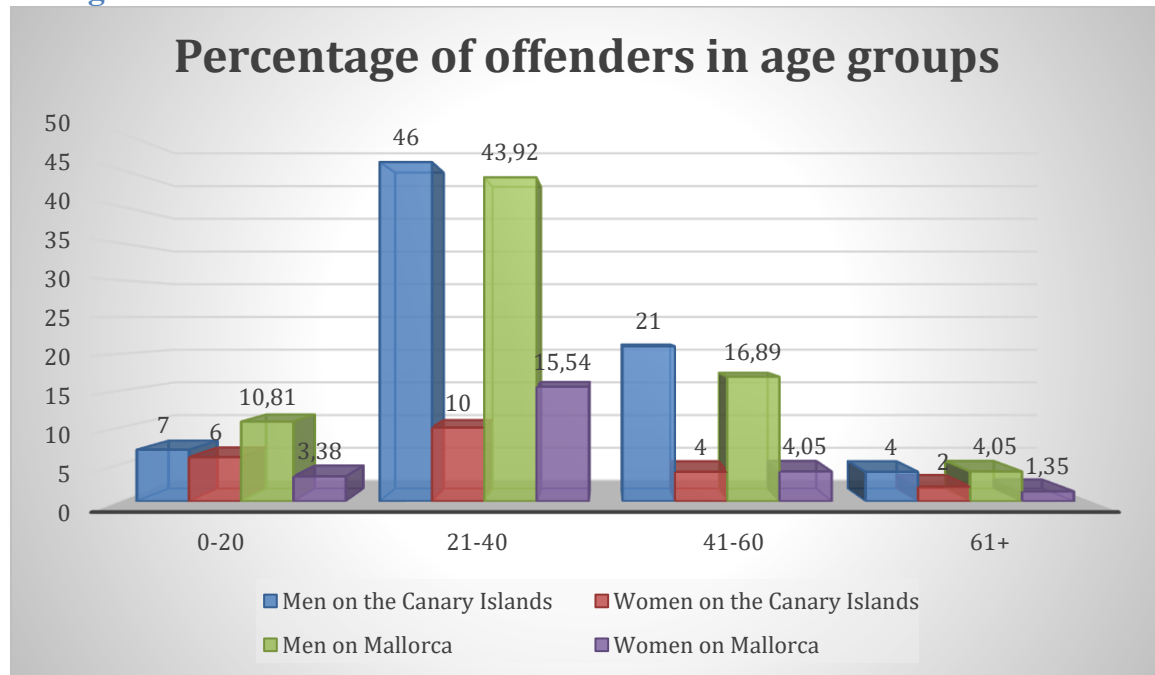
<sup>55</sup> Knutsen et al, *EMID* Accessed date: 12.05.2017

<sup>56</sup> Knutsen et al, *EMID* Accessed date: 12.05.2017

<sup>57</sup> Ronquillo *Los orígenes* p. 56-57

virginity had the highest ratio of women, with half of the convicted of such propositions being women. In the Canaries, the situation is fairly similar. Heretical propositions and blasphemy is the largest group, with the rest of the categories each having a small number of women sentenced for that offence, whilst statements about marriage and virginity had the highest ratio of female offenders, with only one more male offender.

## 2.2 Age



The average age of a person sentenced under the category of heretical proposition from 1569 to 1610 was 35 years of age. The difference between the tribunals is so minuscule that it is under 1-year difference in the average age. The only difference to be found is the average age of convicted females. In the Canaries, the average age of a female offender was 37, whilst on Mallorca, the average age was 34. The range spanned in total from as young as down to a convicted of the Inquisition that was only 13 years old, and as old as 100 years according to the RDCs. In some cases, especially the earliest sources, the age is not included in the RDCs, but in most cases, information about the age of the offender is provided, either the exact age or in some cases, an approximation. The Spanish Inquisition followed the Canon Law when judging the legal age of minority.<sup>58</sup> According to the Canon Law, the age of reason is at seven

<sup>58</sup> Boudinhon, A. (1910). Canon Law. In *The Catholic Encyclopedia*. New York: Robert Appleton Company. Retrieved March 3, 2017 from New Advent: <http://www.newadvent.org/cathen/09056a.htm>

years old. A seven-year-old is deemed to be morally responsible for his or her action.<sup>59</sup> The Canon Law and the Spanish Inquisition gives leniency towards people under the age of 25, and in some of the RDC's, they differ the witnesses as below or above the age of 25. The reason for this being that the age of 25 was the legal age of majority according to Canon Law. In most cases concerning very young or very old people, the report mentions that the verdict has taken into consideration the accused age and adapted the penalty accordingly. The law concerning the age of majority were followed by the Inquisition and were relevant both for males and females, since the cases where the age of the witnesses is listed, they state not only whether the male witnesses were above the age of majority, but also the female witnesses, indicating that the age of majority also mattered amongst women.

### 2.3 Type of offences committed

When getting an overview of what kind of heretical proposition the Spanish Inquisition prosecuted, there are in some cases subcategories created by the inquisitors. Other cases do not have a categorization, just an explanation of the incident which led to the denunciation and trial. Therefore, the cases against heretical proposition are put in subcategories created for this master thesis in an attempt to make it easier to make a comparison of similar cases. In a lot of the trial summaries, the *calificador*<sup>60</sup> has ascertained that the proposition in question qualifies as either heretical, blasphemous, or a number of other categories. Most propositions qualify in multiple categories, and several offenders were prosecuted for having uttered many propositions that could fit in several categories. In this study, when a proposition has qualified as heretical and blasphemous, it has been categorised as blasphemous. All the propositions in this sample are heretical in nature, which entails that a proposition cannot be blasphemous without being heretical.

During the attempt to categorise the propositions, five subcategories have been chosen to represent the offence committed. "Blasphemy" is used as a sub-category, and what constitutes a blasphemous proposition has been thoroughly described in chapter 1.2. The category of simple fornication, as blasphemy were subcategories that the tribunals also

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<sup>59</sup> Delany, J. (1907). Age of Reason. In The Catholic Encyclopedia. New York: Robert Appleton Company. Retrieved March 2, 2017 from New Advent: <http://www.newadvent.org/cathen/01209a.htm>

<sup>60</sup> "Inquisitorial consultant (normally a theologian) who read books or testimony collected by inquisitors in order to assess the type and amount of heresy that was involved." Rawlings, *The Spanish* p. 157



operated with and is being used as a sub-category of heretical propositions in this study also. The propositions placed in this category were propositions that claimed it was not a sin for a man to have sex with an unmarried woman, or argued that it was not a mortal sin. James Casey writes about the Inquisition in his book, *Early Modern Spain a Social History*, and explains the types of offences in this category in a splendid way.

“The Inquisition for its part began to take an increasing interest in Castile from the middle of the sixteenth century in fornication, though in a curiously indirect way, as befitted a tribunal which was supposed to limit itself to heresy. Thus, it could not punish men for illicit sexual relations, but it would whip and shame them for boasting that it was no grave sin to lie with an unmarried woman if she consented.”<sup>61</sup>

Various heretical propositions is another sub-category of propositions, where the contents of the proposition vary a lot, unlike the simple fornication proposition. The contents of a proposition under this category are thoroughly described in chapter 3.4.1 and 3.4.2, where the individual cases are presented. A proposition in this category range from propositions about what happens after one dies, to other propositions with a hint of Protestant ideology, such as propositions about the folly of confession and that one only needs to confess to God. “Statements against marriage and virginity” is the fourth category created for this study. The category contains the trials against individuals uttering statements that elevated the married life, claiming or hinting that it was a holier life than living in celibacy. The final sub-category is “various scandalous propositions”. The convicted in this category did not fit in any of the four aforementioned categories because they were very different from the rest in the category, and most were deemed by the *calificador* as scandalous with no mention of heresy or the suspicion of it.

The suspended cases are omitted from the statistic in this part, because of the lack of punishment in those few cases. 1 case from Mallorca and 17 from the Canaries ended with the accused being let go and will be presented in Chapter 2.6.<sup>62</sup>

During the 41 years from 1569 to 1610, there was a total of 154 cases in the Canaries that led to a conviction of accused.<sup>63</sup> The largest of the subcategories in the Canaries is the “various heretical propositions” category with 57 cases, closely followed by the category of blasphemy with 52 cases. 70,8% of the people convicted of heretical proposition in the

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<sup>61</sup> Casey, James. *Early Modern Spain: a Social History*. London: Routledge, 1999. p. 207

<sup>62</sup> Knutsen et al, *EMID* Accessed date: 12.05.2017

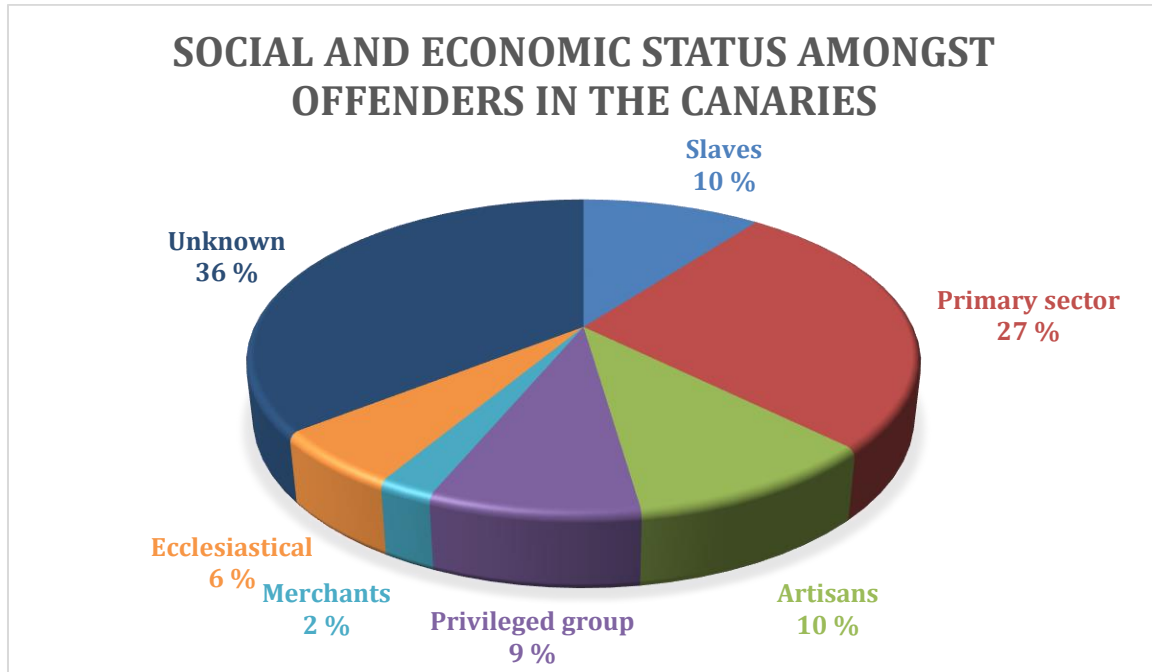
<sup>63</sup> Knutsen et al, *EMID* Accessed date: 12.05.2017

Canaries uttered propositions that were deemed either as blasphemous or heretical. There were 30 people sentenced for having uttered a version of the simple fornication proposition. Ten people uttered a proposition which claimed that marriage was a holier state to be in than living in celibacy, whilst five people were found guilty of having said words that put them under the category of “various scandalous propositions”.

Looking that the numbers from the tribunal on Mallorca, there are slight differences in what kind of propositions the convicted offenders was said to have uttered. Simple fornication is the largest category with 56 offenders, closely followed by the category of various heretical propositions with 55 offenders. Blasphemy, as seen in the numbers from the tribunal in the Canaries has almost the same number of convicted as the various heretical propositions category, with 53 convicted offenders, making it the third largest category in this tribunal. The biggest difference between the two tribunals is the category of simple fornication. 31,82% of the cases from the tribunal on Mallorca was against someone accused of simple fornication, making it the largest subcategory of heretical proposition from that court during these years. In the Canaries, simple fornication was the third largest subcategory during this period with 19,48% of the cases. In both locations, various heretical proposition along with blasphemous utterings were significant subcategories.

There were several women convicted of heretical propositions that worked as prostitutes at a brothel, whilst none of the convicted in the Canaries were named as prostitutes. One might speculate whether there was more of a will to combat sexual promiscuity on the island of Mallorca, because several of the convicted worked as prostitutes and that there were almost twice as many convicted of simple fornication. There is no reason to assume that there was less prostitution in the Canaries than on Mallorca. That could explain the higher number of offenders in the simple fornication category.

## 2.4 Social and Economic Status



The livelihood of the accused is also a piece of information that the Inquisition's trial records provide. The employment of the accused gives an inclination in the social and economic status in the society at that time and can give an indication whether the offence of heretical proposition was a crime of the high and mighty or the lower parts of society. To be able to separate the social and economic status of the convicted, they are placed into seven categories. Slaves are the ones with the lowest social and economic status of the group of offenders created for this study. The primary sector contains the people that are listed as workers or labourers in the trial records, along with sailors and soldiers, as most soldiers convicted in the RDC's from both tribunals are listed both as soldiers and labourers. The category of artisans contains the convicted who were skilled craft workers, such as a blacksmith. The idea of this category is to separate the artisans from the workers who just had the title of worker, therefore most likely unskilled labourers and placed under the primary sector category. The merchant category contains people specified as merchants, and the ecclesiastical category is where priests and brothers of different orders have been placed. The privileged group contains both people that clearly were of noble birth or heritage with the title Don or Doña, and others who were well educated and held positions within the Inquisition or high official offices. Such people include prosecutors, a captain of a galley, son of the Inquisition's secretary and the bastard son of a nobleman. The few people convicted who

worked for the Inquisition and is placed in this category, consists of two Familiars<sup>64</sup> and two Alguacils<sup>65</sup> in the Canaries. “The status of Familiar was considered an honour, and its ranks were often filled by nobles[sic.]”<sup>66</sup> The status of Familiar was not filled with nobles, but mostly by hidalgos, who were part of the gentry, therefore one can say even though it was not filled by nobles, it was still a high-status role in the Spanish society.

The final category where the social and economic status is unknown is where most women with a few exceptions are placed. During the earliest RDC’s, a piece of information about the occupation or the social status of the victim is lacking. Hence those cases have been placed as “unknown”. The women have been placed in this category because it is problematic to say anything about their social status, as they do not have an occupation listed. The female offenders are only listed as unmarried, married or as a widow, which makes it hard to tell whether they are from the lower or upper social classes. In one specific case which will be presented later on in chapter 3.5.1, the convicted woman has the prefix Doña, which indicates nobility, and therefore she is not a part of the unknown category, but a part of the privileged group.

The diagram of the social and economic status amongst offenders in the Canaries shows that the unknown category, with 62 people sentenced where there is little to no conclusive information about their social and economic status. With 27% of the offenders in the Canaries during the 41 years being part of the primary sector, 47 in total. The privileged group along with the ecclesiastical together consisted of 15%, 25 people in total. Both the artisan category and slave category had 18 convicted offenders each, while there were only four merchants convicted. From those numbers, one can with certainty say that heretical propositions were an offence that all members of society were being prosecuted for in the Canaries, from slaves to theologians and even people working for the Inquisition. Do these findings coincide with those from the tribunal on Mallorca?

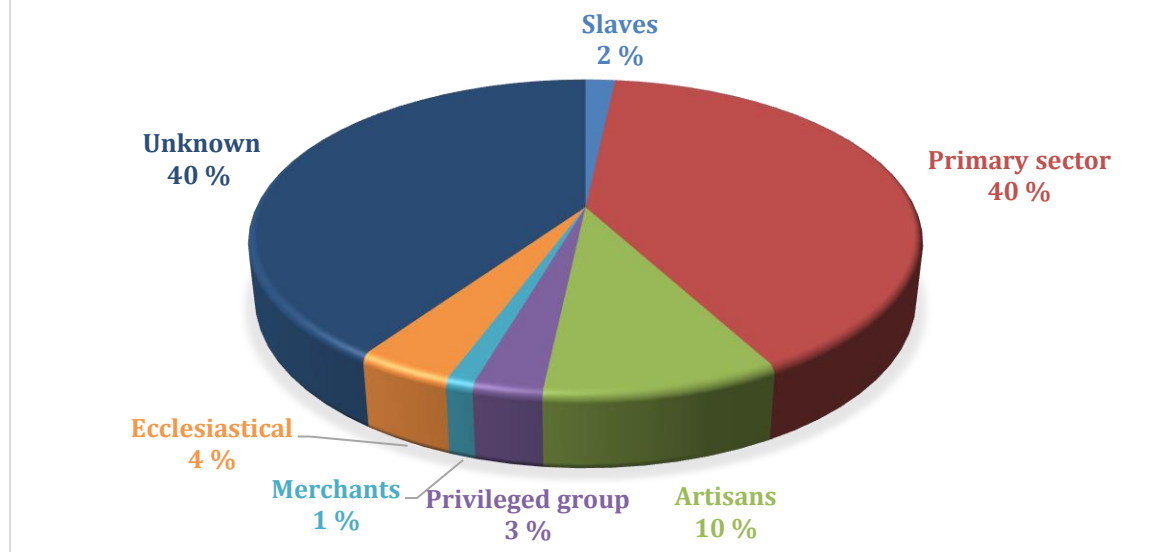
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<sup>64</sup> Familiar: “Lay representative of the Inquisition who acted as an intermediary between the tribunal and the prisoner and whose role was to provide denunciations.” Rawlings, *The Spanish* p. 158

<sup>65</sup> Alguacil: “Arresting officer of Inquisition.” Rawlings, *The Spanish* p. 157

<sup>66</sup> Anderson, James M. *Daily Life During the Spanish Inquisition*. London: Greenwood Press, 2002. p. 65

## SOCIAL AND ECONOMIC STATUS AMONGST OFFENDERS ON MALLORCA



Just by looking at the percentage of the categories, one can conclude with a significant difference between the two tribunals regarding the position held in society by those who were accused and convicted of heretical proposition. 142, which is 80% of the people convicted of having uttered a heretical proposition between 1579 and 1610 on the Balearic Islands were from the primary sector, or their status is unknown, while in the Canaries, that number is only 109, or 63%. Artisans is the only other significant group, with 17 people convicted. The remaining groups of slaves, merchants, members of the privileged group and the ecclesiastical consists of 17 individuals in total, as many as there were artisans convicted on Mallorca, or compared to the Canaries, one less than the total number of slaves. That brings these four categories to a total of 10% of the convicted on Mallorca, while in the Canaries, those four categories make up 27% of the offenders. The numbers reveal that the crime of heretical proposition was a crime dominated by members of the primary sector on Mallorca, whilst in the Canaries, there was more of an even distribution between the different social groups in society, although with a main emphasis on the primary sector.

From Mallorca, the RDCs from 1595 gives information about the heritage of the offender, whether they were an Old or New Christian. Almost every single case from Mallorca where the sources provide the religious heritage of the convicted, they are of Old Christian decent. Coinciding with both Kamen and Fajardo's findings while researching the

crime of heretical proposition that it consisted primarily of people of Old Christian decent.<sup>67</sup> In the Canaries, however, there is little mention in the trial records if the accused is of Old Christian decent. When the religious heritage is presented in the RDCs from the Canaries, it is either in the few cases, mainly against slaves, where the offender is a New Christian. The other times is in the latest RDCs if the perpetrator is of foreign heritage, then the inquisitor specifies the accused as either Old or New Christian. Therefore, it is reasonable to believe that in the cases where there is no mention of the religious heritage of the victim, they were of Old Christian decent. The notaries might not have felt the need to mention it in their report as it was not an unusual offender in this category.

One thing to bear in mind is that not every case contains as mentioned the profession or status of the convicted, and with being such an influential group in both tribunals, could potentially drastically alter the representation in this study. However, it is highly improbable. If the social and economic status of the unknown offenders were to be known, it would most likely increase the domination of perpetrators from the primary sector. The logic behind such a statement becomes apparent when reading the actual sources. The first RDC from Mallorca starts in 1579, and almost half of the offenders profession or status is mentioned. While the subsequent RDCs, nearly every case contains the offender's profession or status, with the exemption of the female perpetrators. Such is not the case in the Canaries. Here the first four RDCs, from 1569 to 1576, only a few of the cases mentions profession or status is mentioned, and when it is provided, they are either slaves, foreign sailors or prominent citizens. One can speculate if the cases where any mention of status has been omitted, the convicted were from the primary sector or artisans because, in the RDCs where there are few mentions of status, the few who have some information about their economic and social status are either from the lowest or highest social groups. If that, in fact, is the case, then the numbers from the primary sector would be higher, while the number of ecclesiastical, slaves and privileged groups would remain the same. However, there is no way to know for sure. Therefore the conclusion regarding status amongst the offenders has to be made on the grounds of the cases where the social and economic status were known, revealing a clear difference between the two tribunals. In the Canaries, the offenders were from every part of society, while on the Balearic Islands, the person convicted of having committed a heretical proposition was more often than not part of the primary sector.

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<sup>67</sup> Kamen *The Spanish Inquisition* p. 260, Fajardo *Las víctimas*. p. 143

## 2.5 Punishment

“What are the differences and similarities in sentencing concerning the cases of heretical proposition between the two island tribunals of the Canaries and Mallorca from 1569 to 1610?” That is the question this study aims to give an answer, which naturally entails looking at the statistics of the punishment the offenders received in the Canaries and on Mallorca. To be able to compare the sentencing, using a grading system to show the severity of punishment seems to be the best way to do so. The grading system created for this master thesis ranges from one to five, where one is the mildest punishment, and five is the most severe. The problem lies in defining what qualifies as a mild punishment, and what qualifies a severe punishment? What is worse, a monetary fine, a spiritual punishment or a physical chastisement? It is impossible to say if a person would rather have a monetary or a spiritual punishment, that would depend on their ability to pay, and their belief in purging the soul of sins. Such questions make it necessary to look at the different types of punishments and what grade of severity should be assigned to each type.

Before 1560, the small number of cases concerning blasphemy were dealt with quickly, often with spiritual punishment and a fine.<sup>68</sup> After 1560, the punishments got stricter, and the offenders often received the penalty of going out in the *auto de fe* along with the rest of the convicted or attending Mass where the same happened as in an *auto de fe*. The convicted was often sentenced to appear at Mass in penitent form, with different specific clothing or objects with them to identify their offence to the crowd. Most of the time they were sentenced to go with a candle, sometimes with a gag in their mouth and other such specific articles. The offence and their sentence were also read aloud to the crowd. When not in an *auto de fe*, it was in most cases on a Sunday in the largest church in the area, where the crowd was largest.<sup>69</sup> In some cases, the convicted is sentenced to attend Mass in penitent form on a work day, which would have meant a lesser crowd, therefore presumably a slightly lesser shame for the convicted.

The first degree, the mildest of punishments, has been assigned to the few cases that gave a warning as punishment, and in some cases spiritual punishment together with the warning. Cases where the accused had to attend Mass or the auto in penitent form, and or received spiritual punishment or a fine is considered as a second-degree punishment. The third-degree has been assigned to cases where the convicted, in addition to the punishments in the first and second degree, had to abjure de levi. Abjuration is the denial, disavowal or

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<sup>68</sup> Dedieu, "El modelo" p. 212-13

<sup>69</sup> Rawlings, *The Spanish* p. 37

renunciation under oath, made by the penitent heretic on the occasion of his reconciliation with the Church. "Abjure de levi" is the mildest kind of abjuration, made by a Catholic slightly suspected of heresy.<sup>70</sup> Sentences such as public shame and additional objects like wearing a gag when in penitent form has been placed as a third-degree punishment. If the convicted was given physical punishment, for instance, a public lashing, they have been assigned as a fourth-degree case. Banishment from the area for more than six months constitutes as a fourth-degree, while in some cases where the convicted was banished from a town for a month with little more punishment, it is listed as a third-degree punishment. The more severe abjuration, *vehementi* is also considered as a fourth-degree punishment. Abjuration *de vehementi* is given to a Catholic when there has been a strong suspicion of heresy.<sup>71</sup> The final degree contains the harshest punishment given out in these tribunals for the offence of heretical proposition during the sample in this study, which was the galley service. The amount of time sentenced does not show in this grading system, but the shortest was a man sentenced to three years, and the longest was for seven years. Moreover, as the inquisitors often pointed out in their report back to the Suprema, they were sentenced to galley service without pay.

The system is not without fault, and one might contest that the grading system does not show the nuances between severe sentences. A punishment where a person is ordered to be whipped 100 times is a fourth-degree sentence, as is a sentence where a person is condemned to receive 300 lashes of the whip. The same is the case of a person banished for three years and another who is banished perpetually. However, the grading system would become too complex with too many degrees if every aspect were to be covered, the severity of punishment scale does show what it is designed to do, the general level of severity.

With all this in mind, it is easier to obtain a statistical overview of the tribunal's sentencing levels, and how and where the potential differences lie. Moreover, looking at the numbers, there is a significant difference in sentencing levels between the tribunals using this kind of grading system.

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<sup>70</sup> Meehan, Andrew. "Abjuration." *The Catholic Encyclopedia*. Vol. 1. New York: Robert Appleton Company, 1907. Read: 5 May 2016 <http://www.newadvent.org/cathen/01044d.htm>

<sup>71</sup> Meehan, "Abjuration".



<b>Severity of punishment in cases from the tribunal on the Canary Islands 1569-1610</b>						
<b>Type of Offence</b>	<b>1<sup>st</sup>-degree punishment</b>	<b>2<sup>nd</sup>-degree punishment</b>	<b>3<sup>rd</sup>-degree punishment</b>	<b>4<sup>th</sup>-degree punishment</b>	<b>5<sup>th</sup>-degree punishment</b>	<b>Total amount in each category</b>
<b>Simple Fornication</b>	1	5	21	3	0	30
<b>Blasphemy</b>	3	19	10	19	1	52
<b>Various Heretical Propositions</b>	4	23	20	10	0	57
<b>Statements about Marriage and Virginity</b>	2	3	4	1	0	10
<b>Various Scandalous Propositions</b>	3	2	0	0	0	5
<b>Total amount</b>	13	52	55	33	1	154

From this overview, it becomes clear that there was only one person sent to the galleys in the Canary Islands for the offence of heretical proposition between 1569 and 1610, and he was convicted of blasphemy. Thirteen people were only given a warning and did not have to have their sentence read out during Mass, making their sentence to be categorised as a first-degree sentence. Dedieu stated in his article that before 1560, the offence of heretical propositions was quickly dealt with by the inquisitors, often with only a fine and some spiritual punishment.<sup>72</sup> This practice seems to have lingered on in the Canaries with 42,21% received the mildest punishments of the first- and second-degree. The cases concerning blasphemy are the category where the inquisitors most often handed out physical punishment, and the category where one was most likely to receive harsh punishment was from a blasphemous proposition, or a proposition under the “various heretical” category. Do the numbers from the island of Mallorca also show the same variation of quick and relatively light punishments to harsher punishments like in the Canaries? Moreover, can one say the same about which offence received the harshest punishments in general? To find the answers to these questions we need to shift the focus over to the tribunal in Mallorca.

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<sup>72</sup> <sup>72</sup> Dedieu, “El modelo” p. 212-13

<b>Severity of punishment in cases from the tribunal on Mallorca from 1579 to 1610</b>						
<b>Type of Offence</b>	<b>1<sup>st</sup>-degree punishment</b>	<b>2<sup>nd</sup>-degree punishment</b>	<b>3<sup>rd</sup>-degree punishment</b>	<b>4<sup>th</sup>-degree punishment</b>	<b>5<sup>th</sup>-degree punishment</b>	<b>Total amount in each category</b>
<b>Simple Fornication</b>	0	1	30	21	4	56
<b>Blasphemy</b>	0	1	25	23	4	53
<b>Various heretical propositions</b>	0	2	31	21	1	55
<b>Propositions about marriage and virginity</b>	0	0	5	1	0	6
<b>Various scandalous propositions</b>	0	0	6	0	0	6
<b>Total amount</b>	0	4	97	66	9	176

The first thing that stands out are the extremely few people who received a first or second-degree verdict. Not one person was let off with just a warning, and only four people did not have to abjure de levi for their offences. In the Canaries, the percentage of offenders in this category was 42,2%, whilst in Mallorca, only 2,3% fall in under the same category. That is a remarkable difference in the sentencing levels between the tribunals. The reason for the discrepancy could be that the propositions made on Mallorca were more severe and judged to contain more heresy than in the Canaries. If that is the case, it will become apparent when delving deeper into individual cases in chapter 3, but that seems highly unlikely to be true. Twice as many were sent to the galleys than received spiritual punishment or attend Mass in penitent form without the need of abjuration. Punishment for the offence of blasphemy is statistically the toughest in this tribunal as well, with over half of the offender's receiving either fourth- or fifth-degree punishment.

55,1% of the offenders convicted of uttering a heretical proposition on Mallorca from the first RDC source in 1579 until 1610, received a penalty consisting of attending Mass in penitent form where their sentence was read aloud, and they were made to abjure de levi, along with a variety of additional punishments. In the Canaries, the percentage was 35,3%. 42,6% received physical punishment or was banished from their homes, the local area or the entire area of the tribunal on Mallorca, whilst in the Canaries, 22,1% received the same. Statistically, there can be no doubt that the tribunal on Mallorca when applying the grading system created for this study, handed out more severe punishments for heretical propositions

than their colleagues in the Canary Islands. The inquisitors on Mallorca did not do as their colleagues in the Canaries and kept alive the tradition of dealing with heretical propositions quickly with only fines, warnings, and punishments, as Dedieu claimed was the norm pre-1560. On Mallorca, the offence of heretical proposition, it seems was given full attention, and the offenders were not given any leniency when compared to the Canaries.

## 2.6 The suspended cases

During the 41 years in question, there was a total of 17 people in the Canaries and one person on Mallorca, that had a trial where they were accused of having uttered a heretical proposition, but instead of receiving punishment, their case was suspended.<sup>73</sup> The suspended cases have been omitted from the statistics, but it is important to compare these cases amongst themselves, to see if there is a similar pattern between the tribunals. Helen Rawling writes “An acquittal meant the case was absolved or suspended due to insufficient or inconclusive evidence, although the accused remained under suspicion.”<sup>74</sup> On Mallorca, Juan Costa, a resident on the island, tried some time between 1607-1608 on the accusation of having eaten meat on prohibited days and saying that it was not a sin to do so. He had five witnesses against him, three men and two women. His case was the only case from the first RDC in 1579 to the RDC in 1610, that had his case suspended from the Mallorcan tribunal. The reason given for this suspension was proven hostility and enmity from the witnesses. Therefore they were not reliable, and Juan Costa was not punished.<sup>75</sup>

The tribunal in the Canaries had more trials that ended in suspension. The first in 1570 with Lazaro González accused of having uttered a simple fornication proposition had his case suspended.<sup>76</sup> In 1581, a female slave named Ana had a trial against her for some superstitious propositions.<sup>77</sup> Her case was dismissed after the witnesses received the test, which was done to ratify the statements. After that, the trial was concluded with her case being suspended, and she was released from jail. During the ratification process, which all the witnesses had to do, they for some reason did not ratify their denunciation, which led to her case being suspended. Several others had their cases suspended in 1581, but there is no link between the cases. The trial records from 1587-91 contains, Don Alonso, who had his case suspended after

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<sup>73</sup> Knutsen et al, *EMID* Accessed date: 12.05.2017

<sup>74</sup> Rawlings, *The Spanish* p. 34

<sup>75</sup> AHN, INQ, lib. 861/2v

<sup>76</sup> AHN, INQ, leg. 1829/N. 1Q, fols. 1r

<sup>77</sup> AHN, INQ, leg. 1829/N. 1H, fols. 3v

he had said several heretical propositions against the bishop.<sup>78</sup> The rest of the suspended cases were all in 1607, eight in total. Not a single case was linked to each other, which in itself would be reasonable to believe when suddenly eight people had their cases suspended in the same year. Most of them were unskilled workers, who denounced themselves to the tribunal and pleaded mercy, which they received in form of a suspension. Antonio Rodríguez did not denounce himself, however, and was on trial for having said that he did not believe in everything the holy book wrote about the Virgin Mary. The inquisitor deemed it as a heretical proposition, but his case was suspended because of his lack of intent, ignorance and that he was a poor man.<sup>79</sup>

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<sup>78</sup> AHN, INQ, leg. 1829/N. 1L, fols. 4v-5v

<sup>79</sup> AHN, INQ, leg. 1829/exp. 2/38r-40v

### 3. In-depth analysis

In this chapter, there will be conducted an in-depth analysis of the source material. Looking at individual cases and studying them, both common cases, and the more unusual cases. A sample of cases is first presented from each tribunal, presenting the trends of that particular tribunal. After a chosen number of trials have been presented from each tribunal, a summary and comparison of the findings are conducted, before the next category of heretical proposition is presented.

#### 3.1 The *Relaciones de Causas* as a source

The Spanish Inquisition was a very meticulous religious tribunal. They had notaries recording in detail what occurred during the court proceedings, which in turn provides historians with an invaluable written source on the subject of the Holy Office. Notaries recorded what was said by both the accused and the prosecution. Interestingly to note they were even present to document what was said if the accused was being tortured, whilst trying to obtain a confession. Every single case the Spanish Inquisition undertook, according to Jean Pierre Dedieu, contained a short presentation of what kind of heresy the defendant was accused of having committed. Then there came a genealogy section, where the defendants' parents, grandparents, wife, children and even uncle's, aunt's, nieces and nephews were presented. The third and final part of each case contained the events of the trial. Information on what was said by everyone involved in the trial is found here, similar to the process today's notaries undertake in the court system in the western world. The witnesses' identity was protected by not mentioning their names in the court cases, and the defendants were never told who the witnesses against them were.<sup>80</sup> To further illustrate the detail of these records, case documents even contained gestures that were made during the trial. In the end, there is a conclusion of the case, outlining the verdict handed down.<sup>81</sup> The description is the ideal theoretical composition of each case file; all the actual documents might not have had all these elements in them, however, in theory, this was the ideal.

Unfortunately, most of these original cases were lost during the riots in the 19<sup>th</sup> century. The tribunals in Toledo, Valencia, Cuenca and the Canary Islands maintain some original cases that survived, although only the documents that were being held by the

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<sup>80</sup> There is one exception to this rule which will be referred to in chapter 3.2.

<sup>81</sup> Henningsen, "La elocuencia" p. 218

Suprema, the central council of the Inquisition, survived untouched.<sup>82</sup> Some of these documents are what is called *Relaciones de causas*. The RDC's are a summary of cases that the tribunal had at a given time, and contains far less detail than the original court case.

“But, unfortunately, most of the original documentation from the inquisitions tribunals are lost. So we are at the mercy of these secondary sources, where the inquisitors have written down what they see fit, often very brief summaries.”<sup>83</sup>

Although the RDC's are a summary of cases condensed on the terms of the inquisitor's judgement regarding what information was relevant or not to narrate, there can still be found a large number of highly detailed cases. As historian Pierre Chaunu said in *Annales* in 1956

“The long and detailed series of *Relaciones de causas* and the meticulousness with which the inquisitors provide information give a unique opportunity to combine the “*historia serielle*” with micro-history.”<sup>84</sup>

These summaries, created as a report, either from a specific event such as an *auto de fe* or as an annual report. They were written by the inquisitors at the tribunal and sent to the Spanish Inquisition's governing body, the Suprema. The RDC's are in many ways, therefore, a justification of the local court's actions to the central powers. As a result, these sources are unlikely to contain unnecessary or undesirable information that might call into question the inquisitor's decision. Based on this information an interesting question arises, “how reliable are the RDC's?” Henningsen argues that we are at the mercy of the inquisitor and his judgement on what piece of information is considered valuable from the original court case, and what is not.<sup>85</sup> Everything concerning a case that the inquisitor felt made the case more controversial for whatever reason might have been left out. With that in mind, there may be, in some cases, pieces of information missing that would prove useful in answering the research question, although it seems to be rather unlikely that any critical information is missing. Even though the RDC's are a summary of court cases, they are in most part quite

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<sup>82</sup> Henningsen, “La elocuencia” p. 219

<sup>83</sup> Henningsen, “La elocuencia” p. 218-19 “Pero eso tan lamentable que la mayoría de la documentación original, en lo que a muchos de los tribunals inquisitoriales, se haya perdido. Así que quedamos a merced de las fuentes secundarias, como estas *relaciones de causas*, y hemos de contentarnos con lo que inquisidores han creído oportuno anotar en estos, a menúdo muy breves, sumarios.”

<sup>84</sup> Chaunu, Pierre. “Faits et méthodes: Inquisition et vie quotidienne dans l'Amérique espagnole au XVIIe siècle.” *Annales. Économies, Sociétés, Civilisations*. 11, nr. 2, 1956 p. 229

<sup>85</sup> Henningsen, “La elocuencia” p. 219

extensively written. When the intent of this master thesis is to find the differences and similarities between the two island tribunals of the Canary Islands and Mallorca in regards to cases concerning heretical propositions from 1569 to 1610, and considering that the original cases are most likely lost, then the RDC's are the most reliable and informative source available.

The RDC's from both tribunals follow the same pattern. The earliest RDC's contain as little information as possible, often omitting details such as age, or status, and just present in short what the accused was said to have done, and what the outcome of the case was. As time progresses, the cases tend to get longer, with more information both about the offender's status, background, the circumstances that led up to the offence. How the accused defended himself against the accusation is also something that became common to write after the earliest years. Within the specific RDC, the cases listed tend to include the same type of information, if there is no information about the convicted's social background in one instance, it is usually omitted in every case from that year and vice versa.

The RDC was supposed to be an annual report, but this is not the case in either of the two tribunals. The first RDC available from the Canaries is from 1569, but the concept of annual reports did not happen in the Canaries until 1604, with the exception of 1608. There is a total of 17 RDCs for the period of 1569 to 1610, whereas the RDC from 1591 to 1597 covered the longest period of time.

On Mallorca, there is a total of 25 RDCs for the period between 1579 to 1610, where the reports were annual from 1600, with the reports before change between covering one or two years.

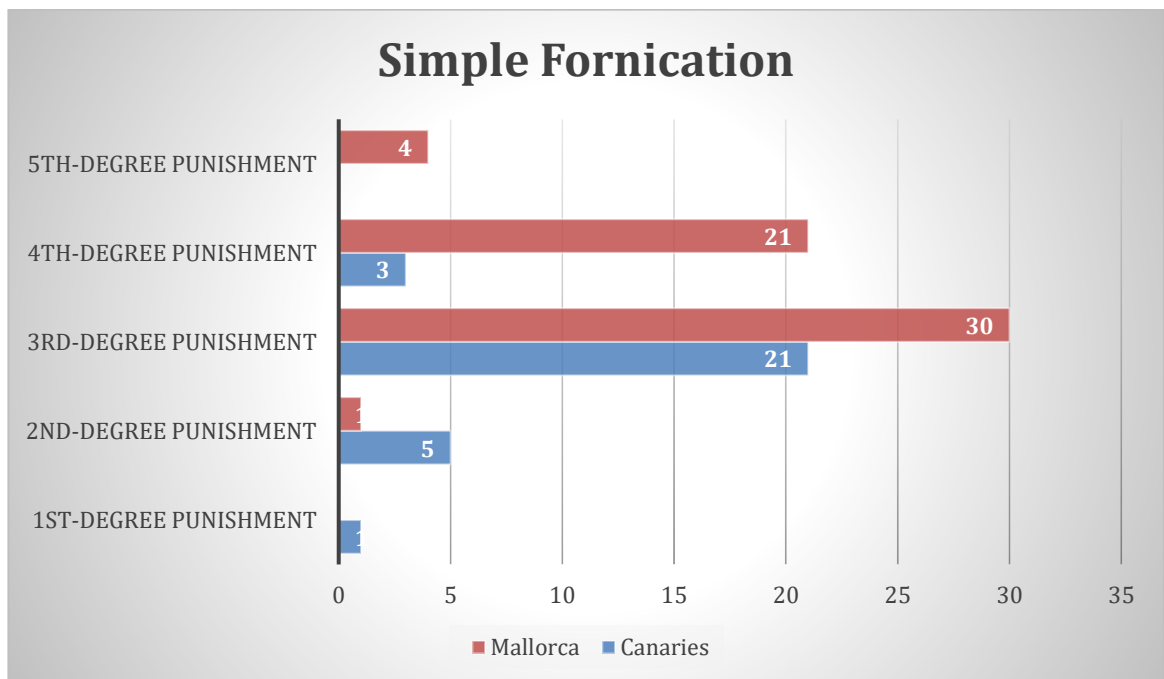
### **3.2 Simple Fornication**

The category of simple fornication was as mentioned in chapter 2.2, not a punishment for having done the act of having sexual relations outside of marriage, but a punishment for expressing a belief that it did not constitute a sin, or that it was not a mortal sin. Simple fornication is a specific Catholic term that refers to a specific act.<sup>86</sup> Even though most cases in this study categorised as simple fornication is exactly that, there are a few cases where the offender was charged with having uttered the simple fornication, and during the trial, were accused of things like sodomy, incest, and even bestiality, which made the punishment more severe than the average simple fornication proposition.

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<sup>86</sup> Newadvent. «The parts of lust.» 11.03.2017. <http://www.newadvent.org/summa/3154.htm>

As mentioned in chapter 2.4, there was a total of 30 people convicted in the Canaries, and 56 were sentenced on Mallorca for the offence of simple fornication. In the Canaries, two cases ended with a suspension of the trial, excluding them from this chapter. In the Canaries, there is a total of 17 RDC's from the period 1569 to 1610. Interestingly, the offence of simple fornication has as a minimum one accused per RDC from 1569 to 1591. After that only one case of simple fornication is being tried in the tribunal, in 1609. Mallorca also has this tendency, with only six people convicted of simple fornication from 1600 to 1610, although plenty was still prosecuted in the 1590s, contrary to the Canaries.



### 3.2.1 Simple Fornication on the Canary Islands

The first trial records from the tribunal in the Canaries in the sample studied in this master thesis is dated 1569 and contains two cases where the offenders convicted of having uttered a simple fornication statement, namely Pedro Martin, and Ana. Both of these cases are very short summaries, with little information about the defendants, just a couple of mild penalties given to each of them. Reading the case against Pedro Martin, we find out he is from Icod de Los Vinos on the island of Tenerife and was accused having said that it was not a sin to have sex with an unmarried woman.<sup>87</sup> There is no information about to whom or under what kind of circumstance he had uttered this proposition. The sentencing happened on a holiday in a church, where he was to attend Mass in penitent form, and his sentence was to be read aloud

<sup>87</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4r



to the crowd. He was also ordered to abjure de levi and given a fine of four ducats to be paid to the Holy Office.<sup>88</sup> The sentence constituted a third-degree sentence in the severity of punishment scale created in Chapter 2.4.

Ana, the second person convicted the same year, was a black slave belonging to Joan Diez from the island of Tenerife, in the city of La Laguna.<sup>89</sup> Her case is slightly longer; as she was denounced of two propositions. The first proposition someone had denounced her for, was that having sex with a man was not a sin, constituting a simple fornication proposition. The second proposition she was to have uttered was that it was better to live unmarried with a white man than not being married to a black man. Living together without being married was also something that constituted sin. Furthermore, the RDC reveals that she had one witness against her, which is less evidence than what was supposedly required by the Inquisition. Even though there was only one witness, the female slave was sentenced to be reprimanded in *la sala del audiencia*.<sup>90</sup> Ana was also ordered to attend Mass praying on her knees with a candle in her hand, and her sentence was to be announced there as well.<sup>91</sup> Ana's punishment is therefore a second-degree sentence according to the severity of punishment scale created in Chapter 2.5, because of her lack of abjuration.

The differences between these two cases, and why the tribunal sentenced Pedro Martin to a harsher punishment than Ana, is hard to say because of how little we know about the circumstances of the case. There is no reference to the social status of Pedro Martin, which makes it problematic to conclude whether the social status has anything to do with the difference in sentencing levels. These two people, accused of having uttered the same type of proposition, and Ana had yet another proposition she was charged with; one would expect that she would receive harsher treatment by the tribunal. There are however many variables that are unknown, like under which circumstance was these propositions uttered, the age of the victims and how they responded to their accusation. Did Ana receive some leniency because of her age or her confession of guilt, while Pedro Martin was not so willing to admit guilt and repent? These questions have no answer due to the lack of information about their response to the accusations. That problem does not continue for long, as they years progressed, the RDCs from both tribunals sent to the Suprema became longer with a more in-depth description of the process leading up to the verdict.

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<sup>88</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4r

<sup>89</sup> AHN, INQ, leg. 1829/N. 1C, fols. 5v

<sup>90</sup> Where the tribunals held the interrogations of the accused.

<sup>91</sup> AHN, INQ, leg. 1829/N. 1C, fols. 5v

The next year, in 1570, another man was accused of the simple fornication crime, but that case ended up with a suspension, and there is little information about why.<sup>92</sup> 1574 is the year of the next RDC, during which six men were convicted of the crime of simple fornication. Five of them received punishments that amounted to a third-degree sentence, whilst one man received a fourth-degree sentence, the strictest yet in the Canaries to this type of proposition. Another interesting point is that half of them were Portuguese natives, two were from different foreign places, and the third was from the island of Hierro. Alonso Sanchez was the name of the man that received the fourth-degree sentence, and his case is the next case presented.<sup>93</sup>

Alonso Sanchez is described as a mulatto, referring to the colour of his skin, and describes a light brown complexion in the skin, considered an offensive word today about a person with both black and white ancestors.<sup>94</sup> The inquisitor wrote in his report that he was from Barbary, which was the name used for the coastal region of North Africa, today's Morocco, Algeria, Tunisia, and Libya.<sup>95</sup> Alonso Sanchez was said to have been in Tenerife, with ten doblas<sup>96</sup> in his purse and to have stated that he would make a cuckold out of half of Tenerife.<sup>97</sup> The accused was also said to have claimed before three witnesses that it was not a mortal sin to have sex with an unmarried woman. When Alonso Sanchez was confronted with the error in his statement by one or more of the witnesses, he continued his belief and repeated that having sex with an unmarried woman was not a mortal sin, but merely a venial one if one paid her. The next part of the RDC reveals that he confessed to everything except to have said that he would make half of Tenerife cuckolds. Alonso Sanchez defended himself by saying that he had believed in his proposition, and had no knowledge that the Catholic Church had another view. Alonso Sanchez was then sentenced to attend the *auto de fe* in 1574 in penitent form along with the others that were being condemned by the Inquisition that year, where presumably his sentence was read aloud to the crowd, although the RDC does not specify this. He was also ordered to attend the *auto de fe* with a rope around his neck and to abjure de levi. The verdict would have constituted a third-degree punishment if it was not for

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<sup>92</sup> AHN, INQ, leg. 1829/N. 1Q, fols. 1r

<sup>93</sup> AHN, INQ, leg. 1829/N. 1E, fols. 1v

<sup>94</sup> Dictionary.com, s.v. «Mulatto». 12.03.2017. <http://www.dictionary.com/browse/mulatto>

<sup>95</sup> Encyclopædia Britannica, s.v. «Barbary». 12.03.2017

<https://global.britannica.com/place/Barbary>

<sup>96</sup> Doblas, a type of coin used in Spain. Encyclopædia Britannica, s.v. «Coin». 12.03.2017

<https://global.britannica.com/topic/coin/Coinage-in-western-continental-Europe-Africa-and-the-Byzantine-Empire>

<sup>97</sup> AHN, INQ, leg. 1829/N. 1E, fols. 1v

that he also received one more punishment. He was sentenced to be publicly flogged, with 200 lashes of the whip.<sup>98</sup>

“The use of the lash as chastisement was very old in Christian tradition. As a criminal punishment, however, it was very severe, carrying with it the stigma of degradation and shame. It could therefore be used only against those of low social status.”<sup>99</sup>

When writing about the implementation of this punishment, Kamen writes it was normal to be “whipped through the streets.” Where the accused had to appear bear chested, often mounted on a donkey for greater shame, where the condemned proceeded to be flogged the number of times the Inquisition had sentenced him to, by the public executioner. During all of this, Kamen claims onlookers would throw insults and rocks at the convicted man or woman. He writes there were no age limit nor a limit in gender, as both young and old, male and female were sentenced to be flogged.<sup>100</sup>

Alonso Sanchez was the first and only person to be given a physical punishment by the tribunal in the Canaries for the offence of simple fornication from the sample in this study. However, two more defendants were given a fourth-degree punishment, and those two cases will be presented next.

Juana Pérez and Rodrigo de Silva, convicted of simple fornication by the Spanish Inquisition’s tribunal in the Canaries during the year of 1587. Juana Pérez, described as an unmarried girl from the island of La Palma, was aged 21 when the Inquisition convicted her of simple fornication.<sup>101</sup> She was the daughter of Portuguese parents who were Old Christians. Juana had one witness against her, either 19 or 20 years of age. During a conversation about “things of the sin of the flesh”, she was to have said that the night before she had sex with a man and claiming that the act was not a sin. Juana then reaffirmed her belief that it was not a sin to the witness when the witness contended that it was a sin. During the trial, the Inquisition asked her sister if she had heard Juana utter this proposition, to which the witness confirmed. The young girl denied these charges during the entire trial, claiming not to hold these beliefs she was accused of having uttered. The trial takes an interesting turn when another sister of Juana Pérez gets accused of sorcery during the trial. The allegations against the second sister were later dropped, whilst Juana all the while continued to deny the charges and was sentenced by the Inquisition. She was ordered to attend the *auto de fe* in

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<sup>98</sup> AHN, INQ, leg. 1829/N. 1E, fols. 1v

<sup>99</sup> Kamen *The Spanish Inquisition* p. 202

<sup>100</sup> Kamen *The Spanish Inquisition* p. 202

<sup>101</sup> AHN, INQ, leg. 1829/N. 1J, fols. 1r-1v

penitent form, where presumably her sentence was read aloud to the crowd, although it is not explicitly written in the case. Juana Pérez's verdict also contained a decree of her banishment from the island of Gran Canaria and Tenerife, where she had committed the offence. The banishment was to last four years precise.<sup>102</sup>

Her case is the first example where the case has some more information other than exactly what type of proposition was uttered along with the verdict. Juana Pérez was first brought to the Inquisitions attention by a witness for the offence of simple fornication, but the report focuses as much on the other sister than the simple fornication offence committed by Juana. The reason for the classification of the fourth-degree punishment was the four-year banishment she received. Juana was only 21 years of age, which means she was under the age of majority, but the inquisitor has not stated the reasoning behind handing out such a harsh punishment, apart from the proposition and presumably the heretical superstition that one of her sisters accused her of having uttered. There is no mention if her young age had any effect on the outcome of the case.

The third and final person that received a fourth-degree punishment for the offence of simple fornication was Rodrigo de Silva.<sup>103</sup> Described in the RDC as a young man, unskilled worker either 18 or 20 years old. This particular case is difficult to read in its entirety, because of smudges in the document. Rodrigo's alleged crime was to have stated in a conversation that it was not a mortal sin for a man to have sex with an unmarried woman. The Inquisitor writes that the accused came one night and denounced himself of having said this proposition in front of certain people. He was sent back and told to return the next day, but he did not return, and the Inquisitors tried to find out who the man that came in the night was. After an unspecified amount of time, they found Rodrigo, who confessed to having gone to the Inquisition in the night to denounced himself, claiming the reason for not returning the following day as instructed was because he felt ashamed. Rodrigo admitted to having said the proposition in front of his master and some other people. It is not specified in the RDC who his master was, but he was not a slave as the inquisitors introduce the man as a labourer. He was said to have pleaded for mercy and confessed to the proposition. The the case goes on to describe each witnesses' testimony, and during this section large parts of it is hidden behind smudges. During this section, however, one witness claims he was to have said that it was not a mortal sin to pay a woman for her work, probably referring to paying for sexual acts. Rodrigo was also to have said that talking about sex with an unmarried woman, even though

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<sup>102</sup> AHN, INQ, leg. 1829/N. 1J, fols. 1r-1v

<sup>103</sup> AHN, INQ, leg. 1829/N. 1J, fols. 5r-5v

it was a great sin, it was not a mortal sin, only with married women and virgins. Rodrigo claimed to have held this belief for two or three years, and with this information, the inquisitor commanded the imprisonment of the offender. The next part of the RDC contains the information about how the defendant responded to the charges, claiming not to have returned to the Inquisition the following day after trying to denounce himself because he was barefoot and it was true he told his master. Rodrigo denied having said that it was only a great sin, and not a mortal sin to speak to unmarried women about sex. The Inquisition concluded the case, and Rodrigo de Silva was sentenced to attend the *auto de fe* in penitent form, where presumably his sentence was read aloud to the gathered crowd. Part of his conviction was also a banishment for three years from Gran Canaria where he allegedly committed the crime.<sup>104</sup>

These cases are chosen as examples to highlight both the evolution of the recordkeeping in the RDC, where during the first few years of this study, each case consist of merely a few lines with the most important details, to the later years where the cases are presented with a lot more detail. There was only one instance where the person received physical punishment, and two cases resulted in banishment as seen who were banished for four and three years respectively.

### 3.2.2 Simple Fornication on Mallorca

As seen in chapter 2.4, there were more cases concerning simple fornication on Mallorca, and there were also more severe punishments being handed out for the crime. Four people were sentenced to the galleys, the harshest punishment besides the death penalty. The first case of simple fornication on Mallorca was in 1579, in the first RDC from the tribunal. Juan Salva was the man accused, who was a sailor. He was charged with simple having stated that having sex with an unmarried woman was not a mortal sin. He confirmed that it was a sin, but claimed it was not a mortal one. Mallorca is no different to the Canaries in the sense that the first RDC's are short and precise, and the description of Juan's alleged offence contains only a few lines. There is no mention of what kind of circumstances Juan was to have uttered the proposition in, or the chain of events leading up to the conviction. The final part, which contains his sentence has as many lines as the rest of the case. Juan Salva was condemned to public penance on a Sunday in a major church, which probably meant that he had to attend Mass on a Sunday when the crowd was largest, and like in the *auto de fe*, go in penitent form, and his sentence was read aloud to the crowd. He was also made to abjure de levi, and

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<sup>104</sup> AHN, INQ, leg. 1829/N. 1J, fols. 5r-5v

banished from the district perpetually. According to Kamen, perpetually very rarely was a life sentence in practice. A perpetual sentence was usually completed in ten years, the reason for condemning offender's to a perpetual sentence is probably because in canon law it is custom to sentence heretics to life imprisonment.<sup>105</sup> The trial records claim the defendant had denied the charges. There were three witnesses against him. The last sentence, in this case, is quite interesting, and the first example of how the tribunal justified the verdict. Because of Juan's bad health, the Inquisition did not consider him eligible for physical punishments such as flogging or galley service.<sup>106</sup> From this case, one can assume that the act of simple fornication on Mallorca at that time, just saying the proposition could potentially send one to the galleys. In comparison, the tribunal in the Canaries had none of the 30 convicted sent to the galleys, and only one received lashings, and that was Alonso Sanchez who stood accused of more than just having uttered the simple fornication.

The next RDC from Mallorca is from 1581, and here, there was a man who was condemned to the harshest punishment the tribunal handed out during the period in question, the dreaded galley service.<sup>107</sup> The case is also short and concise, where Martin Febrer, an unskilled worker from Manacor on Mallorca was accused of having said that having sex with an unmarried woman is not a sin. He was 30 years of age, and his status in society is unknown, as there is no mention of his bloodline or occupancy in the RDC. In addition, Martin supposedly uttered another proposition, which has nothing to do with simple fornication. He was alleged to have said that when Muslims died, they did not go to hell, but they went to "obscure places". Then the trial records reveal something that does not occur in any of the cases from the tribunal in the Canaries. The Inquisition's prosecutor says that to show the prisoners wicked ways, he was accused of having committed "the nefarious sin". "The nefarious sin", is a reference to sodomy. Martin was accused to have done the act with his brother, some sheep and a mare.

"This method [...] initiated a series of cases across the following decades where, in their summaries, the Mallorcan tribunal reported confessions of sodomy (sometimes from men who were being tortured on other charges) in order to justify relatively severe sentences."<sup>108</sup>

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<sup>105</sup> Kamen *The Spanish Inquisition* p. 201

<sup>106</sup> AHN, INQ, lib.860/4r-6v

<sup>107</sup> AHN, INQ, lib. 860/23r-28v

<sup>108</sup> Monter, *Frontiers* p. 286

Sodomy, or the “unspeakable sin” as Monter writes, came under the jurisdiction of the Spanish Inquisition during the 1530s.<sup>109</sup>

“Acquiring jurisdiction over the “unspeakable sin” produced at least two remarkable aberrations within the operations of the Holy Office. First, it destroyed the geographical unity of operations throughout Spain, since jurisdiction over sodomy was upheld only in the Crown of Aragon (but not in all parts of the Crown of Aragon, only those on mainland Spain); in the Crown of Castile, the Inquisition had refused to claim jurisdiction over this offense in 1509 and never changed its mind.”<sup>110</sup>

Monter continues claiming that sodomy was the only major offence where the prisoners were treated totally different between the kingdom of Castile and Aragon. It destroyed the “well-known procedural uniformity of the Spanish Inquisition”<sup>111</sup> The accused were told who had accused them, and they were often put face to face with the accuser, in a cross-examination of the events. The tribunal on Mallorca, although being part of the kingdom of Aragon, never gained jurisdiction over the crime of sodomy.<sup>112</sup> Even though they never gained jurisdiction over the offence, the tribunal seems to have been influenced by the other Aragonese tribunals by adding sodomy charges to show the fault in the character of the accused, something not seen in the Canaries.

In the relatively short case of Martin Febrer, there is no mention of torture, other than he confessed to the charges of sodomy. There is no mention on how he pleaded to the simple fornication accusation. Martin was sentenced to “*vela, abjure de levi, galeras al Remo tres anos.*”<sup>113</sup> The Spanish word “*vela*”, which translates to candle, refers to the way in which the penitent sinners sentenced by the Spanish Inquisition had to attend the *auto de fe* or Mass. In the Canaries, there was a reference to attending Mass in penitent form; the word candle refers to attend the *auto de fe* or Mass in penitent form, with an unlit candle in their hand. Kamen writes of a contemporary account of the first held *auto de fe* at Toledo in 1486 where he writes:

“They went in procession from the church of St Peter Martyr in the following way.

The men were all together in a group, bareheaded and unshod, and since it was

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<sup>109</sup> Monter, *Frontiers* p. 279

<sup>110</sup> Monter, *Frontiers* p. 279

<sup>111</sup> Monter, *Frontiers* p. 279

<sup>112</sup> Giménez, María del Camino Fernández. "Problemas del Consejo de la Inquisición en el reinado de Felipe II." *Revista de la Inquisición:(intolerancia y derechos humanos)* 10 (2001): p. 197

<sup>113</sup> AHN, INQ, lib. 860/23r-28v

extremely cold they were told to wear soles under their feet which were otherwise bare; in their hands were unlit candles.”<sup>114</sup>

Then they were called out by name, and in answer they stood up and raised their unlit candle, and their sentence was read publicly.<sup>115</sup> Therefore it is reasonable to assume that the word “*vela*” refers to attending the *auto de fe* in 1581 in penitent form with a candle in his hand and that his sentence was read aloud to the gathered crowd.

Martin Febrer was also sentenced to serve in the galleys for three years. “Short of actual execution, the most dreaded punishment imposed by the Inquisition (or by Spanish secular courts) was a term in the galleys.”<sup>116</sup> Sentencing people to service in a galley as an oarsman was essentially cheap labour without having to resort to open slavery.<sup>117</sup> The sentence was milder than the usual sentence for convicted sodomites, which was death.<sup>118</sup> Offenders of crimes such as sodomy and bigamy were commonly sentenced to the galleys, seldom for more than five years. According to Kamen, the galleys constituted an economical form of punishment. The tribunals, who had to pay for the upkeep of their prisoners if the prisoner did not have any money or belongings, while the crown was saved the expense of having to hire rowers.<sup>119</sup> Therefore one can argue that the major factor for Martin Febrer to be sent to the galleys was not because of the simple fornication accusation, but because of his alleged sodomy, even though the tribunal did not have jurisdiction over sodomy.

During 1584, two men were condemned to the galleys for crimes related to the category of simple fornication. The first man was named Juan Casesnoves.<sup>120</sup> Juan Casesnoves was a worker from the island of Menacor, 40 years of age. The accusations against him consisted of him having stated and affirmed several times that he had enticed his daughter to have sex with him. He had also stated that it was not a sin for a brother to have sexual intercourse with a sister. Again, being a very short case, there is little text, just explanation of the offence in short detail. The *calificador* qualified these proposition as “manifestation of suspicion of heresy.”<sup>121</sup> He had three witnesses against him whose names are not mentioned in the RDC as is the Inquisition’s procedure in protecting the witnesses’

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<sup>114</sup> Kamen *The Spanish Inquisition* p. 207

<sup>115</sup> Kamen *The Spanish Inquisition* p. 207

<sup>116</sup> Monter *Frontiers* p. 32

<sup>117</sup> Kamen *The Spanish Inquisition* p. 201

<sup>118</sup> Giménez, “Problemas”, 197

<sup>119</sup> Kamen *The Spanish Inquisition* p. 201

<sup>120</sup> AHN, INQ, lib. 860/99v

<sup>121</sup> AHN, INQ, lib. 860/99v



identity<sup>122</sup>. However, they are identified in the report as his wife, the aforementioned daughter he was accused of having had sex with and said the propositions too, and a son. Juan denied the charges, on what grounds he denied is unknown, as it is not a part of the report. He was then sentenced to attend Mass in penitent form, in the largest church in his city on the day of the birth of the Virgin Mary, the 8<sup>th</sup> of September 1584. Where again, presumably had his verdict read aloud to the gathered crowd, but there is no specific mention of this in his sentence. Juan Casesnoves was then made to abjure de levi and sent to the galleys as an oarsman for four years, and as the inquisitor specifies, without pay.<sup>123</sup> Juan received one of the harshest sentences in this sample, an understandably more severe case than the basic simple fornication. The incestuous nature of this case accounts for the harsh sentencing, and therefore cannot be said to be representative for the average case in this category. Is this also the case in the two other trials that resulted in the defendant being sent to the galleys?

The second offender from 1584 condemned to the galleys, was Antonio Boscán, a local worker at the age of 50.<sup>124</sup> Antonio was denounced to the Inquisition for having stated multiple times, at multiple places, that having sex with a young maiden was not a sin. When he was confronted with this, he stated that he had paid for the act, and therefore it had not been a sinful act. Additionally, he was accused of having books containing sorcery, and having read the lines in the palms of people, and telling them whether they would have success or not. There were five witnesses who denounced him to the Inquisition. Antonio was said to have confessed to everything, and also to have committed the “sin against nature with a man”. Antonio was found guilty and sentenced to receive public penance in the largest church in the city on a Sunday, where he was to abjure de levi, and sent to the galleys as an oarsman for three years.<sup>125</sup> His case is another instance where the defendant is denounced of having uttered the simple fornication, and during the trial, there is an additional accusation of sodomy. Confirming the trend that Monter spoke of that the tribunal on Mallorca reported confessions of sodomy in cases where the defendant was accused of something else entirely, in order to justify more severe punishments.<sup>126</sup>

The last person to be sent to the galleys in this category is a case from the following year of 1585, the case against Andrés Pons.<sup>127</sup> Again there is a case against a local worker, as

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<sup>122</sup> Rawlings *The Spanish Inquisition* p. 32

<sup>123</sup> AHN, INQ, lib. 860/99v

<sup>124</sup> AHN, INQ, lib. 860/100r

<sup>125</sup> AHN, INQ, lib. 860/100r

<sup>126</sup> Monter, *Frontiers* p. 286

<sup>127</sup> AHN, INQ, lib. 860/119v-120r

all of the former men sentenced to the galleys were, and a man above the age of majority and below the age of 60 as the others, being 46 years of age. Andrés was also brought to the tribunal on charges of having said that sex with specific people is not a sin, and during the trial is said to have confessed to having had sex with men or beasts. The exact proposition he was said to have spoken, was that it was not a sin for him as a widower, to have sex with women. The prosecutor also claimed that he had multiple times committed sodomy with his wife without her consent, which was to show his wicked character. He had three witnesses against his proposition, and he confessed to part of the proposition, but he denied the crime. The charges of bestiality and sodomy had no witnesses as he was said to have confessed to that himself during the hearings. In regards to his punishment, Andrés Pons was given the harshest punishment of all in this category. He was sentenced to “*vela*”, as mentioned refers to the holding of a candle when going to Mass in penitent form and have his verdict read aloud and abjure de levi. Five years in the galleys without pay was not the only severe punishment he received; there was also to be handed out a flogging, 100 lashes of the whip.<sup>128</sup>

After having seen all the cases that stand out from the norm with the severe sentences, there was only one case that received less than a third-degree punishment under the category of simple fornication. That case is a short one, as is most of the cases concerning simple fornication on Mallorca, and it was against Jaime Juan, a local 19-year-old boy, accused of having said that going to prostitutes to have sex was not a sin, and can be found in the RDC from 1595 to 1596.<sup>129</sup> The interesting thing about this case is what the inquisitor writes about the consideration taken in his punishment. Jaime was under the age of majority, and the inquisitor writes that this is taken into account and that when he found out he had been denounced and that the Holy Office was seeking him, he came willingly and presented three witnesses against him. The sentence he ended up receiving was to be penanced in the secret chapel, which according to Kamen just means the private chapel of the Inquisition, where he was made to abjure de levi.<sup>130</sup> Jaime Juan was spared the added humiliation of being sentenced in public as the rest of the accused we have seen. Therefore his sentence was deemed a second-degree punishment even though he was made to abjure de levi.

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<sup>128</sup> AHN, INQ, lib. 860/119v-120r

<sup>129</sup> AHN, INQ, lib. 860/226-r

<sup>130</sup> Kamen *The Spanish Inquisition* p. 184

### 3.2.3 Comparison of the Offence of Simple Fornication.

After having seen how the Inquisition justified the harshest and the lightest punishments in the two tribunals, there are plenty of differences between the two. The obvious difference being that the tribunal on Mallorca sent people to the galleys for the offence of simple fornication is however somewhat false. The four men sent to the galleys were all most likely sent there because of the additional information that came up during their trial of their sodomy or incest, and not primarily for their belief in that extramarital sex was not a sin or a mortal sin. Perhaps the reason that the tribunal in the Canaries did not send anyone to the galleys for this offence was because they had no jurisdiction over sodomy, or close to a region where the Inquisition had such a jurisdiction as was the case of the Mallorcan tribunal.<sup>131</sup> The tribunal on Mallorca did not have jurisdiction over sodomy either, only the three tribunals in mainland Aragon had, but there were still cases of sodomy on Mallorca. The Spanish Inquisition in Catalonia started in the 1550s to introduce the new phrase “*sin sueldo*”, meaning without pay when condemning someone to the galleys. Monter claims this was because Catalonia spent almost all of the tax income in maintaining the galleys within the royal navy, and therefore helped fill the royal galleys as a ploy for popularity.<sup>132</sup> Mallorca is not a part of Catalonia but is close to the city of Barcelona in Catalonia, and they as shown also used the term “*sin sueldo*” most times when condemning someone to the galley, it might just be that this was the case on Mallorca as well.

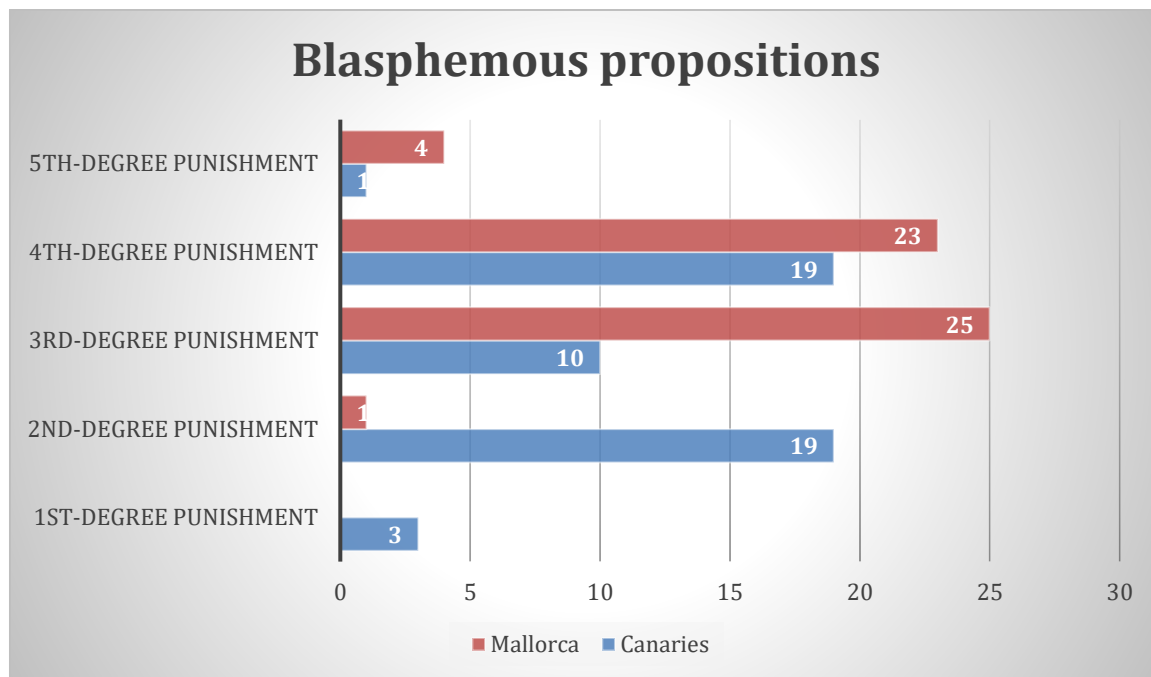
### 3.3 Blasphemous Propositions

Blasphemous propositions are one of the three largest categories in both tribunals in this study, and merited severe punishments in both courts, with some variation. The blasphemers seem to have come from every social group, male, female, young and old. The propositions vary greatly, but there are some tendencies of what kind of blasphemous proposition the convicted uttered. A total of five people between the two tribunals were sentenced to the galleys, including the only person from the Canaries to be given that sentence in this study for a heretical proposition.

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<sup>131</sup> Monter, *Frontiers* p. 279

<sup>132</sup> Monter, *Frontiers* p. 34



### 3.3.1 Blasphemous Propositions on the Canary Islands

Blasphemy, the second largest category in the Canaries did not fade away as a crime as simple fornication did. From the very first RDC in 1569 to the last RDC in 1610, people were convicted of having uttered blasphemous propositions in every single RDC, with a few exceptions. There is much more of a variation between the propositions the convicted blasphemers uttered than the people convicted of simple fornication. The punishments received for being convicted of blasphemy, is also more diverse with punishments ranging the whole punishment scale. One man was sentenced to the galleys for the crime of blasphemy, and in general, the average punishment was harsher than in any of the other categories. During the first RDC in 1569, six men were convicted of blasphemy, five of them receiving a second-degree punishment and one man was handed a fourth-degree sentence.

One of these men who was given a second-degree punishment was Sebastian de Cubas.<sup>133</sup> The inquisitor’s report describes him as a man staying on the island of Gomera; he had two witnesses that had heard him utter several blasphemies. He was accused of having said “I do not believe in God being angry”, and “despite God”, and “despite the Saints” by the first witness. The second witness claimed Sebastian had said: “Blessed be the devil”. Sebastian was sentenced to be reprimanded in “*la sala del audiencia*”.<sup>134</sup> As seen in the previously mentioned samples from 1569, the cases are short and to the point, with little to no

<sup>133</sup> AHN, INQ, leg. 1829/N. 1C, fols. 3v

<sup>134</sup> AHN, INQ, leg. 1829/N. 1C, fols. 3v

information other than the outcome and what the accusation against the defendant. This case is a typical case, in the sense that the words “I do not believe in God” and “despite God” were common propositions amongst the convicted blasphemers during this time. There is no information concerning the social status of the convicted, nor the situation that led him to blaspheme. The later RDCs chosen in this study provides a more in-depth explanation of the circumstances and might be able to answer these questions about those convicted individuals.

Despite what has been said about the earliest RDCs, and especially the RDC from 1569 in the Canaries, there are a few cases that are described and given considerable attention. Don Nicholas Peraza’s case is the longest and most in-depth described case from this year.<sup>135</sup> Don Nicholas Peraza was the bastard son of the Count of Gomera, one of the seven islands in the archipelago. Don Nicholas stayed on the Isle of Hierro, and nothing is written about his age when he is “introduced” at the beginning of the case, but in the sentencing, his young age is taken into consideration by the Inquisitor. Making him most likely under the age of majority, which was at 25. The bastard son stood accused of having uttered a variety of blasphemies. The common blasphemy of “despite God”, and “for the life of God and the Saints”, amongst those. Don Nicholas was also to have said that he did not believe in anything, which counts as a blasphemous uttering as that also entails a disbelief in God. There was also an accusation that he spoke about a man who had angered him and said: “There is not enough God to suffer this man.”<sup>136</sup> The last of the blasphemies the Inquisition prosecuted him of having committed without a thorough description of the context surrounding the incident was that he was supposed to have said that God could not avail him nor had the power to hold his hands. These blasphemous propositions had multiple witnesses, some who also had heard several of the propositions, and some who had just heard the one. The trial record does not reveal how many witnesses Don Nicholas had against him.<sup>137</sup>

The details and in-depth description of the case against Don Nicholas shine through in the next events described in the RDC. The events described tells the story of Don Nicholas going to a cleric in a church during a holiday. The next two lines in the RDC is covered in smudges, which makes it difficult to read, but Don Nicholas was said to be standing in the doorway to the church and listening to the cleric holding some kind of speech or sermon. What the sermon was about is hidden behind the smudges, but it seems that Don Nicholas did

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<sup>135</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

<sup>136</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

<sup>137</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

not like what he heard. He suddenly walked into the church with the sword still on his hip and a “rod of justice” in his hand.<sup>138</sup> Reading into how it is written, walking into a church with a weapon was clearly breaking some rules or at least the norm. Don Nicholas was then said to have produced a dagger in his hand and said: “Shut your mouth, if you were not an abbot, it would not happen like this.”<sup>139</sup> He then told the cleric to leave the church, and not talk to him again, then he abruptly left. He also did not take off his hat when entering or leaving the church, a clear sign of disrespect. The inquisitor wrote that the offence had been investigated sufficiently and that the accused was supposed to have said one more proposition about a vicar.

The case against Don Nicholas was not over; he was said to have been ordered not to cohabit with his wife Anna de Toledo, under the penalty of excommunication if he did. The reason for the prohibition, or who had given the order, is not mentioned in the trial records. Don Nicholas stood accused of having uttered in regards to the prohibition, that excommunication was a small price to pay if it meant living with his wife. He was accused of having named the bishop and a vicar as drunkards, and to have said about the holy sacrament of Mass “shut up, it is only air.”<sup>140</sup> The proposition about Mass was supposed to have been said somewhere under the jurisdiction of the Inquisition of Valladolid. The Inquisition in the Canaries then sent a requested if there were any witnesses of this proposition, first receiving a negative answer, whilst eight days after someone came forth said to have heard the proposition uttered. The new witness ended up being discredited, as he claimed Don Nicholas had said the proposition in conversation with a man named Joan de Espinosa, who did not recall that Don Nicholas had uttered any such thing. The last accusations against the bastard son of the Count of Gomera were that he was a proud man with little respect for priests, which is quite clear from the previous accusations, and to have refused his wife to attend Mass. He told her to rather worship a stick or a stone than going to Mass. Don Nicholas was a man who clearly was a controversial figure, outspoken with little respect for the ecclesiastical authority if the events depicted in the RDC about him were true. Another interesting aspect of this case is the detailed description of his defence.

Don Nicholas did not confess to any of the accusations against him, even to the end of his case. His defence was said to have been trying to find faults and enmity amongst the

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<sup>138</sup> Justice Rod; Formerly, cane used by members of the courts as emblem of authority. Enciclopedia-juridica, s.v. “Vara de la justicia” 19.03.2017. <http://www.enciclopedia-juridica.biz14.com/d/vara-de-la-justicia/vara-de-la-justicia.htm>

<sup>139</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

<sup>140</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

witnesses against him. The section about the witnesses becomes hard to read as there are a few smudges completely hiding some words again. His defence brought many witnesses to show how good of a Catholic he was, charitable, and they even named him “the main defender against Protestantism on this island.”<sup>141</sup> He had multiple times destroyed Protestant texts without opening them, and throwing them on the ground. The inquisitor then writes “Taking all that into consideration, the offences that was not proven, that he is a youth, and that not everything the witnesses had seen qualified as heretical, he was not put to the question of torment to get a confession.”<sup>142</sup> The verdict of this case was that he was to attend Mass on a holy day in the parochial church on the island of Hierro, where his sentence was read aloud to the gathered crowd. He was banished from the Isle of Hierro for a year, and sentenced to pay 200 ducats to the holy office and to abjure de levi.<sup>143</sup>

Everything considered this seems like a mild sentence, compared to the other cases seen in this study. The picture painted of Don Nicholas the bastard son of a count, by the Inquisition is that of a man with little respect for the clergy, a man who does and says what he pleases. Some corporal punishment would almost be expected, as we shall see that the other fourth-degree punishments under the category usually contained flogging, for far fewer blasphemous utterings. The reason for this becomes clear when one takes into account what Kamen writes about flogging. He claims that it was a very severe punishment that brings shame and degradation to the convicted and his family. Therefore it could only be given as a penalty to people with low social status.<sup>144</sup> Don Nicholas was clearly of high social status, being the bastard son of a Count and donning the title Don. Another indicator of his status is him having the right to bear arms, which was not common in the Spanish society at the time, and the fact that he received a fine of 200 ducats. It seems from reading the cases both in the Canaries and on Mallorca that the size of the fine issued by the Inquisition correlated with the amount of money the accused had, and 200 ducats is a considerable sum of money.

In 1574, a man was put to the “question of torture” by the Inquisition in the Canaries, after he had denied committing several blasphemous utterings, “despite God” and “I deny God” amongst those offences. The interesting thing about this case is what the inquisitor writes about his torture. He was supposed to be tortured into making a confession, but it was stopped because of the medical advice of the doctors. The man who was about to be tortured,

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<sup>141</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

<sup>142</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

<sup>143</sup> AHN, INQ, leg. 1829/N. 1C, fols. 7r-7v

<sup>144</sup> Kamen *The Spanish Inquisition* p. 202

Juan Lozano, was deemed unfit to undergo torture by the doctors of the tribunal as he had problems with an arm and “was at great risk of losing his arm” if tortured.<sup>145</sup> The Inquisition listened to the medical advice, and he was spared the torture. “The basic rule in torture was that the accused should suffer no danger to life or limb.”<sup>146</sup> The inquisitor also writes that he did not believe that Juan did all he was charged with, and deemed some of the witness statements as untruthful. Juan was then sentenced to attend the auto de fe in 1574 in penitent form and to pay a fine to the Holy Office of 80 ducats.<sup>147</sup>

Miguel Gonzalez was not as lucky as Juan Lozano, and he was tortured that same year.<sup>148</sup> Miguel Gonzalez was a Portuguese miller staying in Tenerife, where he stood on trial, accused of having uttered several blasphemous and heretical statements. The first of which was the accusation of having sung a controversial song about the sacristan. Five people had heard this and witnessed against him; he denied these charges. The allegations against Miguel also contained that he had sung that Mass was not ordered by God, but by Saint Gregory.<sup>149</sup> He confessed to having said this because he was angry with the sacristan. Miguel Gonzalez uttered another proposition against Saint Francis, which he also confessed to, but claimed he had said that as a jest, and was not something he believed in his heart. The accusations against Miguel Gonzalez became even more severe when he was charged with having said that one did not call upon the saints, before God. Such a proposition is approaching Protestant teachings, and therefore a very serious disbelief according to the Catholic faith. Miguel confessed professing to believe that if the Saints were called upon before God, this was a serious offence to God. The belief, he claimed, was from his childhood, taught by his father, and pleaded no knowledge that the Holy Catholic Church taught otherwise, and he begged for mercy. The last proposition the Inquisition charged the miller of having committed, was also one that had the taint of Protestantism in it. Miguel stood accused of having said that Mass and offerings to saints could not lead one to Paradise. This proposition has a hint of Protestantism in it as it discredits the belief that the road to Paradise is through the Church, which is an essential part of the Catholic belief. He confessed and pleaded mercy for this proposition as well. The inquisitor writes “Because of all this, he was tortured, which he

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<sup>145</sup> AHN, INQ, leg. 1829/N. 1E, fols. 4v

<sup>146</sup> Kamen *The Spanish Inquisition* p. 190

<sup>147</sup> AHN, INQ, leg. 1829/N. 1E, fols. 4v

<sup>148</sup> AHN, INQ, leg. 1829/N. 1E, fols. 4v-5r

<sup>149</sup> Saint Gregory, Pope from 590 to 604. Huddleston, Gilbert. "Pope St. Gregory I ("the Great")." *The Catholic Encyclopedia*. Vol. 6. New York: Robert Appleton Company, 1909. 7 May 2017 <<http://www.newadvent.org/cathen/06780a.htm>>.



persevered.”<sup>150</sup> The torture, in this case, was not to bring the convicted man to confess which one might think but to clarify the exteriorized belief in his propositions.

“Many prisoners underwent torture only after they had already confessed, in order to satisfy the Inquisitors about their “intentions,” in other words, about the sincerity of belief when making heretical remarks or performing heretical acts.”<sup>151</sup>

The outcome of the case is also one out of the ordinary compared to the other cases of the same category. Miguel was, as most others were, sentenced to attend the *auto de fe* in penitent form where the sentence was to be read aloud to the gathered crowd. Additionally, he was made to abjure, but not de levi as most, but de vehementi. Abjuration de vehementi is given by a Catholic when there has been a strong suspicion of heresy, and not a slight suspicion as de levi represents.<sup>152</sup> The sentence also contained a spiritual punishment, where he was ordered to attend Mass every Sunday and confess three times every year. The Portuguese miller was not banished, but sentenced to reclusion in his village in Tenerife for six years, and was not to be given the holy sacrament before he had been properly instructed in the matters of faith. There was a monetary fine of 50 ducats, and he was sentenced to be flogged. Kamen writes that it was a general rule that there was to be handed out no more than 200 lashes for the accused and that 100 lashes were the most common sentence.<sup>153</sup> The unfortunate blasphemer, who had been tortured and already had a severe punishment, was condemned to receive 300 lashes, a lot more than what Kamen claims were the highest amount of lashes the Inquisition handed out to its victims.

The youngest person convicted by the Inquisition in this sample of cases was found guilty of blasphemy in the Canaries in 1581.<sup>154</sup> Juana Moca was only 13 years old when she was convicted of blasphemy, well under the age of majority, but above the age of reason as seen in chapter 2.1. She confessed to having said that she was a maiden like the Virgin Mary, even though she had been with a man. That qualified as a blasphemous and heretical proposition according to the *calificador*. Because of her young age, she spent only two days

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<sup>150</sup> AHN, INQ, leg. 1829/N. 1E, fols. 4v-5r

<sup>151</sup> Monter *Frontiers* p. 75

<sup>152</sup> Meehan, Andrew. "Abjuration." *The Catholic Encyclopedia*. Vol. 1. New York: Robert Appleton Company, 1907. Read: 5 May 2016 <http://www.newadvent.org/cathen/01044d.htm>

<sup>153</sup> Kamen *The Spanish Inquisition* p. 202

<sup>154</sup> AHN, INQ, leg. 1829/N. 1H, fols. 3v

in prison and was warned and reprimanded by the tribunal, making it one of the few first-degree punishments.<sup>155</sup>

There are a few patterns in the sentencing of people convicted of blasphemy in the Canaries. Firstly, during most cases from 1569 to 1591, the majority of the convicted received a fourth-degree punishment. After 1591, the verdicts became softer. In the RDC from 1591, eight people were found guilty by the tribunal for the crime of blasphemy, four of the eight were soldiers. Juan Díaz Romo, a soldier and unskilled worker, 26 years of age from La Mancha, was accused of having said “for the life of God”, “I do not believe in God” and to have professed a belief in the devil.<sup>156</sup> He confessed to having said the propositions but wanted to be exonerated as he had only said the proposition after losing at a game of cards, and claiming to have already done penance for the propositions. Losing at a game of cards were, of course, no excuse for the crime of blasphemy, and the Inquisition deemed the man guilty. Juan Díaz Romo was ordered to attend the *auto de fe* with a candle in his hand and a gag in his mouth, where his sentence was to be read aloud to the crowd. He was made to abjure de levi and banished from the district for three years.<sup>157</sup> Juan Rodríguez, another soldier of 29 years from mainland Spain, was also accused of having uttered the same blasphemous utterings as Juan Díaz Romo, and he received the same sentence as Díaz, only without the gag in his mouth and candle in his hand.<sup>158</sup> The third soldier Juan Fernández, 28 years of age from mainland Spain, also accused of the same proposition, given the same punishment as Rodríguez.<sup>159</sup>

The last soldier to be convicted of blasphemy in 1591 in the Canaries, was also named Juan as the previous three and was a young man from mainland Spain, Juan Senero.<sup>160</sup> His case was the most severe case, where he claimed he had not been a good Christian for ten years, and uttered several blasphemous propositions. He was ordered to attend the *auto de fe* in penitent form with a candle and a gag in his mouth, sentenced to receive 100 lashes and was banished perpetually from the district, with the threat of serving in the galleys if he did not uphold the banishment.<sup>161</sup>

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<sup>155</sup> AHN, INQ, leg. 1829/N. 1H, fols. 3v

<sup>156</sup> AHN, INQ, leg. 1829/N. 1M, fols. 3r-3v

<sup>157</sup> AHN, INQ, leg. 1829/N. 1M, fols. 3r-3v

<sup>158</sup> AHN, INQ, leg. 1829/N. 1M, fols. 3v-4r

<sup>159</sup> AHN, INQ, leg. 1829/N. 1M, fols. 4r-5v

<sup>160</sup> AHN, INQ, leg. 1829/N. 1M, fols. 7r-7v

<sup>161</sup> AHN, INQ, leg. 1829/N. 1M, fols. 7r-7v

There were several slaves convicted of blasphemous propositions, with seven slaves accused of the same proposition, the first one in 1591, and the last in 1610. Rodrigo Sánchez is described in the RDC as a black slave, 32 years old and belonging to the widow, Catalina Sanchez, on the island of Tenerife.<sup>162</sup> He was accused by, as the inquisitor puts it, an honourable man, of having said: “I deny God.” His master had already whipped him for this proposition, and he confessed to having said the proposition one time and begged the tribunal for mercy. The inquisitor writes in the report that it was taken into consideration that the defendant had already been whipped by his master. Rodrigo Sánchez was sentenced to attend the *auto de fe* in penitent form with a candle in his hand, a gag in his mouth and a rope around his neck. After the *auto de fe* he was to be given 100 lashes.<sup>163</sup> A strict and severe punishment, in line with the strict punishments handed out for blasphemous propositions the first twenty odd years of this paper.

In between 1591 and the RDC covering the years 1604-1605, there were only three RDC's sent to the Suprema, and with five cases involving blasphemous propositions. In 1604-1605 however, there is again a number of people accused of having uttered blasphemous propositions. Three of these were slaves; all three alleged to have denied God, as seen in the case of Rodrigo Sánchez.<sup>164</sup> Nicolás, a black slave, owned by a woman in Lanzarote, accused of having denied God four or five times the past seven or eight years.<sup>165</sup> Nicolás claimed it was not something he had meant in his heart, and admitted to having been whipped twice by his masters for this proposition. The outcome of Nicolás's case and Rodrigo Sánchez, the slave accused of the same proposition in 1591, was a bit different. Nicolás was sentenced to attend Mass in penitent form barefooted with a gag in his mouth and a candle in his hand on a Sunday or a holiday, where he was to abjure de levi and received spiritual penances.<sup>166</sup> He was not given a corporal punishment like Rodrigo Sánchez did. The second slave accused of the same proposition was Baltasar, who is described as a slave of mixed race, 28 years old.<sup>167</sup> He pleaded for mercy and blamed the wine he had drunk the night in question, and that he was a good Christian. Baltasar received the same sentence as Nicolás.<sup>168</sup> The last slave accused of denying God in the same RDC, Francisco de Lugo, was also of mixed race, over

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<sup>162</sup> AHN, INQ, leg. 1829/N. 1M, fols. 6v-7r

<sup>163</sup> AHN, INQ, leg. 1829/N. 1M, fols. 6v-7r

<sup>164</sup> AHN, INQ, leg. 1829/N. 1M, fols. 6v-7r

<sup>165</sup> AHN, INQ, leg. 1829/exp. 2, 1r-2r

<sup>166</sup> AHN, INQ, leg. 1829/exp. 2, 1r-2r

<sup>167</sup> AHN, INQ, leg. 1829/exp. 2, 2r-4r

<sup>168</sup> AHN, INQ, leg. 1829/exp. 2, 2r-4r

the age of 60.<sup>169</sup> Francisco denied any intent and claimed to be a good and Godfearing Christian, and the inquisitor noted that the accused did not know much about the Christian faith. The old slave received the same punishment as the previous two.<sup>170</sup> Again in 1610, three slaves were charged with having denied God, Ana<sup>171</sup>, Catalina<sup>172</sup> and Gonzalo<sup>173</sup>. The women denied the accusations, whilst the man admitted it, but they were all given the same punishment, with some variation in the sort of spiritual penance the Inquisition sentenced them to do. They were all warned and reprimanded and made to abjure de levi, to attend Mass with candles in their hand and spiritual penances. There is a clear shift after the *auto de fe* in 1591 amongst the sentencing levels for the crime of blasphemy in the Canaries, as exemplified by the seven cases against the slaves. The cases consists of people with the same proposition, same social status. The number of cases did not decline as seen in the category of simple fornication, but the severity of punishment for the blasphemous propositions in general did, although there were still some who got severe penalties issued by the tribunal after the apparent shift.

The only case in the Canaries that sentenced a man to the galley was the case against Hernando de Velasco in 1591, which is a very long case, with a lot of information and denunciations.<sup>174</sup> The case is six pages long, which is a considerable length considering most cases at the same time in the Canaries is covered in around one page. The RDC starts with some information about the defendant. Hernando de Velasco, a 38-year-old man from Seville, who served as a captain of a Spanish Galley. Hernando had the task of surveying the manufacturing of some frigates, by orders of Don Luis, governor and captain of these islands. Hernando was meant to become the captain of the aforementioned frigates. Information about the names of his parents and wife, who were deceased can also be found at the beginning of the case summary. The accusations were of events that occurred the past year, in June 1590, whilst overseeing the work of building the ships. The first proposition Hernando was accused of having uttered, came during the building process of a ship, when the workers had done something without his approval. He was said to have been infuriated, and when he heard some sailors laughing about it, he said in anger “for the life of God, I have not had to believe

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<sup>169</sup> AHN, INQ, leg. 1829/exp. 2, 4r-5r

<sup>170</sup> AHN, INQ, leg. 1829/exp. 2, 4r-5r

<sup>171</sup> AHN, INQ, leg. 1829/exp. 19, 6r-7r

<sup>172</sup> AHN, INQ, leg. 1829/exp. 19, 7r-7v

<sup>173</sup> AHN, INQ, leg. 1829/exp. 19, 8r-8v

<sup>174</sup> AHN, INQ, leg. 1829/N. 1M, fols. 9r-11v

in God the last thirty years, but I have these whores.”<sup>175</sup> There were seven or eight witnesses to this. A reoccurring thing in this case, is that Hernando has many witnesses against him, and many witnesses who heard and saw approximately the same things at different times. Another proposition he was supposed to have uttered, was that God only had power over the soul, everything else belonged to the king. He had multiple witnesses in multiple locations who had heard him state this. Most of the witnesses seem to be the people who worked on building the ships, as the accusations often involve him swearing at the carpenters and workers there. “For the life of God” and “I swear to God” was something he said a lot when he told the workers the king had given him a mandate, and they were, therefore, all his slaves. Several accusations against the captain consisted of him having said in many different variations statements about how the king’s power is everything, and God’s power is diminished.

Hernando de Velasco is presented in the RDC as a hard man, with no respect for anything other than the king’s power. When three friars came to him, begging on their knees for the release of some prisoners he had in his custody, he answered that even if all the saints and powers to be in heaven came and begged on their knees; he still would not release them.

The first proposition where he said, “I have not believed in God for thirty years” was deemed as blasphemous and heretical. “For the life of God” counted as blasphemy. The propositions about God having no power in the bodies of men, their properties, women and children, but only in their souls, the rest belongs to the king, was considered heretical. The rest of the propositions was, according to the *calificador*, considered as severely blasphemous, impious and severely heretical.

Based on these denunciations, the Inquisition in the Canaries arrested the captain “with secrecy”, which meant in private and they confiscated his belongings. During the entirety of the hearings, Hernando de Velasco denied the charges, claiming the witnesses were his enemies or forced to denounce him by his enemies. The workers making the frigates was under the king’s command, therefore they were all subjects to his disposition. Hernando de Velasco refused the notion that he had said something that limited or denied God’s omnipotence. God is the creator of kings and monarchs, and everything visible which he knew, so he claimed he could not say such a barbaric notion that God only had power over the souls. Everything else was still denied, with the agreement of his lawyer. The validity of the witnesses and the case is the next section of the RDC, which resulted in most the witnesses

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<sup>175</sup> AHN, INQ, leg. 1829/N. 1M, fols. 9r-11v

ratifying their original denunciation. The inquisitor noted that there was enmity amongst the carpenters and labourers because they felt they did not receive a fair wage.

During the final part of the case before the verdict, Hernando continues to defend himself, by claiming to be a son of a knight, with an Old Christian and pure bloodline. The inquisitor notes that there was not a single witness who knew his father or his mother or someone who could confirm that he was related to Captain Don Pedro de Velasco, defender of the King and the faith. What Hernando could prove was that he had done service and fought for Spain against the English in galleons and galleys. When the case concluded, the inquisitor asked Hernando if he wanted to be mercifully sentenced, to which Hernando said he did not ask for any such thing as he had not said any of the propositions in the denunciation against him, therefore in no need to plead for mercy. The case ended with the captain being sentenced to attend the *auto de fe* with a candle and a gag in his mouth, where he was to go in penitent form along with the others and have his sentence read to the crowd. Additionally, the captain was made to abjure de vehementi in front of the tribunal and perpetually banished from the district. Hernando de Velasco was also sentenced to serve in the galleys for five years as a soldier, without pay.<sup>176</sup> He was also ordered to pay one hundred and fifty ducats to the holy office.<sup>177</sup>

### 3.3.2 Blasphemous Propositions on Mallorca

Unlike the cases from the tribunal in the Canaries, the tribunal on Mallorca had few cases where the accused was said to have denied God, or said other propositions like “for the life of God” and “despite God.” The people convicted of blasphemy on Mallorca varied a lot more in what type of blasphemous proposition was uttered. The first example of this is the case against Antonio Cerda in 1583.<sup>178</sup> A local man of 40 years, he was denounced to the tribunal on Mallorca for having told a sixteen-year-old girl that she looked like the Virgin Mary, and having sworn using the name of the Virgin Mary. Antonio claimed she was a good woman, but she had tempted him into saying the proposition. Antonio was sentenced by the tribunal to attend Mass in penitent form in the parochial church of his town with a candle in his hand. He was ordered to abjure de levi and banished for three years from the island.<sup>179</sup> The case had

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<sup>176</sup> Members of higher social status were not sentenced as oarsmen but as unpaid soldiers if they received the galley punishment. Monter, *Frontiers* p. 329

<sup>177</sup> AHN, INQ, leg. 1829/N. 1M, fols. 9r-11v

<sup>178</sup> AHN, INQ, lib. 860/79v-80r

<sup>179</sup> AHN, INQ, lib. 860/79v-80r

three witnesses against Antonio, and the proposition qualified as blasphemous and heretical according to the *calificador*. Three years might seem relatively harsh, but the tribunal on Mallorca handed out longer banishments for blasphemy as seen later in this chapter. Another example of a blasphemous proposition that contained the Virgin Mary was the one made by Antonio Fortader, a 20-year-old Venetian sailor.<sup>180</sup> A short case of just a few lines, he was accused of having “tainted the purity” of the Virgin Mary, by saying “La puta de nuestra señora.” The young Venetian sailor denied the charges, but had four witnesses against him, although some did not formally “conclude”, as stated in the RDC, probably meaning that not all four witnesses were reliable or had witnessed the proposition uttered. The *calificador* qualified the proposition as blasphemous and heretical.<sup>181</sup>

The variation in what kind of blasphemous propositions were prosecuted by the tribunal on Mallorca was great, as the trial against Pere Tuelli, who had one of the coarsest blasphemous propositions of all cases dealt with in this study shows. Pere Tuelli was a young Frenchman staying in the city of Mallorca who was convicted by the Inquisition in 1586.<sup>182</sup> The report from the Inquisition starts by saying that Pere was accused of having told a story, presumably a joke, to several people. The story the young Frenchman allegedly told, which is about Jesus and his apostle Saint Peter, is retold in the report by the inquisitor. Jesus and Saint Peter went for a walk with a donkey. On the walk, they encountered a woman, whom Saint Peter had sex with, or it might have been that Saint Peter wanted to have sex with her, which would make more sense as the next part of the story is that they arrive at an inn. Saint Peter goes to tie up the donkey in the stable, while Jesus waits for him. Jesus gets impatient and calls to Saint Peter “what is taking so long” to which the apostle replies that he is “making a nail for the beast”, probably referring to tying up the donkey. Jesus who was impatient opens the door to the stable and finds Saint Peter having sex with the donkey, and Saint Peter cursed.<sup>183</sup> Pere Tuelli was denounced to the Inquisition for the crude joke he told, which defamed Saint Peter in a very serious manner.<sup>184</sup> The reports from the tribunal on Mallorca has some structural differences than the ones from the Canaries. One of the structural differences was that the verdict comes prior to how the defendant pleaded and other important information about the verdict. To keep the same structure of how the cases are represented in this study, the verdict will be presented at the end. The joke Pere Tuelli stood accused of

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<sup>180</sup> AHN, INQ, lib. 860/98r

<sup>181</sup> AHN, INQ, lib. 860/98r

<sup>182</sup> AHN, INQ, lib. 860/127r

<sup>183</sup> AHN, INQ, lib. 860/127r

<sup>184</sup> Monter *Frontiers* p. 286

having told qualified as false, timorous, blasphemous, injurious to Jesus and Saint Peter with suspicion of heresy. The prosecutor aggravated Pere's guilt by claiming that during the trial he had also confessed to having had sex with men. The Inquisition had three witnesses denouncing Pere for the blasphemous joke, and the young Frenchman confessed to it all. When the question of intent was brought up, Pere supposedly answered, "he had heard the story about Saint Peter and thought it was true, but he did not think that believing it was against the teachings of the Holy Roman Church."<sup>185</sup> The punishment for this joke and the apparent self-confessed sin of sodomy was different from the men convicted of sodomy under the category of simple fornication, who were sent to the galleys. Pere was not sentenced to the galleys; his punishment was to attend Mass on a Sunday where his sentence was to be read to the gathered crowd, with a candle in his hand and rope around his neck. The final punishment the young Frenchman was ordered to receive, was a flogging, with 100 lashes of the whip in total.<sup>186</sup> The sentence is a considerable milder sentence than the other self-confessed sodomites, who were sent to the galleys around the same time. It is reasonable to assume that a major factor behind the decision of not sentencing Pere Tuelli to serve in a galley, was that he was under the age of majority.

The RDC from 1597-1598 from the tribunal on Mallorca is something that immediately stood out when first looking through the sources. In this RDC, there are twelve cases under the category of heretical propositions, and eleven of them stand out compared to the rest because all of them are cases against women. The eleven women are linked, all having been part of a "*casa del partido*".<sup>187</sup> One must keep in mind that the act of having sex outside of wedlock was a crime, but not under the jurisdiction of the Inquisition. As pointed out in the previous chapter, it was the claim that the act itself did not constitute a sin or venial sin that was a crime under the jurisdiction of the Inquisition. The first three women have been placed under the subcategory of heresy, whilst the final eight is convicted of blasphemy. The cases are linked and similar, but the *calificador* does not mention blasphemy in the first three cases, but he does so throughout the rest of the eight. The first of these eight women referred to in this particular RDC is Juana Gilberta.<sup>188</sup>

Juana Gilberta was a 22-year-old unmarried girl from Mallorca. She, along with the rest of the accused women was "sister of this house", which most likely refers to her as

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<sup>185</sup> AHN, INQ, lib. 860/127r

<sup>186</sup> AHN, INQ, lib. 860/127r

<sup>187</sup> Being a sister of *casa del partido* meant being a prostitute in a brothel.

<sup>188</sup> AHN, INQ, lib 860/248r-248v



working in the brothel. She stood accused of multiple charges, Juana was said to have uttered that she had no God, nor a belief in any God or saints and that there was no point in praying. If there were a God she claimed he would have helped her, presumably out of her situation.<sup>189</sup> These propositions seem to manifest hopelessness in them, that if Juana Gilberta did utter these words, they were most likely a result of desperation rather than some true-hearted apostasy. Even so, she was said to have, along with her “sisters”, referring to her colleagues at the brothel, offered prayers to the devil and not to God, stated that the Devils were not as bad as they were depicted, and to have prayed in an “Islamic” way. The list of offences Juana stood accused of having committed continued with the young woman allegedly having walked out in the middle of Mass, insulting both the priest and the sacristan. Additionally, Juana was denounced for having spoken about matters of religion with a “sister of the house” without having any religious substance, “just thoughts from her head”.<sup>190</sup> The last accusation was that she had eaten meat on a Friday, which went against the church’s teaching. She had five witnesses against her in her case, and the propositions qualified as heretical, blasphemous, scandalous and offensive. The young woman confessed to almost everything, with some limitations. Eating meat during Lent was something she had done three or four times over a period of ten years when she was sick and needed the strength. Juana confessed to having eaten the meat in secrecy, as she knew what she was doing was wrong. Some of the propositions she claimed to have spoken in anger and confessed to having said that the devil was mightier than God. The last line of the case, after all of her alleged confession, is “she made defences and did not prove sufficient”. Juana Gilberta was judged to be guilty of the propositions and ordered to attend Mass with a gag in her mouth, where her sentence was to be read to the crowd. Abjuration de levi was to be made another day in front of the tribunal; she was sentenced to receive public shame and banishment from the island for five years.<sup>191</sup>

The seven other women received similar punishments, for similar kind of propositions. Presenting them all in-depth does not seem necessary, but the case against Mariana Salas is also presented because she received the harshest penalty amongst the women.<sup>192</sup> Mariana, originally from Madrid of Old Christian heritage, was like Juana, under the age of majority, 24 years old to be exact.<sup>193</sup> The accusations against Mariana Salas consisted of her denying the existence and her belief in God, the saints or anything holy. Mariana had stated this while

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<sup>189</sup> AHN, INQ, lib 860/248r-248v

<sup>190</sup> AHN, INQ, lib 860/248r-248v

<sup>191</sup> AHN, INQ, lib 860/248r-248v

<sup>192</sup> AHN, INQ, lib 860/246r-254v

<sup>193</sup> AHN, INQ, lib 860/252r-252v

being “chained for penance in this house.” Mariana was also accused of saying that demons helped her because God did not. The inquisitor writes that Mariana was to have said: “damned be God, damn the holy sacrament, damn the holy spirit, damn the head, arms and limbs of Jesus Christ.”<sup>194</sup> She was also accused of having made propositions against the holy sacraments, the communion in special, claiming that when they received communion, it was nothing but a piece of bread, and claiming that the devil would shatter the holy sacrament. Invoking and calling upon demons on multiple occasions, even giving them her soul was also part of the accusations against the woman. There is also an accusation of her throwing away a relic of some sort, but the next accusation clearly shows, if true, a genuine desperation of her situation if it is not clear already. It is in conflict with some of her other propositions, as she was said to have been “certain of God’s mercy”, so she found a rope, and if it had not been for some of her sisters, she would have choked. Clearly, she tried to commit suicide by hanging, which also constituted a punishable crime according to the Holy Roman Church, although it was not under the jurisdiction of the Inquisition.<sup>195</sup> Palm reading, conjuring spells with the help of stars and saying secret prayers along with “many other superstitions and sorcery” was also part of the Inquisitions accusations. There was a total of 14 witnesses against her, and Mariana Salas did not confess to any of the accusations formally. There is no mention if she made a defence, was tortured, or the validity of the witness’s testimony. Mariana was sentenced to attend Mass in penitent form in the largest church with a gag in her mouth, and the conical hat that the Inquisitions victims were famous for wearing, where her sentence was to be read to the public. She was made to abjure de levi in front of the Inquisition and receive 200 lashes of the whip. When the whipping sentence was carried out, her perpetual banishment from the kingdom of Mallorca was to be enforced.<sup>196</sup> The sentence was therefore a harsh fourth-degree sentence.

The other women from the brothel in this sample convicted of blasphemy were all accused of denying God and some sort of devil worship in varying degree, as seen by the two example cases of Juana Gilberta and Mariana Salas. Esperanza de Rojas was banished perpetually and sentenced to 200 lashes.<sup>197</sup> Jerónima Vivas, sentenced to public shame and

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<sup>194</sup> AHN, INQ, lib 860/252r-252v

<sup>195</sup> Vander Heeren, Achille. "Suicide." The Catholic Encyclopedia. Vol. 14. New York: Robert Appleton Company, 1912. Read: 24 March 2017  
<http://www.newadvent.org/cathen/14326b.htm>

<sup>196</sup> AHN, INQ, lib 860/252r-252v

<sup>197</sup> AHN, INQ, lib 860/248v-249v

banishment for five years.<sup>198</sup> Mariana Bonina was given 200 lashes and banished for five years.<sup>199</sup> Catalina Lebres<sup>200</sup> and Ana Novella<sup>201</sup> was sentenced to 200 lashes and banished for ten years whilst Antonina Marcera<sup>202</sup> received 100 lashes and banished for ten years.

There were four people sentenced to the galleys having been convicted of blasphemy on Mallorca during the years studied in this thesis. The first of these cases were against Nicolas Roy.<sup>203</sup> He was from the city of Mallorca, 25 years of age, just above the age of majority and sentenced in the RDC from 1593-1595. The accusations against Nicolas Roy consisted of him having said multiple times that if God came down from heaven as a man, he would stab him, kill him and take his head off. Moreover, that he would do the same to saint Peter and saint Paul if they came down from heaven, he also brought the bishop, the Pope and the Virgin Mary into the mix. Additionally, Nicolas Roy stood accused of having spoken ill about the Inquisition.<sup>204</sup> He had ten witnesses against him, and he confessed to everything. The *calificador* qualified the propositions as blasphemous and knowingly heretical and scandalous to the Christian population. The final verdict from the tribunal was that Nicolas Roy was to attend Mass in the parochial church of Saint Nicolas with a candle in his hand, a gag in his mouth and a sack around his neck. He was ordered to abjure de levi and sentenced to reclusion in the city of Alcudia for ten years, which did not break his penalty of being sent to the galleys as an oarsman for five years without pay.<sup>205</sup>

The case against Miguel Ripol, a gardener from Mallorca aged 38, is an interesting one. Miguel Ripol stood on trial for having uttered several blasphemous statements, even some which the *calificador* qualified as suspicion of apostasy, which is a very serious matter. During the case, it becomes clear that Miguel had been a captive abroad for nineteen years since he was fifteen years old. Presumably, he had been a captive in Constantinople, as one of the statements he was accused of having said clearly indicated he had lived there. The propositions were amongst others, damning Jesus Christ, the Virgin Mary and the saints on numerous occasions. The witnesses accused him of having cursed “the traitor in heaven” probably referring to God and said that the devil helped him get what he wanted. God will not help, and when he was losing in some game called fifty-five, he called Christ the traitor dog

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<sup>198</sup> AHN, INQ, lib 860/249v-250r

<sup>199</sup> AHN, INQ, lib 860/250r-251r

<sup>200</sup> AHN, INQ, lib 860/251r-251v

<sup>201</sup> AHN, INQ, lib 860/251v-252r

<sup>202</sup> AHN, INQ, lib 860/253r-254r

<sup>203</sup> AHN, INQ, lib. 860/208v-209r

<sup>204</sup> AHN, INQ, lib. 860/208v-209r

<sup>205</sup> AHN, INQ, lib. 860/208v-209r

in heaven. Speaking ill of the land of Christians, whilst stating he wished he had known that his dad was deceased, then he would never have returned to Christian lands and would have lived in Constantinople, where it was possible to live a good life. The rest of the charges against the defendant were several other accounts of blasphemy, and to have threatened to kill a man who said that he wanted to denounce him to the Holy Office. The *calificador* concluded that the propositions qualified as heretical, blasphemous and some with suspicion of heresy and suspicion of apostasy. He had six witnesses against him, and he confessed to having said that if he knew his father was dead, he would not have returned. However, Miguel claimed that he said he would not have returned to Mallorca, but claimed to have expressed a wish to live in Christian lands, but that there were many other Christian lands where he would rather be than on Mallorca. He told the Inquisition that he had escaped captivity because of the desire to live as a Christian, in Christian lands, the defendant denied everything else. Miguel was sentenced, presumably to attend Mass, but that it not specified in the RDC. However, since the word “candle” is mentioned in the verdict, we can assume that it meant he was supposed to go in penitent form with the candle at a public Mass. Ripol attended the Mass as mentioned with a candle in his hand, gag in his mouth, a rope around his neck and a bag of straw around his neck as well. The verdict stated he was to receive 100 lashes of the whip, abjure de levi in front of the tribunal and to be sentenced to the galleys as an oarsman for three years. The severity of the punishment is related to Miguel Ripol being suspected of apostasy, as the blasphemy in itself, as seen, did not often send one to the galleys alone.

Jeronimo Quirols was also condemned to the galleys by the tribunal on Mallorca on accounts of various blasphemous and heretical utterings.<sup>206</sup> Jeronimo was a 40-year-old tailor from Catalonia. The Inquisition’s report starts by listing the many different offences the defendant was accused of having committed. The propositions in this case are unique in the sense that no one said similar propositions in either of the two tribunals. Jeronimo was alleged to have said, while under the “pain of haemorrhoids”: “God why could you not have given me another evil, damn you”. That was considered as blasphemy, as was his next proposition. Jeronimo stated that there had only been one good woman in the entire history of the world, granting there had been many female Saints, virgins, even so, there had only been one good woman. A proposition about the devil is the next listed in the RDC, where the defendant was to have stated that if the devil paid him 100 escudos, he would give him a son. Not only was Jeronimo accused of blaspheming, but also saying he would sacrifice his son to the devil if he

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<sup>206</sup> AHN, INQ, lib. 860/208r-208v

paid well enough. Then the tailor went on to saying he had no respect for Saint Peter or Jesus Christ, along with being charged with having spoken against the Holy Office. Jeronimo claimed to never have heard the edicts of faith from the Holy Office, and although he knew that he had broken some of the rules, he did not feel the need to go and denounce himself, because Jeronimo claimed the edicts of faith were worth nothing. Jeronimo continued stating that Majorcans were more afraid of the inquisitor than of Saint Peter, saying that they should burn the inquisitor, and that the Inquisition on Mallorca had no power to excommunicate someone. The offences the defendant was supposed to have committed kept on coming, uttering several more blasphemous propositions, about saints, and baptising, and claiming that Muslims had a better law than Mallorcans. Even though there are plenty of accusations of propositions in the case, there is scant information about anything else. The report does not contain any information on the circumstances of when and where the propositions were said to have been uttered, except the first proposition where he cursed God because of his affliction of haemorrhoids. There were five witnesses against the tailor, and the propositions qualified as heretical, blasphemous, scandalous with vehemente suspicion of heresy. The only mention of how the defendant responded to the accusations are the short sentence: “confessed to some, made defences, not proving notable relevance”.<sup>207</sup> The final verdict included the common public penance of attending Mass, where he was to wear a special habit, a sack of straw around his neck, a gag in his mouth and a candle in his hand. Jeronimo was sentenced to abjure de vehementi in front of the tribunal, and the following day to receive 100 lashes in the public streets. The final part of the verdict was that he was sentenced to be an oarsman at a galley for five years without pay.<sup>208</sup>

The final case of blasphemy where the offender was sentenced to the galleys, is also the case with the harshest punishment of all in this study. The inquisitor’s report describes the case very detailed. On the sixth of September 1609, George Griego was sentenced to the galleys as an oarsman for seven years, amongst other penalties.<sup>209</sup> George Griego was a sailor from Cyprus, which explains why his name translates to “George the Greek”. As a case from the 1600’s in Mallorca, the personal information about the defendant is not mentioned before after all of the offences were listed, when the information that came forth during the first hearing is listed. George Griego was a 53-year-old sailor living on Ibiza and was a descendant of a Old Christian line. In 1608, the *comisario* on the island had five people come up to him

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<sup>207</sup> AHN, INQ, lib. 860/208r-208v

<sup>208</sup> AHN, INQ, lib. 860/208r-208v

<sup>209</sup> AHN, INQ, lib. 861/35v-40r

and denounce the defendant. George's wife and his daughter were the two women, and the three remaining male witnesses were George's children from a previous marriage and a son in law. They were all above the age of majority except the daughter. About the witnesses, the inquisitor writes that they all witnessed in conformity, with some variations on the exact words spoken. The witnesses claimed they had heard on many occasions over an extended period of time, the defendant George Griego uttering lots of heresies, blasphemies and scandalous phrases. The first proposition of the many listed in the RDC, was a statement that God did not know what he did, because he gave a lot, and others gave so little. At the end of the RDC, the defendant provides an account of what he said and the circumstances surrounding the proposition. George had gone to the butcher store to procure some meat, but was not able to get his hands on any, because the rich people on Ibiza had taken all the meat. Returning home without any meat, it leads him to say: "God does not know what is going on, but even so he takes the poor people up to heaven, no matter how much swearing and blaspheming, because they are suffering workers."<sup>210</sup> The second proposition, and one repeated and mentioned several times in the RDC was the mocking of the Bull of Crusade in particular, which was something one could buy permitting certain indulgences like allowing the owner to break certain fasts.<sup>211</sup> He claimed Spaniards were wrong in believing that they could purchase a piece of paper giving them leave to break certain religious rules which would help them reaching salvation. George was to have said that the Pope did not have the power to grant such a thing and that the piece of paper the Bull of Crusade came on was not worth any more than as a means to wipe one's ass with it. The defendant continued with saying that the Pope was nothing more than an ordinary cleric and that the Patriarch is worth more and better. The Patriarch is probably referring to the Christian Orthodox leader in the east, as later on, it becomes clear the prisoner had spent plenty of time in the east, relishing those days it seems. The accusations against the Cypriot were by no means finished, and the next proposition he was said to have uttered came during the baptising of a girl, the daughter of one of the witnesses, indicating it was his granddaughter. During the said baptism, he stated that it was not the right baptism, the clergy did not do enough during the sacrament before they finished and went to say Mass. Later on in the RDC during the first hearing, where the defendant's religious background is the theme, it becomes clear that George was baptised in Cyprus, and claimed it was "the same as being baptised here, only with more words", again probably referring to an Orthodox baptism. Someone who heard the proposition

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<sup>210</sup> AHN, INQ, lib. 861/35v-40r

<sup>211</sup> Monter *Frontiers* p. 170

during the baptism told the man he was wrong, to which the Cypriot countered that: “I know these things better than you.”<sup>212</sup> Furthermore, there was an accusation against George that he did not believe in confession or communion and that giving alms was a sin, defaming Saint Augustin and claiming he had not confessed for 40 years. Another time he exteriorized the belief that children who were baptised and died did not go to heaven. They passed a river of fire, just as everyone else, and then came forth to a garden where all the saints resided, only one in five hundred went to heaven. The last of the accusations that seem to originate from the five witnesses who were his family, before another witness becomes the prime witness in the case, confirms the defendant's travels to the lands in the east. Firstly, George supposedly said that the Inquisition in Sicily had wanted his arrest, but he had escaped their clutches. The last proposition was about the sovereign of Spain at the time, King Philip II, where the defendant stated that the “Great Turk”, referring to the sultan of the Ottoman Empire, was fairer and more just than the Spanish king.<sup>213</sup>

The denunciation to the *comisario* led to the arrest of the defendant, and he was put in the Inquisition's prison, where the Alcaide<sup>214</sup> and a fellow inmate also testified against the arrested Cypriot. The alleged propositions uttered whilst in jail tell the story of a distraught and angry prisoner, who lashed out at the Inquisition, Spain and the Catholic Church. The fellow prisoner, the friar Antonio Soler was also sentenced in the same RDC, but not for a crime related to a heretical proposition. The Alcaide testified that when he came one night to give the prisoners dinner, George Griego had told him to inform the Inquisition that if he should die whilst in prison, he did not want to die as a Christian, but rather as a Muslim.

The list of propositions that the fellow inmate Antonio Soler denounced George of is a long one. Antonio Soler denounced him of many heresies and blasphemies against the Pope, the Bull of Crusade and the Inquisition. Antonio accused George of having stated on multiple occasions that the ones that allowed the Inquisition in Spain, referring to the Pope and the royalty in Spain, did nothing but steal and strip Christians of their belongings. Then Antonio said he continued to refer to a count, claiming the count was not as bad as the Holy Office, who had stripped him of everything and left him with nothing. The friar told George to look to the founder of the Inquisition, that it was the holy Pope and therefore legitimate. George replied that the Pope was nothing but “a holy shit”. The imprisoned men continued to have conversations, and during one of these conversations, the defendant said that the Inquisition

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<sup>212</sup> AHN, INQ, lib. 861/35v-40r

<sup>213</sup> AHN, INQ, lib. 861/35v-40r

<sup>214</sup> Alcaide, the name of the jailor of the Spanish Inquisition.

had asked him during a hearing if one could go to heaven with the help of the Bull of Crusade. To which he had responded that one could not go to heaven with the aid of the Bull of Crusade, and again said to the inquisitor that the only thing that piece of paper was good for was wiping his ass. The friar continued in trying to educate the defendant in the faith and belief of the Holy Roman Church, saying how important the Bull of Crusade was in the war against the heretics and the infidels. The defendant upheld his belief the Bull of Crusade was for scoundrels and in general a bad thing.

When the term “Turk” was used, it was a synonym for a Muslim. However, the inquisitor’s report utilises both the word Turk and Muslim, which leads to believe that when the word Turk is employed, it is about a person from the Ottoman Empire, whilst Muslim is used as a general term for all Muslims. George told Antonio that the Turks were better than Christians and that they also went to heaven because they did nothing wrong, proclaiming that the Christians who fought the Turks did a very evil deed. He continued ranting that in Spain, one was forced to take communion and confess for fear of reprisals, whilst in their homeland they took communion and confession when they wanted to, and he did not want to take the sacrament now because he did not want to forgive those who had denounced him to the Inquisition. Seemingly, the rant ended with the prisoner saying: “It does not matter if I die and go to Hell, because I am already in a hell”.<sup>215</sup> George then instructed Antonio Soler that in the event of his death, he did not want to be buried in a church, but rather thrown at sea or wherever they wanted. When Antonio asked why he said such a thing, he responded with saying “The Church has stripped me of what I have. Therefore I do not want to enter a Chruch.”<sup>216</sup> George supposedly uttered a proposition to his fellow inmate about his wish to escape from Christian lands, by saying if he escaped from the jail he would go to Algiers or some other Islamic nation. After that, he had a version of a simple fornication proposition, claiming that it was not a sin for a Christian man to have sex with a Christian woman, presumably unmarried, if she got paid for the act. However, a Christian man having sex with a Jewish woman was a sin, and a Muslim woman was a minor sin according to George Griego. The priest continued in trying to show the error of his ways, and George countered that if the Inquisition asked him about this, he would respond that it was not in the power of the Pope to decide, but to the patriarch in Cortan[sic.], because the Pope had the power here in the west, whilst the patriarch had the power in the east. Adding to the list, was a claim that he celebrated Easter and Lent in the right way, unlike the western church, again indicating he did

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<sup>215</sup> AHN, INQ, lib. 861/35v-40r

<sup>216</sup> AHN, INQ, lib. 861/35v-40r



not identify with the Catholic Church but as part of the Orthodox Eastern Church. The final propositions were about his days as a soldier, where he told the friar that he had eaten like the Turks and the Muslims, not trying to keep to the Christian tradition. Along with claiming that the Inquisition treated him as the Jews had treated Jesus Christ and arguing that the souls of the Turkish and Islamic people in hell would be lifted to heaven by God because they had already been punished.

After all those accusations, to which the *calificador* qualified them as blasphemous and heretical, the Cypriot was arrested and his belongings confiscated and attended his first hearing the 31<sup>st</sup> of December 1608. During the first hearing, the defendant stated he had no idea why the Inquisition had arrested him. Information about the defendant's travels where he had stayed in Constantinople many times came forth, and during these hearings he uttered some proposition about marriage and the Islamic laws of separation. George Griego denied every accusation except the proposition about marriage he told in the hearing. The inquisitor wanted to clarify the defendant's baptism, to which the Cypriot told them he had been baptised as John the Baptist baptised Jesus Christ, to which he asked for mercy even though he claimed the Patriarch of Greece had a higher rank than the pope. There are some contradictions in the RDC because earlier it is written the defendant denied everything, yet now he is said to have asked forgiveness for having said that if he died in prison, he wanted to die as a Muslim and not a Christian. He clarified to the tribunal that he wanted to die as a Christian, like his parents before him. George defended himself by bringing forth five character witnesses from Ibiza, whom all testified to him being a good Christian, along with trying to prove enmity amongst the witnesses' accusations. He claimed his wife was dishonest, and that she denounced him in revenge for her "bad life", and the children and other witnesses for other grounds, not specified. Of the witnesses who had testified against the distraught sailor, his wife and one of the sons was found to have disagreements with him, proving enmity and therefore disqualifying some of their accusations. Information about whether there were some accusations George was not found guilty of having committed, is left out of the RDC.

Nevertheless, George Griego was deemed guilty, and he was tortured to establish the intent in his propositions. The RDC tells of the torture like this: "He persevered the torment and kept telling that he had told the priest, Antonio Soler whom he was in jail with, everything and all he had said was done in despair, and was not something he believed." The case was concluded on the 6<sup>th</sup> of September 1609, where George Griego was sentenced to attend a public Mass in penitent form where his sentence was read to the crowd, along with an

abjuration de vehementi, 200 lashes of the whip and seven years as an oarsman on a galley.<sup>217</sup> Vilagrán has written an article on blasphemy in Cataluña, where he claimed that in Spain, the inquisitors did not devote much time and effort to the repression of blasphemers and that although they recur many times, they were never seen as more than slightly suspicious of containing heresy, and therefore the blasphemer only needed to abjure de levi.<sup>218</sup> The findings from these two tribunals shows that three people in total were sentenced for blasphemous propositions not only to abjure de levi but to abjure de vehementi.<sup>219</sup>

### 3.3.3 Comparison of the Offence of Blasphemous Propositions

There are several distinct differences between the two tribunals concerning the conviction of blasphemers. Firstly, the variation of what was supposed to have been uttered was more diverse on Mallorca. The convicted in the Canaries were on a larger scale convicted of similar propositions, denying God or saying propositions like “for the life of God” and so on. Monter writes in his book *Frontiers of Heresy* that in Sicily, unlike Spain, blasphemy was an art and that the inventiveness and imagination distinguish the offences on Sicily from those that one encounters in the trial summaries from Spanish tribunals.<sup>220</sup> The blasphemous propositions on Mallorca were in no way as creative and imaginative as the one’s from Sicily presented by Monter, there is, however, a similar feel to the blasphemous propositions when one compares the two tribunals in this study. One could argue that the court in the Canaries convicted, in large part, people on the account of “standard blasphemies”, whilst the tribunal on Mallorca had a larger variation and fewer similar cases.

Vilagrán has written an article on blasphemy in Cataluña, where he claimed that in Spain, the inquisitors did not devote much time and effort to the repression of blasphemers, and that although they recur many times, they were never seen as more than lightly suspicious of containing heresy, and therefore the blasphemer only needed to abjure de levi.<sup>221</sup> Unlike

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<sup>217</sup> AHN, INQ, lib. 861/35v-40r

<sup>218</sup> Vilagrán, Martí Gelabertó. "Inquisición y blasfemias en la Cataluña de los siglos XVI y XVII." *Pedralbes: revista d'història moderna* 28 (2008): p. 656

<http://www.raco.cat/index.php/Pedralbes/article/download/234190/316404>

<sup>219</sup> Vilagrán, Martí Gelabertó. "Inquisición y blasfemias en la Cataluña de los siglos XVI y XVII." *Pedralbes: revista d'història moderna* 28 (2008): p. 656

<http://www.raco.cat/index.php/Pedralbes/article/download/234190/316404>

<sup>220</sup> Monter, *Frontiers*, p. 166

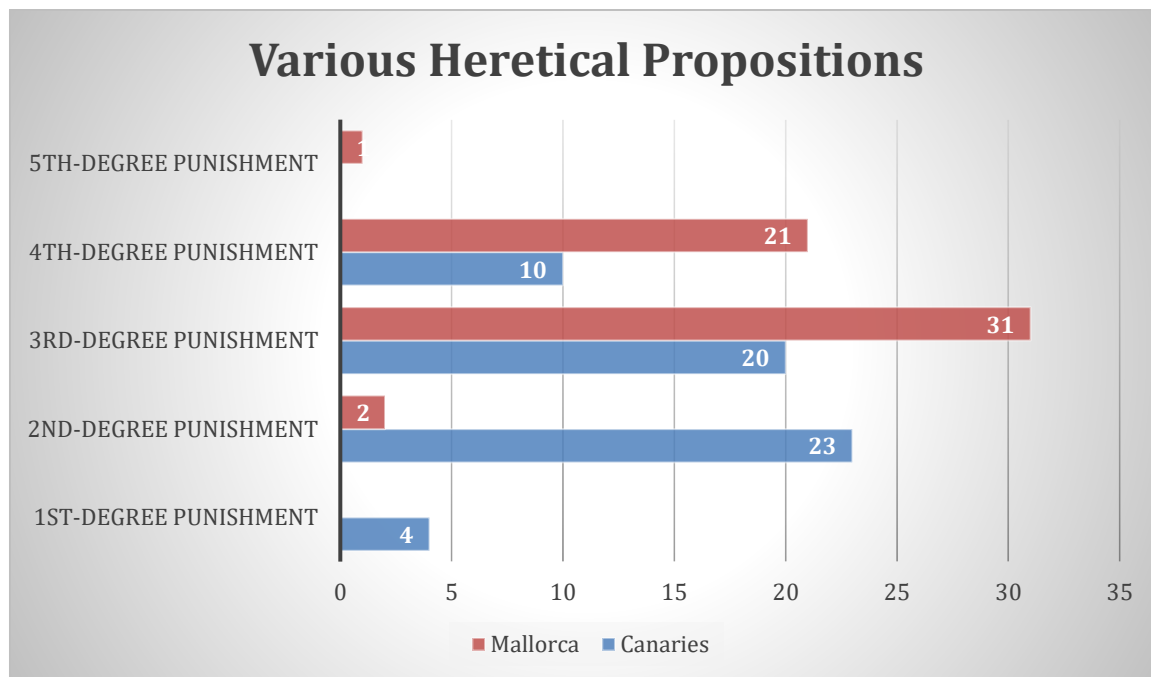
<sup>221</sup> Vilagrán, Martí Gelabertó. "Inquisición y blasfemias en la Cataluña de los siglos XVI y XVII." *Pedralbes: revista d'història moderna* 28 (2008): p. 656

<http://www.raco.cat/index.php/Pedralbes/article/download/234190/316404>

the court in the Canaries, there is not a clear shift in the sentencing handed out by the tribunal on the Balearic Islands. The severity of punishment seems to have remained consistent from 1579 to 1610 on Mallorca, whilst in the Canaries, there is a clear distinction between cases of similar blasphemous utterings before and after 1591. Women condemned in this category received similar punishments as the male counterparts, except the young girl in the Canaries whom they sentenced to a first-degree sentence, which probably is because of her young age of 13, rather than her gender considering the severity of the other female cases. Finally, the social and economic status of the offenders were more varied amongst the convicted in the Canaries than on Mallorca, as opposed to simple fornication propositions, which for the most part contained people from the same social status.

### **3.4 Various heretical propositions**

The category of various heretical proposition contains, as the category of blasphemous proposition, significant variations between the statements the Inquisition convicted people of uttering. A common denominator, however, can be found in the tendency that the statements seem to be influenced by Protestant doctrine. Whether that is a coincidence in some cases or someone who had heard some Protestant ideas and incorporated them in their belief is not known. What is known, is that the people convicted of propositions with clear links to the Protestant faith, was not, and did not affiliate with Protestantism. If they had, they would not have been convicted of a heretical proposition, but Protestantism, which is important to remember. The ones found guilty in this category called themselves Catholic, and if the response of many of the victims is to be believed, thought they expressed teachings in line with the Catholic faith, or at least not as far as outright heresy. Even so, some cases in the Canaries were against Englishmen staying in the Canaries, most of them seem to have been sentenced on the grounds of Protestantism, although some of them were prosecuted for heretical propositions, whether that entails that they called themselves Catholic, is uncertain. Examples of such statements are claiming that one only need to confess to God, denying the need or validity of saints and other types of propositions presented in Chapter 3.4.1 and 3.4.2.



#### 3.4.1 Various Heretical Propositions on the Canary Islands

The largest category of propositions in the Canaries from 1569 to 1610 was the various heretical proposition. Even though it was the biggest and no one was sent to the galleys for having uttered a proposition in this category, there were some severe sentences amongst the convicted. This type of proposition is also the kind of proposition that contains a large number of foreigners convicted as well as locals and Spaniards. Englishmen and Portuguese being the biggest group of foreign nationals that we know of from the trial records.

Francisco Afonso, a Portuguese man, staying on the island of Tenerife who came to the Inquisition's attention for having stated that men who treat women well and don't sin, go to paradise, and women also go to heaven.<sup>222</sup> The statement was considered as a proposition containing heresy, as it omits that one must live as a Christian, more specifically a Catholic Christian to enter heaven. During the first meeting of the trial, Francisco Afonso supposedly fell to his knees in front of the inquisitor and begged for forgiveness and mercy. Francisco was sentenced to attend the *auto de fe* in 1576 in penitent form where he was made to abjure de levi. The Inquisition sentenced the Portuguese man to public shame and banishment from the island for one year precise.<sup>223</sup> It is unclear whether the banishment included the entire archipelago or just the island of Tenerife where he lived. The *auto de fe* was most likely held in the city of Las Palmas on Gran Canaria as it was there the tribunal had its court, and since the report did not specify which islands, presumably Afonso was banished from the entire

<sup>222</sup> AHN, INQ, leg. 1829/N. 1F, fols. 9r-9v

<sup>223</sup> AHN, INQ, leg. 1829/N. 1F, fols. 9r-9v

archipelago, since in other cases where the defendant was banished from a single island, the name of the island in question is explicitly mentioned in the RDC.

In the RDC from 1581, there are a few interesting cases to examine closer. The first is the case against Luis Rodríguez from the island of Tenerife.<sup>224</sup> He was brought before the Inquisition under the accusation of having said in a conversation with others, that the Guanches who died as heathens did not go to hell even though they had not received the holy sacrament of baptism. Guanches are the name of the indigenous people who inhabited the island of Tenerife before the Spaniards conquered the island.<sup>225</sup> Even though he was told that what he said was wrong, he continued to claim that he was right. Luis had two witnesses against him, and the *calificador* qualified the proposition as heretical. The defendant, who was a descendant from the Guanches, admitted during the first meeting that he had said this proposition “as an ignorant boy” knowing full well that someone who dies without being baptised resides in hell. The case ended with Luis being sentenced to attend the *auto de fe* in penitent form, abjure de levi and to pay six ducats to the Holy Office.<sup>226</sup>

Gonzalo de Campos, another man convicted of a heretical proposition from the same *auto de fe* in 1581, was from the island of Lanzarote and denounced by a female witness.<sup>227</sup> She denounced him to the Inquisition for having stated in a conversation that after Jesus had died, no one went to hell anymore. Gonzalo de Campos was told by others in the conversation that what he was saying was not correct according to the teachings of the Catholic Church, and that it was a mortal sin to claim such things. Gonzalo nevertheless continued claiming what he believed was not a mortal sin. When he was arrested and formally charged by the Inquisition for this belief, he pleaded ignorance to the fact that the Holy Church taught anything else than what he believed, and that he did not believe it anymore as he now knew that it was not the truth. In the report, the inquisitor writes that Gonzalo de Campos was a very simple man with little knowledge, he made no steps to hide his ignorance, and because of his old age of 72 years, the proposition was deemed to be unintentional. One must assume that this made the final verdict a milder one than if he was found guilty of having any intent in his proposition. Nevertheless, the old and simple man was sentenced to attend the auto in

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<sup>224</sup> AHN, INQ, leg. 1829/N. 1G, fols. 1v-2r

<sup>225</sup> Arias, Marín de Cubas, Tomás. *Historia de las Siete Islas de Canaria*. Edited by Ángel de Juan Casañas, María Régulo Rodríguez. Las Palmas de Gran Canaria: Real Sociedad Económica de Amigos del País. 1986 Read: 27.03.2017  
<http://mdc.ulpgc.es/cdm/ref/collection/MDC/id/41270> p. 8

<sup>226</sup> AHN, INQ, leg. 1829/N. 1G, fols. 1v-2r

<sup>227</sup> AHN, INQ, leg. 1829/N. 1G, fols. 2r-2v

penitent form with a candle in his hand and a rope around his neck. He was made to abjure de levi and to receive public shame in the streets.<sup>228</sup>

Domingos Gonzáles, the last of the three cases from the *auto de fe* in 1581, was a wool merchant from the island of Tenerife.<sup>229</sup> The RDC starts with informing that the defendant had been convicted by the Inquisition some years ago, which was in 1569.<sup>230</sup> Domingos was then accused of having said and affirmed that he believed that the holy scripture lied and that he could not believe that hell was a place for men. Men that died in mortal sin did not have to go to hell according to him, neither did any Christian man. That time he was sentenced to go to Mass in the parochial church in Tenerife on a holiday, where he was publicly sentenced.<sup>231</sup> The reason for Domingos again being a defendant in an Inquisition case is presented next in the RDC. The Inquisition's attention was brought to the formerly convicted man for some propositions he had said when commenting on a decision made by an ecclesiastical judge. The aforementioned judge had banished a woman who apparently owed some money to the crown, which Domingos meant was wrong as the king's interests were thwarted if the woman was banished, and therefore becoming unable to pay what she owed to the crown. The actual proposition made by the defendant was that the king's power on earth is echoed in heaven. Domingos was warned about this proposition and told that it was the Pope's power on earth that echoed in heaven. The defendant countered with saying that if God was not in heaven, the King could be God. According to the *calificador* the first proposition that the Kings power was echoed in heaven was an erroneous proposition. Saying that the King could replace God if he were missing in heaven was deemed heretical, whilst claiming that the King had more power than the Pope as timorous. He had three witnesses against him, all over the age of majority. He was arrested, and denied everything at first, but once the trial started, he confessed to everything while denying any intention of wrongdoing in his propositions. As the other convicted in 1581, Domingos Gonzáles was also sentenced to attend the *auto* in penitent form with a rope around his neck, abjure de levi and given 200 lashes.<sup>232</sup>

The same can be seen from the RDCs from the Canaries in this period. Gaspar, convicted of heretical propositions in the *auto de fe* held in the Canaries in 1576 is the next case to be further examined.<sup>233</sup> There is no information about his age or his background, other

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<sup>228</sup> AHN, INQ, leg. 1829/N. 1G, fols. 2r-2v

<sup>229</sup> AHN, INQ, leg. 1829/N. 1G, fols. 3r-3v

<sup>230</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4r-4v

<sup>231</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4r-4v

<sup>232</sup> AHN, INQ, leg. 1829/N. 1G, fols. 3r-3v

<sup>233</sup> AHN, INQ, leg. 1829/N. 1F, fols. 8v

than that he is a slave of mixed racial origin. The information of his mixed racial origin most likely entails that at least one part of his descendants was from an Islamic culture. Gaspar was the slave belonging to a Luis Maldonado who lived on the island of La Palma. He was arrested on suspicion of having uttered two different propositions. First, he was to have questioned God's omnipotence, by asking how is it possible that God is able to know his secrets? The second proposition he was accused of having uttered a proposition questioning the virginity of the Virgin Mary, asking how that was possible. There was only one witness to these statements, and Gaspar confessed to having questioned how God could know his secrets but denied questioning the virginity of the Virgin Mary. He defended himself by saying he had been drinking much wine when these propositions were supposed to have been uttered. His case was dealt with quickly, with a sentence of attending the *auto de fe* in penitent form, where his sentence was to be read to the public and to abjure de levi.<sup>234</sup>

Another person whom the tribunal in the Canaries convicted that had uttered a proposition where the virgin birth of Jesus Christ were a part, was in the case in 1597 against Juan Blanco, a black slave owned by Pedro Esterlin staying on the island of Tenerife.<sup>235</sup> Since the case is well into the second half of the time period of the sample of trial records, there is plenty of information about the circumstances around the proposition, with an explanation of how each witness saw the events. Juan Blanco was from the city of Congo in Guinea, 73 years old. He had two witnesses against him, both of them women, who denounced him in front of the *comisario*<sup>236</sup> in Tenerife. The women had been home when the poor old man came to her house asking for alms, and it was on this occasion he was to have said that the king of the Muslims in Congo was born from a virgin as Jesus Christ was. The witness who heard the proposition responded that this was not part of her belief, because only the Virgin Mary was a virgin when she delivered Jesus. Juan responded that what he claimed was true and that God wanted to do such a miracle. The woman continued to deny this and stated that it would not happen to a son of a black person. Having been made aware of the fault in his belief, as written in the report, Juan Blanco continued to claim he was speaking the truth. She told him she would go and denounce him to the *comisario*. The next part of the RDC contains the second witness's testimony. She was the niece of the first witness. She stated that Juan came begging for alms, standing in the doorway at her aunt's house. Her aunt asked who

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<sup>234</sup> AHN, INQ, leg. 1829/N. 1F, fols. 8v

<sup>235</sup> AHN, INQ, leg. 1829/N. 1L, fols. 11r-11v

<sup>236</sup> "Local representative of the Inquisition, usually a cleric/parish priest, responsible for taking testimony and collecting denunciations in remote parts of a district." Rawlings *The Spanish* p. 158

called upon her door, Juan answered, and her aunt talked with him where he said the aforementioned proposition and left. He returned a few days later, and her aunt told him she was going to talk with the *comisario* of the Inquisition. Given that this was their testimony, it shows that the stories of the two women coincided with each other. After the witnesses' testimony, the report contains what the *calificador* qualified the proposition as, which was heretical in "supreme grade". The old offender was called in by the Inquisition, and the trial against Juan Blanco began. The RDC refers to the first hearing, which was the first of three introductory sessions before the trial in which the intent was to arouse the offender's sense of guilt to get a confession, and the first of the three hearings brought the details about the offender's lineage, lived life and education to light.<sup>237</sup> In this particular case, Juan's baptism and confirmation were confirmed and that his parents and grandparents had also gone through the sacraments. The inquisitor writes that this was likely since the city of Congo had been Christian a long time, and had a church. Juan Blanco claimed he did not know the reason why he was called upon by the Inquisition and upheld this ignorance of any wrongdoing until he was told the accusation when the trial began. The Spanish Inquisition did not divulge the reason for arrest until the trial began, which meant that in the first hearings, the accused could not be certain of the reason behind his arrest, and therefore could not be sure exactly what the inquisitor wanted him to confess.<sup>238</sup> In this particular case, if the witnesses' testimony was truthful, Juan Blanco should know what he was denounced of since the witnesses claimed they told him they would denounce him. If he confessed and begged for mercy right away, he could have hoped for some leniency if the inquisitor thought that he showed true repenting. Juan Blanco confessed right away when he learnt the reason for his arrest and said again that he believed that the king of Congo had been born of a Virgin, without a father as Jesus Christ. Juan explained to the inquisitor that he had believed this a long time, and he had been told this when he lived in Congo, where no one told him that this was contrary to what the Holy Roman Church's teachings. He claimed that neither the women or anyone else had not warned him about the wrongness of his belief, or that it was against what the Church taught. He also claimed that the woman had not warned him about her going and denouncing him to the *comisario* for his sin. Juan Blanco was after this sentenced to attend the *auto de fe* in 1597 in penitent form where his sentence was read to the gathered crowd. He was also made to abjure de levi in front of the tribunal, where he was also reprimanded and warned for the

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<sup>237</sup> Rawlings *The Spanish* p. 32

<sup>238</sup> Kamen *The Spanish Inquisition* p. 193



belief he had exteriorised.<sup>239</sup> In this case, there is no information given whether there was any consideration taken about the offender's age or upbringing or whether there had been any heretical intent behind the proposition, as some of the previous cases have contained. The lack of a more severe sentence than a third-degree punishment, in a case where the proposition was qualified as heretical in "supreme grade", is interesting. One can only assume that the sincerity in Juan Blanco's confession that he did not know that what he said was a heretical proposition, along with his age was taken into consideration by the inquisitor and contributed to a penalty lacking any corporal punishment.

The Inquisition in the Canaries also prosecuted people that uttered some belief about the soul, and what happened to it after one died that did not coincide with the teachings of the Catholic Church. Two people were convicted of such propositions in the first RDC from 1569. Juan Garcés from the island of La Palma was one of those men.<sup>240</sup> Being the first RDC, there is no mention of any economic or social status of the convicted man, neither his age, as most cases lacks in the first RDCs. Juan was found guilty by the Inquisition in the Canaries of several propositions about what happened to the soul when one died. No soul that died now went to paradise or purgatory, except the holiest souls who died without sin was the first of the propositions he was on trial for having uttered. The souls of others, in this case probably most people, was stopped in Mount Tabor and Mount Calvario. The second proposition was that the few souls that went to paradise did not leave behind any children in this world. The logic he used was that people who had children put their affection and love towards them, and not into God. Juan was accused of also having said that the souls of the people that had been to purgatory, did not travel to heaven as was taught by the Holy Roman Church, but they too were stopped at Mount Tabor and Mount Calvario. There is no mention of the circumstances around these propositions, or how many witnesses he had against him. The report also states that Juan Garcés was also accused of having said many other propositions that qualified as scandalous, timorous and against the faith. Joan was supposed to have confessed to the numerous propositions but denied having uttered the propositions about the souls of the dead. He was sentenced in La Palma on a holy day during Mass, where he attended in penitent form and had his sentence read aloud to the gathered crowd. The verdict also contained a monetary fine of 100 ducats that was to be paid to the Holy Office.<sup>241</sup>

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<sup>239</sup> AHN, INQ, leg. 1829/N. 1L, fols. 11r-11v

<sup>240</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4v-5r

<sup>241</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4v-5r

Gonzalo Temudo was the second person in the RDC from 1569 to have uttered a proposition about the soul.<sup>242</sup> He was said to have claimed that the souls that died now did not meet a God of mercy. Gonzalo had a female witness who denounced him, and he confessed to having said that before there was a God of mercy, but now there was a God who gave justice to the bad. Gonzalo was sentenced to abjure de levi and was also given a monetary punishment to be paid to the Holy Office, a significantly smaller amount than the previous offender, only having to pay eight ducats.<sup>243</sup> The size of the fine, however, might be an indication of the offenders economic and social status, as the tribunal seems to have given fines based on the ability to pay when looking at the RDCs in general.

### 3.4.2 Various Heretical Propositions on Mallorca

There are a few tendencies of what type of propositions in this category the Inquisition on Mallorca convicted people of committing. Propositions about the legitimacy of making false oaths in certain situations, about the afterlife and statements claiming that one did not have to confess to anyone else but God. There were also a few cases that contained propositions about Muslims that was deemed heretical by the tribunal on Mallorca. The first of these cases was against María Endinat in 1581.<sup>244</sup> María was a New Christian of Islamic decent from Granada, and a slave to Caterina Seguína in Arta on the island of Mallorca. She had just reached the age of majority, 25 when the Inquisition called upon her for questioning for having claimed that even though Muslims do not go to paradise and Christians do, she would prefer to be with the Muslims rather than the Christians. In addition, they accused María of not eating pork, which was an indicator that she continued the Islamic tradition even though she had converted. The report of the case is short and does not give any more information. Her sentence was “*vela*”, referring to attend the *auto de fe* on the fourth of June in 1581 with a candle in her hand and most likely going in a procession with the other convicted of that year. María was also sentenced to abjure de levi and to do some spiritual penances, although what kind of penances this was is not specified in the RDC.<sup>245</sup>

The Inquisition convicted Martin Ginestar for having uttered a heretical proposition about Muslims in 1585.<sup>246</sup> At the time of conviction, he was only 17 years old when he was to

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<sup>242</sup> AHN, INQ, leg. 1829/N. 1C, fols. 5r-6v

<sup>243</sup> AHN, INQ, leg. 1829/N. 1C, fols. 5r-6v

<sup>244</sup> AHN, INQ, lib. 860/24v

<sup>245</sup> AHN, INQ, lib. 860/24v

<sup>246</sup> AHN, INQ, lib. 860/122v

have said and affirmed that he believed that Muslims could also reach salvation by following Islamic laws and tradition. The young, local worker had two witnesses against him, and he confessed to having uttered the proposition. He was sentenced to attend Mass on a Sunday in a monastery in penitent form, where he was also made to stay in seclusion for six months, and he was made to abjure de levi in front of the tribunal.<sup>247</sup>

Tomás Soler made the final statement containing something about the Islamic faith and Muslims in 1586.<sup>248</sup> Tomás Soler, a 64-year-old worker from Hinca, was accused of having stated that Muslims do not go to hell when they die. Instead, he claimed that Muslims went to limbo. He continued to stand by the proposition even after he was told of the error of his words by “certain folks”, meaning the people who heard the proposition. Against the accusations of having said something that was against the teachings of the Holy Roman Church, he stated that he was as free from sin as the Virgin Mary, which constituted as the second proposition the Inquisition would later convict him of having made. The *calificador* qualified the first proposition about the Muslims as heretical, and the second where he compared himself to the Virgin Mary, as timorous and scandalous. There were four witnesses against him. Tomás confessed with some reservation. He claimed that he had said that Muslims that have learnt about the Catholic faith, and did not convert, went to hell, whilst children and Muslims who had never heard of the Catholic faith did not go to hell when they died, but to limbo. Tomás argued that he had said this without malice and that he did not know his statements were against the belief of the Catholic Church. There is no mention of how he responded to the accusations of the second proposition. Tomás was sentenced to attend low Mass in the chapel “of this castle” on a work day, where he was to attend with a candle. The sentence is the first example of someone not being paraded out as a convicted man during a holiday, or Sunday when the crowds were largest, but on a work day in a chapel, where the crowd must have been fewer. Abjure de levi in front of the tribunal, along with spiritual penances, and to pay twenty escudos to the Holy Office was the last part of his sentence.<sup>249</sup> The spiritual penance he was ordered to do is specified in this case, unlike the one against María Endinat.<sup>250</sup> The spiritual penance Tomás was sentenced to do, was to confess every month for a year and have the confessions certified.<sup>251</sup>

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<sup>247</sup> AHN, INQ, lib. 860/122v

<sup>248</sup> AHN, INQ, lib. 860/128v

<sup>249</sup> AHN, INQ, lib. 860/128v

<sup>250</sup> AHN, INQ, lib. 860/24v

<sup>251</sup> AHN, INQ, lib. 860/128

The tribunal on Mallorca also convicted people for claiming that under certain circumstances, it was permitted to make a false oath. In total, five people from 1579 to were brought before the tribunal on the grounds of such a proposition. Jerónimo Retes, a servant from Barcelona, only 17-years-old was accused of having said and affirmed that to remove someone from the gallows one could make a false oath without it being a sin.<sup>252</sup> He had two witnesses against him, and he “confessed with moderation” although there is no information about what the young servant said in his defence. The *calificador* qualified the proposition as heretical, and the young man was sentenced to attend low Mass in the chapel of the castle in penitent form, abjure de levi and given spiritual penances. Jerónimo’s spiritual penances were too fast the next three Fridays after the sentencing and recite five Paternosters and five Ave Marias each of those Fridays.<sup>253</sup> In 1585, Miguel Tarí, a 54-year-old shoemaker from Menorca was convicted of having said and affirmed that in business, a false oath could be made.<sup>254</sup> He had two witnesses against him, and he denied the charges. The inquisitor’s report contains a notice that he made defences, but was not let off. He was also sentenced to attend Mass on a workday in penitent form, abjure de levi and to confess once a month for a year.<sup>255</sup> Another Shoemaker convicted of having made a false oath against a prisoner is found in the RDC from 1586-1587.<sup>256</sup> Jaime Suau was 22 years old, living on Menorca and said the same proposition as the young Jerónimo Retes, that it was good to make a false oath if it was to prevent a man from being hung. He had three witnesses against him, and he confessed to having said the proposition. He was sentenced to abjure de levi in front of the tribunal, “*vela*” referring to attending Mass in penitent form in the parochial church. The shoemaker also received public shame as a punishment for his proposition.<sup>257</sup>

Juana Nicolava, a 60-year-old widow, was also sentenced for the same proposition in the RDC from 1587-1588.<sup>258</sup> The prosecutor was to have said that it worsened the defendants blame that she did not confess. She had two witnesses against her, she later said she might have said the proposition, but did not remember. Her final sentence was to attend Mass with a candle in her hand, abjure de levi in front of the tribunal along with spiritual penances. She

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<sup>252</sup> AHN, INQ, lib. 860/79r

<sup>253</sup> AHN, INQ, lib. 860/79r

<sup>254</sup> AHN, INQ, lib. 860/124r

<sup>255</sup> AHN, INQ, lib. 860/124r

<sup>256</sup> AHN, INQ, lib. 860/136r

<sup>257</sup> AHN, INQ, lib. 860/136r

<sup>258</sup> AHN, INQ, lib. 860/145r

was to confess the following six weeks and the following six holidays pointed out by the inquisitor.<sup>259</sup>

The last person convicted of this type of proposition was Antonio Cerda in the RDC from 1595 to 1596.<sup>260</sup> A 70-year-old local linen weaver of Old Christian heritage, he was accused of having said that making a false oath is not a sin. He told the Inquisition that he had never given a false oath, and he could not remember having said the proposition. He was sentenced in public in a church and was made to abjure de levi.<sup>261</sup> The five aforementioned cases all received a third-degree punishment, showing consistency in punishing for this type of proposition.

Propositions that were made by Old Christians that one might say, “smell of Protestantism”, as mentioned in Chapter 3.4, is represented in this category. An example of such a case is the case against Agueda Soler in 1583.<sup>262</sup> Agueda was the widow of Juan Soler who had been a worker and living on the island of Menacor. A thing that makes Agueda special is her advanced age. Agueda Soler was said to be over 90 years old in the report to the Suprema. The old widow was denounced to the Inquisition for having claimed that it is no good confessing your sins to a man or any others because they are not God. She stated that it is sufficient, presumably implying sufficient in the sense of reaching salvation, to confess only to God, and not to some man that does not know anything about one’s sins.

“In the view of the Roman Catholic Church it was dangerous for a Christian to look for direct communication with God or to hold views and opinions contrary to established doctrines. Non-conformity undermined the authority and power of the church. Such activity amounted to heresy.”<sup>263</sup>

She followed that up by saying only whores and thieves went to confess to a man. Agueda had supposedly spoken ill about the Bull of Crusade, which also constituted a crime according to the Inquisition. The *calificador* qualified the first proposition where Agueda talked about confessing only to God as heretical, and the proposition about the Bull of Crusade with suspicion of heresy “in that subject.” She had a total of eight witnesses against her. The old woman denied the charges, even when she was threatened with torture. The inquisitor writes that Agueda Soler even stood naked, presumably stripped as part of the

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<sup>259</sup> AHN, INQ, lib. 860/145r

<sup>260</sup> AHN, INQ, lib. 860/215r

<sup>261</sup> AHN, INQ, lib. 860/215r

<sup>262</sup> AHN, INQ, lib. 860/80v-81r

<sup>263</sup> Andreson *Daily life during* p 61

threat of commencing the torture, even then she did not confess to anything. Agueda was then sentenced, but not tortured as there is no reference to any actual tormenting, just the threat of torment. Even so, the Inquisition punished the old woman harshly. Agueda was sentenced to attend major Mass in penitent form on the island of Mallorca on a Sunday with other convicted. In the procession, she was to have a candle in her hand, and her sentence read to the crowd. The penalty of abjuring *de vehementi* in front of the tribunal is a further indication of the seriousness of her heresy. The last part of the verdict contains her spiritual penance, where she was to confess every Easter and certain holidays for the next three years, which had to be ratified by the Comisario on the island of Menacor where she lived. The abjuration *de vehementi* shows the theological seriousness in her propositions, and therefore her punishment is deemed a category four punishment in the scale even though she did not receive any corporal punishment or banishment.<sup>264</sup>

Bartolomé Garau, a 36-year-old local worker of Old Christian heritage was convicted in the RDC from 1596 to 1597 for a similar proposition as the aforementioned widow.<sup>265</sup> The proposition Bartolomé allegedly said that led up to his denunciation to the Holy Office, was to have stated that it is not necessary to confess to any clergymen or priests, one need only confess to God. Additionally, Bartolomé Garau said, according to the RDC, that it is not necessary to sell rosaries, “they should be given as mockery”.<sup>266</sup> The defendant exteriorized a belief that the rosaries were something that had no function in the life of a true Christian. He had two witnesses against him and confessed to the accusations. The verdict was to attend high Mass on a Sunday in penitent form where his sentence was to be read aloud to the gathered crowd, abjure *de levi* and spiritual penances. Confess once a month for a year and recite a Rosario each week for that year.<sup>267</sup>

The only person in both tribunals combined to receive the fifth-degree punishment in this category, is Sebastian Colls who was sent to the galleys as an oarsman in 1584.<sup>268</sup> After looking closer into the case, the reason for Sebastian Colls being sentenced to galley service, might not be because entirely of heretical propositions, but another offense in addition to a heretical proposition. Sebastian was a 20-year-old worker from Mallorca, but living on the island of Menacor. He was denounced to the Inquisition for having told his master that the Virgin Mary had been a virgin before, during and after childbirth. However, he was also

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<sup>264</sup> AHN, INQ, lib. 860/80v-81r

<sup>265</sup> AHN, INQ, lib. 860/242v-243r

<sup>266</sup> AHN, INQ, lib. 860/242v-243r

<sup>267</sup> AHN, INQ, lib. 860/242v-243r

<sup>268</sup> AHN, INQ, lib. 860/100v

accused of bigamy, having married twice. This offense, according to Monter, was not uncommon, to have its offenders being sent to the galleys as an oarsman for a minimum of three years.<sup>269</sup> There were nine witnesses to his marriages, and only one to the proposition. Sebastian denied having said the proposition, but confessed to the marriages. He was sentenced to attend Mass in the largest church on a Sunday, with a gag in his mouth, a rope around his neck and the conical hat. He was sentenced to abjure de levi, and to receive 100 lashes, along with serving in the galleys as an oarsman without pay for three years.<sup>270</sup>

Propositions about the afterlife, what happened to the souls of the dead, was the most common heretical proposition in this category, with a total of eight people being sentenced for such statements. Miguel Estallrich was one of them, convicted of such a proposition in 1606.<sup>271</sup> Miguel was a clergyman from “a lower order”, from Arta on the island of Mallorca. He had three witnesses against him, and they were all over the age of majority. One of the witnesses was the defendant’s sister, whilst the two others were also close to him. The report says that the accused and the witnesses were talking about the original sin and that everyone was born with it. During the conversation was when Miguel was to have stated that Jesus Christ was born with the original sin like every other man. Later on, he also claimed that children who died without being baptised did not go to heaven, but went straight to purgatory because of the original sin. Miguel, who was told the error in his belief, went to the Comisario and denounced himself. The Inquisition arrested him without secret, which probably meant there was no attempt to make the arrest private to spare the arrestee the shame, as Kamen writes that when the Inquisition used the word “secret”, they meant private.<sup>272</sup> The first hearing was done on July the fourth 1606, where it got established that the defendant was of Old Christian decent and that he was 25 years of age. The propositions were deemed as heretical and against the evangelism by the *calificador*. The pious young man then made his defence, telling the inquisitor that he confessed to everything, and that he did not believe anything more or less than what the Holy Roman Church taught, and that if he had any ignorance of the teachings of the church, then he pleaded for mercy and forgiveness. He said he knew now after having learned about the Churches views on the matter, that children who die without being baptised went to limbo, and not to purgatory. The proposition about Jesus Christ being born with the original sin like every other man, he uttered because he had heard

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<sup>269</sup> Monter *Frontiers* p 34

<sup>270</sup> AHN, INQ, lib.860/100v

<sup>271</sup> AHN, INQ, lib. 860/305v-306r

<sup>272</sup> Kamen *The Spanish Inquisition* p.184

the matter discussed a few years ago. The inquisitor writes that the defendant said the proposition out of simple ignorance, and during the trial, it was revealed that the defendant was a very “simple and ignorant” man. He was sentenced to attend Mass on a holy day in penitent form where the verdict was presumably read to the gathered crowd. He was also ordered to abjure de levi in front of the tribunal, and partially seclusion for six months, where he was to abstain for talking during this period. The sentence was carried out on the fourth of August 1606.<sup>273</sup>

### 3.4.3 Comparison of the Offence of Various Heretical Propositions

The crime of various heretical propositions, as seen in the charts in Chapter 2.5 and 3.4 were in general given harsher punishments on Mallorca than in the Canaries. The conformity of the propositions is as seen, not like the simple fornication proposition, where the convicted offenders were sentenced because of the same proposition and belief. Although there is a thematic similarity which indicates that the reason for the harsher punishments on Mallorca was not because the individual cases were deemed to contain more heresy than in the Canaries, rather than a larger variation in sentences from the latter tribunal. There does not seem to be a pattern in the Canaries of a time where the tribunal handed out more severe punishments than others, as the sentences for the propositions varied during the entire period, except for 1569 where there were nine cases, and none of them was convicted with a more severe punishment than a second-degree. On Mallorca, the sentences were higher, but from 1590 to 1595, nearly all the accused found guilty of such a proposition were given a fourth-degree sentence, whereas before and after, there was a larger variation between the sentencing levels of the individual cases. Foreigners, slaves and dark skinned people were a large part of the convicted of this crime in the Canaries, whereas on Mallorca, there were not any more foreigners or slaves than other categories, but there were more people of a dark complexion. It seems that the dark-skinned individuals on both archipelagos, mixed beliefs from their culture and the Catholic, which led them to be arrested and punished by the Inquisition. The finding coincides with what Ronquillo writes was the case in the Canaries early in the 1500's.<sup>274</sup> There does not seem to have been a significant difference in the sentencing levels between women and men in either of the tribunals, as women also received fourth degree-punishments.

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<sup>273</sup> AHN, INQ, lib. 860/305v-306r

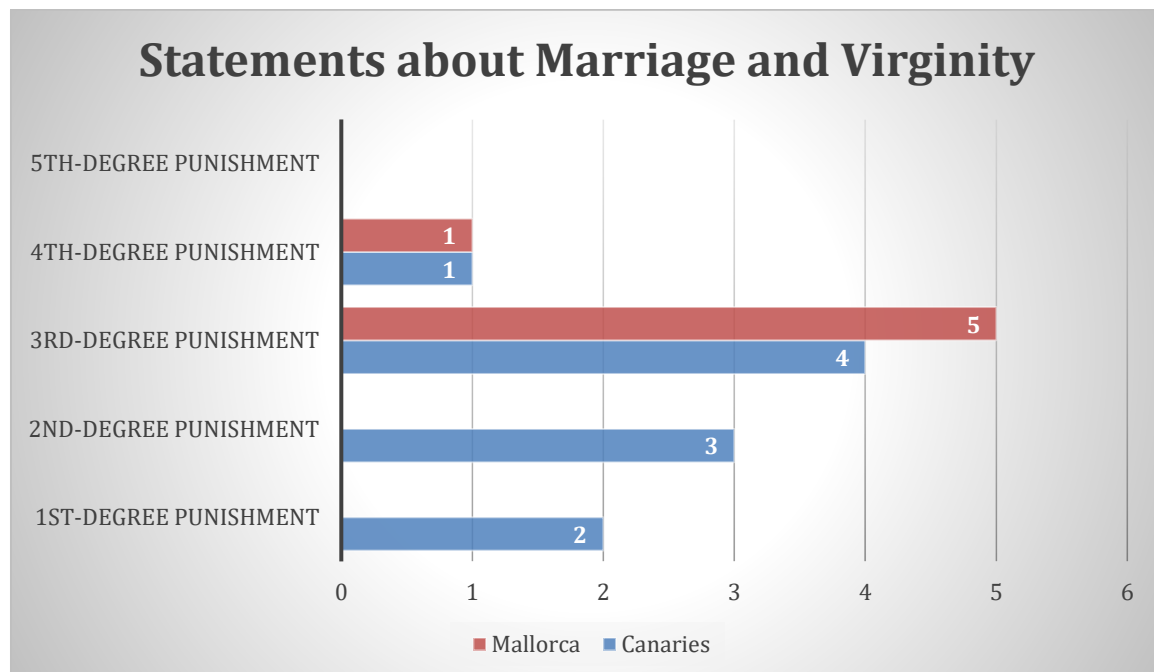
<sup>274</sup> Ronquillo *Los Orígenes* p 56-57



Statements concerning the events after one dies and what happened to the souls of the dead was a large part of the belief that both tribunals tried to correct.

### 3.5 Statements about Marriage and Virginity

Statements about marriage and virginity had 16 convicted offenders between the two tribunals from 1569 to 1610. The common proposition in this category is someone claiming that marriage was a holier state and better life than devoting one's life to God and living in celibacy. Monter writes that this crime, referred to as *estados* by the Holy Office, never accounted for many arrests in the tribunals of the Crown of Aragon.<sup>275</sup> During the period of this study, the tribunal from the Crown of Aragon had six people convicted of such a proposition, whilst the tribunal from the Crown of Castile had ten convicted offenders in total. 4,8 % of the total number of offenders found guilty of heretical propositions. Monter also asserts that the *estados* offence was more common among women than in men.<sup>276</sup> There are more men than women convicted of said proposition in the Canaries, whilst there is an equal number of male and female convicted of such a proposition on Mallorca. However, there were only one more male than female offender in the Canaries, making this the offence where there were the highest percentage of female offenders in both tribunals



<sup>275</sup> Monter, *Frontiers* p 47

<sup>276</sup> Monter, *Frontiers* p 47

### 3.5.1 Statements about Marriage and Virginity on the Canary Islands

The first person convicted of this type of proposition in this sample of cases came in 1581, by a man called Marcos Hernández.<sup>277</sup> Marcos is described in the RDC as a *lanero*, meaning a person who deals with wool. Whilst being in a conversation with others about a priest, Marcos was to have said that it was better being married, presumably referring to the alternative of living a life in celibacy. When he was told the error in his belief according to the Catholic faith, he returned to say: “the first sacrament Our Lord made was marriage”, therefore he claimed it was a better and a holier state. The *calificador* qualified the proposition as reckless and scandalous. Marcos denied the accusation from the two witnesses against him, and he brought some witnesses of his own to testify that he was a good Christian. Whether or not his defence made any impact on the case is not known, along with any of the thoughts from the inquisitor surrounding the final sentencing. Marcos Hernández was sentenced to attend the *auto de fe* in penitent form along with the other convicted in 1581 and to abjure de levi.<sup>278</sup> The abjuration of his error means that the sentence received was a third-degree punishment.

There were two others convicted of the same offence in that *auto de fe*, both women. The first of these women mentioned in the RDC is Doña Luisa Ramírez.<sup>279</sup> The prefix Doña, indicating that the 58-year-old widow was from a high social class in the Canaries. The Inquisition accused Doña Luisa of having said the same proposition as Marcos Hernández, which was that the married state was the best life. The difference between the two cases becomes clear when one look at the response of the defendant and the following verdict. The defendant stated that she did not know that her proposition also meant that she believed being married was better than living the religious life. Doña Luisa’s intentions were according to her testimony, to say that being married was a happier life, presumably referring to when she was married as she was now a widow. She also did not want any defence which the inquisitor noted speeded up the process. The response from Doña Luisa was completely different from Marcos Hernández, which has to be the reason for the entirely different sentences for the same offence the same year. Doña Luisa was ordered to do some spiritual punishment by reciting some prayers, along with being reprimanded in front of the tribunal.<sup>280</sup> The widow’s sentence

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<sup>277</sup> AHN, INQ, leg. 1829/N. 1G, fols. 1v

<sup>278</sup> AHN, INQ, leg. 1829/N. 1G, fols. 1v

<sup>279</sup> AHN, INQ, leg. 1829/N. 1G, fols. 3v

<sup>280</sup> AHN, INQ, leg. 1829/N. 1G, fols. 3v

is therefore considered a first-degree punishment, because she did not have to abjure any error, and she did not have to attend the *auto de fe* amongst the rest of the convicted.

The second female offender of such a proposition from the same RDC was also a widow, who received a second-degree punishment for her proposition. Águeda Luis, 59-year-old, were denounced by four people to the Inquisition for having said that the “ordenes de septiembre”, most likely a religious order, were better than other religious orders, and for having said that being ordained in that order, one can marry others who were ordained in that order.<sup>281</sup> The first proposition qualified as erroneous, and the second, claiming a person ordained the religious order of “septiembre” could marry others in the same order, as heretical and Protestant. Águeda Luis confessed to the propositions, claiming ignorance and claiming there was no intent of saying something contrary to the Holy Roman Church. The inquisitor writes that Águeda was a simple woman with little understanding. It was on those grounds Águeda received her sentence in front of the tribunal, where she was warned about making such statements again. The verdict would have constituted to a first-degree-punishment if it had not been for the last part of her sentence, which was a monetary fine of 50 reales to be paid to the Holy Office.<sup>282</sup>

The male victim, Marcos Hernandez, received the harshest punishment, whilst the two women were given milder punishments, although there were several different factors other than the gender of the defendant that could have been decisive in the harshness of the sentencing. Both of the women confessed, denying intent, whilst the male victim denied the accusation. The second factor is the status of the victims. Doña Luisa, clearly high status, and got the mildest punishment, whilst the man, a person working with wool, clearly not of a high social or economic standing, whilst the last female’s social and economic status remains unclear. However, she was sentenced to pay a substantial fine, indicating that she at least had some money. There are too many variables to conclude whether or not their gender played a part in the different types of sentences.

The next convicted of such a crime, also in a group of three, are from the RDC in 1591 to 1597. Salvador Rodríguez and Hernando Alfonso were both found guilty of having said that it was better to be married than to live as a priest and that a married man serves God just as well as the clergymen who lived in celibacy.<sup>283</sup> They were both ordered to attend Mass on a holy day, with their sentence to be read to the crowd, and abjure de levi, making the sentences

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<sup>281</sup> AHN, INQ, leg. 1829/N. 1G, fols. 5r-5v

<sup>282</sup> AHN, INQ, leg. 1829/N. 1G, fols. 5r-5v

<sup>283</sup> AHN, INQ, leg. 1829/N. 1L, fols. 1r-8v

a third-degree punishment. The third man was given a milder sentence and he was accused of a different kind of proposition than the two aforementioned men. Sebastián Perez was a soldier stationed on Gran Canaria, 27 or 28 years of age.<sup>284</sup> Sebastián was said to have met a black woman as the inquisitor's report describes her, on the street, asking her if she wanted to live with him. The woman answered that she did not wish to live with a man unmarried and that she desired to be married, to which the defendant said: "it is better to live happily unmarried with a woman than to live in a bad marriage." A woman, who had overheard the conversation on the street, told the soldier the fault in his words and said she would march over to the Inquisition and denounce him. The soldier went straight to the Inquisition and said it grieved him to have uttered the proposition and pleaded for mercy. Sebastián Perez, obviously repentant, told the Inquisition that he did not believe what he said, stating he believed of course that living together unmarried was not good, but indeed wrong. Without being warned for his transgression, the soldier said he had spoken without thinking and with no ill intentions whatsoever. The proposition qualified as scandalous and with suspicion of error in the faith. The inquisitor writes that the case went forth without him ordering the arrest of the defendant, which is very rare. During the hearings, the defendant confessed to having uttered the proposition, saying he did not remember if he added to the proposition, that it was good to live with him unmarried because he was not living in service of God, which one of the five witnesses against him claimed. His defence was that he was a good and God-fearing Christian, who attended Mass, confessed and took communion. There was a total of six character witnesses ratifying that Sebastián was a good Christian. The final verdict of the case was that the defendant had to abjure de levi, and reprimanded for his words in front of the tribunal. That means he was not sentenced in public, which makes the sentence a second-degree punishment, because of the seriousness of having to abjure.<sup>285</sup>

The rest of the cases in this category are all from the 1600's, with Luisa Hernandez, a 30-year-old widow getting a first-degree punishment after denouncing herself for having said it was better to be married than to be unmarried.<sup>286</sup> Rodrigo Martín was given a second-degree sentence in 1607 for having said it was better to live together with a woman unmarried than in

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<sup>284</sup> AHN, INQ, leg. 1829/N. 1G, fols. 5v-6r

<sup>285</sup> AHN, INQ, leg. 1829/N. 1G, fols. 5v-6r

<sup>286</sup> AHN, INQ, leg. 1829/exp. 2/8r-9r

a bad marriage,<sup>287</sup> and in 1609 Pedro Escalante was given a third-degree sentence when he was convicted of having said that it was better to be married than to be single.<sup>288</sup>

The last case in this category in the Canaries was against María de León, a Morisco woman, who received her sentence in 1610.<sup>289</sup> María is presented as a widow, 36 years of age, who was denounced to the Inquisition by two women over the age of majority. The accusation against her being that she had claimed that living with a man who was married to someone else was not a sin, and did not offend God. Her sentence was to be reprimanded in front of the tribunal, and warned, along with spiritual penances. She was not convicted in public, which would make this a mild sentence, if it was not for her also being banished from Lanzarote and Fuerteventura for four years, making this the harshest punishment for propositions about marriage and virginity in the Canaries, as the only fourth-degree punishment.<sup>290</sup>

### 3.5.2 Statements about Marriage and Virginity on Mallorca

All the cases concerning propositions about marriage and virginity on Mallorca is from the RDC's from the first six years, starting with two women convicted in the first trial records from 1579. Being a case from the first RDC, it is a short case, where Francisca Barceloní is presented as the wife of a wool weaver, and that she was accused of having said that "being married is a better life than devoting your life to the faith", referring to the vow of celibacy.<sup>291</sup> There is no information on how the defendant responded to the accusation or under which circumstances the said proposition was made. Her sentence was to attend Mass on a Sunday where her sentence was to be read aloud to the crowd, and she was made to abjure de levi along with some spiritual penances which are not specified in the initial trial record. There is, however, some information about the reason for the sentencing, the inquisitor writes in his report that Francisca "did not receive any more punishment, as she was very poor and had lots of children."<sup>292</sup> Interestingly, even though it is already a third-degree punishment, the inquisitor's justification of the sentence gives an inclination that her proposition could be treated as a more severe proposition. The added punishment would likely only be a monetary fine, which would not increase the severity of her punishment according to the severity of

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<sup>287</sup> AHN, INQ, leg. 1829/exp. 2/8v-9v

<sup>288</sup> AHN, INQ, leg. 1829/exp. 2, 7v-8v

<sup>289</sup> AHN, INQ, leg. 1829/exp. 19, 14r-15r

<sup>290</sup> AHN, INQ, leg. 1829/exp. 19, 14r-15r

<sup>291</sup> AHN, INQ, lib. 860/5v

<sup>292</sup> AHN, INQ, lib. 860/5v

punishment scale used in this thesis. The reason for this conclusion is based on the case of Juana Vitoria, who was sentenced for the same proposition in 1579.<sup>293</sup> Juana was the wife of a merchant, and was accused of having said and affirmed that she believed it was better to be married than to live a holy life, referring to living in celibacy. Juana got the same punishment as Francisca, as well as a monetary fine of ten ducats.<sup>294</sup>

In 1581 the Inquisition on Mallorca sentenced Margarita Escalas and Juan Bagur for having stated that the married life was a holier state than living in celibacy, and both received a third-degree sentence.<sup>295</sup> The final two cases concerning this type of proposition were made in 1585, where the Inquisition convicted two men of such a proposition. Gabriel Burguni, a 30-year-old man from Menacor was sentenced to attend Mass in penitent form where the verdict was read to the crowd, abjure de levi, spiritual penances and to pay 20 ducats to the Holy Office for having said that it was better being married than being a widower or living in celibacy.<sup>296</sup> The second man, Bartholomé Macanet's propositions gave him a severe sentence. Bartholomé was a 30-year-old linen weaver from Mallorca, accused of multiple propositions.<sup>297</sup> The propositions Bartholomé was charged with having said was that he could mistreat his wife as much as he wanted, and he would not stop even if God came down from heaven and told him to stop. Bartholomé was also convicted of having said to his wife on several occasions that he was allowed to go and have sex with any woman he wanted even though he was married, and finally that the married state was holier than living as a priest. The second proposition could well have placed him under the category of simple fornication, but as most of the propositions contained propositions about marriage, he is put under this category. Even so, the case is a good example of how flowing the lines between the categories are, and that several cases can be placed in several different categories, depending on which proposition one emphasises. The alleged wife-abuser had eight witnesses against him, and he denied all charges against him. The propositions qualified as *fornicacion* and *estados*, meaning they were heretical. The final verdict was a harsh one, where he was sentenced to attend Mass in penitent form with a candle in his hand, rope around his neck and a gag in his mouth. Which type of Mass or where is not specified as the only reference to the punishment in the RDC is the word candle, rope and gag. He was ordered to abjure de levi, and sentenced

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<sup>293</sup> AHN, INQ, lib. 860/6r

<sup>294</sup> AHN, INQ, lib. 860/6r

<sup>295</sup> AHN, INQ, lib. 860/31v-32v

<sup>296</sup> AHN, INQ, lib. 860/124r

<sup>297</sup> AHN, INQ, lib. 860/119v

to two different fourth-degree punishments. Firstly, he was condemned to receive 100 lashes of the whip, and secondly, banished from the island of Mallorca for four years.<sup>298</sup>

### **3.5.3 Comparison of the Offence of Statements about Marriage and Virginty**

As seen, the punishments for uttering propositions about marriage and virginty was in general stricter on Mallorca than on the Canary Islands. There were no sentences lower than a third-degree sentence on Mallorca, whilst the Canaries had several offenders who got milder sentences for the exact same proposition. Even so both tribunals banished someone for such propositions. Propositions about marriage and virginty disappears from Mallorca after 1585, leaving the next 25 years without a person convicted, whilst on the Canaries, there were people convicted of such a proposition from 1581 to 1610. Apart from María de León in the Canaries, the women were treated less severe than the men, although as mentioned, that might not have been because of their gender, but because of them repenting. The only man to confess and repent in the Canaries were also given a milder punishment. On Mallorca, the women and men were treated with equal sentences, except for Bartholomé Macanet, where the reason for that surely is the added propositions he was accused of having said. Therefore, one can conclude that the severity of the sentencing in both tribunals depended more on the defendant's repenting and admission of guilt, than what their gender was.

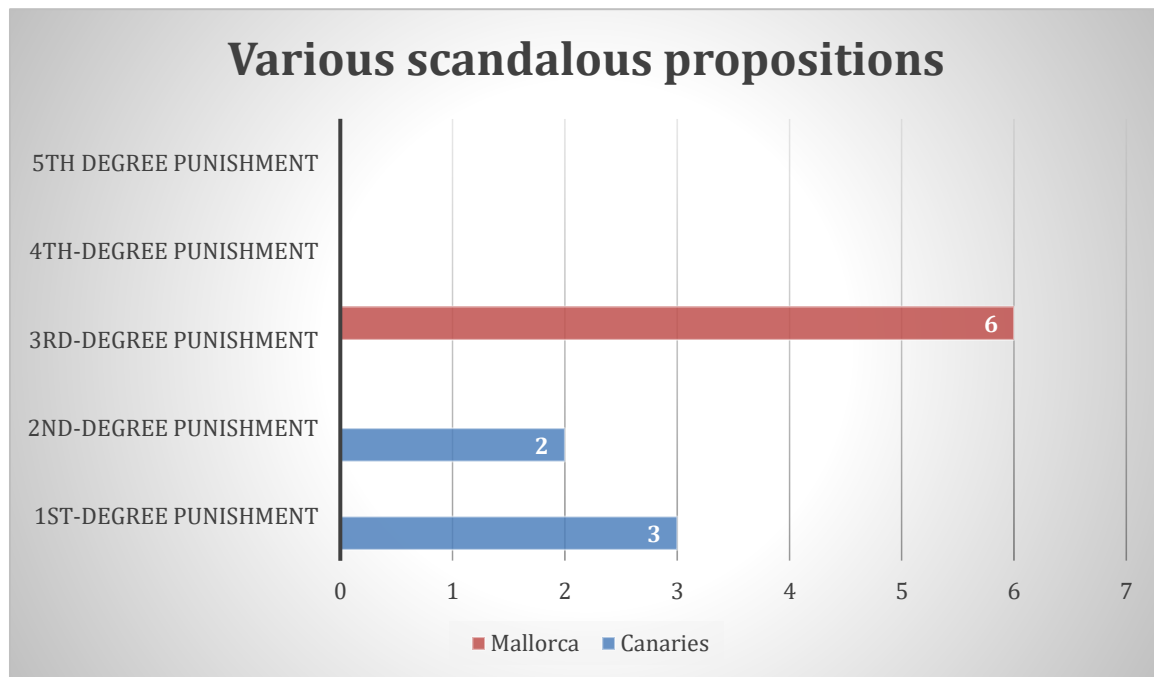
### **3.6 Various scandalous propositions**

The cases that fall in under this category are those that does not fit into any of the other categories, with some exceptions where they might have been placed under Chapter 3.4 "various heretical propositions". Instead, they have been put in this category as they differ from most of the other propositions in that category. There are six cases from the tribunal on

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<sup>298</sup> AHN, INQ, lib. 860/119v

Mallorca, and five from the Canaries in this category.



### 3.6.1 Various Scandalous Propositions on the Canary Islands

The first case from the tribunal on the Canary Islands which has been placed in this category is the case against Pedro Martin de Castilleja in 1569.<sup>299</sup> A presbyter working on the island of Tenerife. He stood accused of having declared that the gospel foretold of the coming of certain Protestants, and helping in making a drum and a flag he said: “That all help against the faith of Jesus Christ”, which he repeated three or four times. He confessed to the proposition, and also confessed to having had sex with a young woman, which is a breach of his celibacy vows, but not a simple fornication proposition as he does not claim that it was not a sin. There is no information about the thought process for the severity of the punishment, along with most of the cases from the earliest RDC’s. The priest was sentenced to pay four ducats to the Holy Office as the only form of punishment, making the sentence more severe than a mere warning, granting it a second-degree on the punishment scale.<sup>300</sup>

In 1581, Diego Núñez, a 50-year-old cleric, was denounced to the Inquisition by a single witness.<sup>301</sup> The RDC begins with explaining that the defendant had been given a punishment previously, in 1570 where he was banned from saying Mass for seven or eight years. This case is not listed in the RDC from 1570, nor the previous or other RDC’s during

<sup>299</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4v

<sup>300</sup> AHN, INQ, leg. 1829/N. 1C, fols. 4v

<sup>301</sup> AHN, INQ, leg. 1829/N. 1H, fols. 6v



the 1570's, which probably meant it was not the Inquisition's tribunal who sentenced him that time. Even so, he was asked by the witness why he had received this sentence, to which he responded: "it was because during Mass I did not beg for the dead Pope not to go." The proposition qualified as scandalous and offensive, and the defendant denied the charges. The final sentence was to be reprimanded in front of the tribunal, and to pay twelve ducats to the Holy Office, making this sentence a second-degree sentence as well.<sup>302</sup> There were two others convicted by the Inquisition in 1581 with propositions placed under this category; the first one was Fray Andrés de Medina.<sup>303</sup> A 44-year-old preacher from the Saint Augustin order, had lots of witnesses against him where he was to have said in a sermon: "[Pontus] Pilatus was also saved from his sins according to saint Augustin."<sup>304</sup> The proposition qualified as reckless, and the tribunal sentenced him, but only to receive a warning by the Inquisition, which makes this a first degree-punishment.<sup>305</sup> Aceituno, a magistrate of the Holy Church in the Canaries, received the same sentence for his proposition about the Pope, claiming he could not be exempt, or give exemptions.<sup>306</sup>

The last case from the Canaries concerning such a proposition and the only one not against a cleric is the last case from the RDC from 1587 to 1591.<sup>307</sup> Bartholome Hernandez, a 26-year-old barber from Portugal, staying on the island of Lanzarote. Two witnesses accused him of having said that stealing from the clergy was an act of mercy, to which a clergyman started discussing this with the defendant, telling him it was not an act of mercy but instead a mortal sin. To which the defendant laughed and said: "Father, tell God that was my fault".<sup>308</sup> The proposition qualified as scandalous and erroneous. The Inquisition then arrested Bartholome, and during the first hearing, he admitted to the proposition, claiming to have said it out of ignorance, and that he knew well now that it was prohibited to steal according to God's law, and that he did not believe the original proposition. The case concluded with Bartholome being warned and reprimanded in front of the tribunal.<sup>309</sup>

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<sup>302</sup> AHN, INQ, leg. 1829/N. 1G, fols. 6v

<sup>303</sup> AHN, INQ, leg. 1829/N. 1G, fols. 9r

<sup>304</sup> "Pilatos se auia salvado y que lo decia sanct agustin" AHN, INQ, leg. 1829/N. 1G, fols. 9r

<sup>305</sup> AHN, INQ, leg. 1829/N. 1G, fols. 9r

<sup>306</sup> AHN, INQ, leg. 1829/N. 1G, fols. 9r

<sup>307</sup> AHN, INQ, leg. 1829/N. 1L, fols. 7v

<sup>308</sup> AHN, INQ, leg. 1829/N. 1L, fols. 7v

<sup>309</sup> AHN, INQ, leg. 1829/N. 1L, fols. 7v

### 3.6.2 Various Scandalous Propositions on Mallorca

From the tribunal on Mallorca, there are six cases in this category, and two of them came in the first RDC from 1579 and were linked together. Jerónimo Crespi, a man from Naples in Italy and Bernal Caldés. Jerónimo stood accused of having uttered “dishonest things” to women, which caused a great scandal.<sup>310</sup> There is no mention about how the defendant answered to the accusations, or what the specific words were. Jerónimo was sentenced to attend Mass in penitent form where his sentence was to be read aloud to the gathered crowd. There was also a monetary fine of 20 *libras*, which amounted to 13 ducats according to the RDC, and he was made to abjure de levi.<sup>311</sup> The next case in the RDC is against Bernal Caldés, who stood accused of being with Jerónimo Crespi, the previous offender, in saying “dishonest things” to women.<sup>312</sup> The two men had approached some women together and saying things to them that apparently was scandalous. Bernal Caldés was given the same sentence, except the monetary fine was halved as the inquisitor writes that Bernal did not have much money so he could not eat well.<sup>313</sup> The Inquisitions halving of the fine in Bernal Caldés’s case is another excellent example of what has been assumed before in the study, that the Inquisition’s monetary sentences based itself on the defendant’s ability to pay, and not a specified rate according to the offence. Both of the sentences constitute a third-degree punishment.

The only woman to have been convicted of a proposition in this category was Antonina in 1583.<sup>314</sup> Antonina has no last name listed in the RDC, but she was married to Jaime Barzelo, a worker from Mallorca. Antonina was 60-years-old, and she came to the Inquisition’s attention by being denounced for having said the Paternoster prayer wrong. Antonina was said to have demonstrated the prayer in front of some people when one of the people gathered there told her she did not know the right words, even so, she continued with her recital. There were three witnesses against her, and the *calificador* qualified the proposition as reckless, injurious to the divine and with suspicion of error. The final sentence was to attend Mass in penitent form on a holy day with a candle in her hand, where her sentence was to be read aloud to the gathered crowd abjure de levi in front of the tribunal and ordered to do spiritual penance. The spiritual penance was to recite the Paternoster ten times

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<sup>310</sup> AHN, INQ, lib. 860/4r

<sup>311</sup> AHN, INQ, lib. 860/4r

<sup>312</sup> AHN, INQ, lib. 860/4v

<sup>313</sup> AHN, INQ, lib. 860/4v

<sup>314</sup> AHN, INQ, lib. 860/79v

every Friday for the rest of the year.<sup>315</sup> Antonina, along with all the others convicted in this category received a third-degree punishment. Matheo Vanrel was found guilty by the Inquisition in the RDC from 1595 to 1596 for having spoken “bad words” about the clergy, to which the 70-year-old man denied, and the sentence he received constituted a third-degree punishment.<sup>316</sup>

The last two cases on Mallorca in this category, are both interesting and unique in the propositions uttered by the convicted. Juan Pellicer, convicted on the 16<sup>th</sup> of October 1604, which being an RDC from the 1600s, recounts what the accusations against the defendant were in quite a detailed manner.<sup>317</sup> The case differs from most other cases, by not introducing the age and where he is from at the beginning of the case report, but rather at the end just before the sentence is proclaimed. The case is shown in this study as it is presented in the RDC, with the various elements coming as they are written in the RDC. The report starts by naming the defendant, the doctor Juan Pellicer, a rector of the parochial church in Saint Margarita from the Saint Nicholas district of Mallorca. The rector had six witnesses against him, all men over the age of majority, and the scholar stood accused of having said multiple propositions. The first denunciation of Juan Pellicer to the Inquisition came already back in August 1594, when the scholar was talking with four priests, he supposedly stated that he was tired of reading books that contradicted on another, and notes from councils that were against each other. He said everything was confusion, and even the Holy Scripture contradicted itself. Juan was also accused of having multiple times, pointed at the figure of Saint Nicholas painted in the church, and said: “I have no devotion for you”. There was also an accusation about the learned man having said several injurious propositions to the sacristan of the Saint Nicholas Church. Another witness had denounced him in June 1596, but could not be ratified as he now was deceased. The deceased witness had accused the scholar of having stated that the councils all contradicted each other, which another deceased witness also had claimed. The final three witnesses to denounce him came in 1604. The statements uttered by Juan Pellicer qualified, according to the *calificador* as propositions with suspicion of heresy. With this information, the Inquisition publicly arrested the rector along with confiscating his belongings. The first hearing started the 12<sup>th</sup> of July 1604, where the conclusion was that the priest, doctor, theologian and rector was of Old Christian heritage, and 60 years of age. When the Inquisition confronted the rector, he claimed not to know or suspect what the accusations

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<sup>315</sup> AHN, INQ, lib. 860/79v

<sup>316</sup> AHN, INQ, lib. 860/214r-214v

<sup>317</sup> AHN, INQ, lib. 860/287r-287v

against him were, and of course being the first hearings, they did not tell the accused what the accusations were, just prompting him to confess. When the trial began, and the Inquisition informed Juan Pellicer what the charges against him were, the rector stated that he stood by what he said and that he did not see how that could be considered as suspicion of heresy. The Inquisition's verdict was to sentence the scholar to attend Mass in the private chapel of the Inquisition in penitent form, where he was to abjure de levi, and he was not allowed to administer the holy sacraments for four years.<sup>318</sup> Being convicted in the private chapel of the Inquisition meant a distinctively smaller crowd and therefore less shame than if he was made to attend a public Mass. Even so, it is still considered a third-degree punishment as he was ordered to participate in a Mass in penitent form and to abjure de levi.

Marcos Villalonga was the last man sentenced for having uttered "various scandalous" propositions on Mallorca, and he was convicted in the last RDC in this study, which is from the years 1609-1610.<sup>319</sup> Marcos was an unskilled worker living on the island of Menorca, 45 years of age. Marcos was denounced to the *comisario* on Menorca in March and April 1608, by a single witness. This led to two more witnesses being called upon by the Inquisition to stand as witnesses against Marcos Villalonga. The Inquisition published a poster on a Sunday during Lent, perhaps referring to the edict of faith, was when the defendant supposedly said that the contents of the publication were disputed by the learned and that he had heard scholars discuss these matters. He claimed one of the scholars had agreed with the content, and one was against. There is no mention of what kind of content or topic Marcos claimed to be a disputed matter. The second and the third witness also confirmed the story of the first victim, and the *calificador* qualified the statement as scandalous, malicious and injurious to the Holy Office. Marcos was arrested "without secrecy", meaning it was not kept in private or as a secret. The first hearing started the second of June 1609, where they established that he was of an Old Christian lineage. Marcos denied the charges against him, and on the 29<sup>th</sup> of October 1609, he was sentenced to attend a Mass in penitent form in a church and a monastery on a Sunday, with a candle in his hand and a gag in his mouth. Marcos was made to abjure de levi in front of the tribunal, and he was also sentenced to shame, although it is not specified public shame, like the others ordered to receive shame were.<sup>320</sup>

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<sup>318</sup> AHN, INQ, lib. 860/287r-287v

<sup>319</sup> AHN, INQ, lib. 861/43v-44r

<sup>320</sup> AHN, INQ, lib. 861/43v-44r

### **3.6.3 Comparison of various scandalous propositions**

To compare the cases in this category, and be able to say something in general about how the sentencing levels in these cases point to similarities or dissimilarities between the tribunals seem like a futile task. The variations of the propositions for one with none of the propositions in the Canaries being similar to the ones on Mallorca entails that there is no basis or grounds to make a comparison between the two. The only piece of information that could say something about the tribunals, in general, is that the tribunal in the Canaries seems to give the clergy a milder sentence, whilst in the Balearic archipelago, the rector received a similar punishment as the non-ecclesiastical.

## 4. Conclusion

The focal point of this study has been to compare the sentencing levels between the two tribunals. The research question: “What are the differences and similarities in sentencing concerning the cases of heretical proposition between the two island tribunals of the Canaries and Mallorca from 1569 to 1610”, reflects the importance of comparing the sentences handed out to the convicted offenders. The differences became immediately apparent when reading the source material, that in general, the tribunal on Mallorca was more rigid, handing out harsher punishments than the tribunal in the Canaries. A major difference between the two courts become apparent when looking at the number of offenders given the harshest punishment the Inquisition had except the death penalty, namely the dreaded galley service. There was a total of ten people sentenced to the galley for a minimum of three years, with the person receiving the longest sentence was condemned to serve in a galley for seven years. The Inquisition on Mallorca sentenced nine of them, whilst their colleagues in the Canaries only convicted one man to serve on a galley. Hernando de Velasco, whom the tribunal in the Canaries sentenced to serve in a galley, was not condemned to act as an oarsman, as every offender given that sentence on Mallorca were, but as a soldier, which was less of a physically demanding punishment.

During the 31 years of available source material from the tribunal on Mallorca, only four people received a milder punishment than a third-degree sentence when utilising the severity of punishment scale created for this study in Chapter 2.5, which is 2,3% of the convicted on Mallorca. In comparison, 42,2% of the offenders between 1569 to 1610 received a first- or second-degree punishment in the Canaries. None of the four on Mallorca were given a first-degree sentence, whilst there were 13 in the Canaries who were convicted and received the mildest punishment. The most common verdict on both tribunals was the third-degree sentence, albeit in the Canary Islands there were only three more third-degree than second-degree sentences. There is a clear difference in both mild and severe punishments between the two courts. The Canaries has a significant group of offenders receiving mild convictions, and few severe penalties, whilst the tribunal in the Balearic archipelago has a large group of firm convictions and very few mild punishments. The Spanish Inquisition on Mallorca sentenced 37,5% to a fourth- and 5,1% to a fifth-degree sentence, whilst the tribunal situated in Las Palmas had 21,4% of the offenders convicted to a fourth-, and only 0,7%, fifth-degree sentence.

The differences in sentences are especially clear when comparing the cases of simple fornication. Amongst the 30 cases of simple fornication in this sample from the Canaries, none were condemned to serve in a galley. Three people were either banished or flogged, which is the main criteria for a fourth-degree punishment. 21 offenders were sentenced to at least attend Mass in public along with abjuring de levi, with some receiving some additional spiritual or monetary penalty, which is a third-degree punishment. Five were given a verdict similar to a third-degree, but without the abjuration, making their case a second-degree punishment, whilst one person was convicted and only given a warning, constituting a first-degree sentence.

The tribunal on Mallorca had almost twice as many offenders in this category, whereas only one person was given a lenient sentence, a second-degree one. 30 offenders, as many as the entire tribunal in the Canaries convicted of simple fornication in the period of this sample, was handed a third-degree sentence. 21 people were given a fourth-degree sentence, whilst four people were convicted to the galley. A significant difference in sentencing levels for the same type of proposition, simple fornication being alongside with statements about marriage and virginity the category where the propositions spoken in both places is most similar. However, the four people sentenced by the tribunal on Mallorca to serve in a galley as oarsmen for having uttered the simple fornication did not receive their punishment solely on the basis of their proposition. Arguably, it was their admission of sodomy, incest and bestiality that aggravated their sentence, even though the Inquisition did not have jurisdiction of such crimes, it was used to show the bad character of the accused, which in turn justified the harsh verdict. The tribunal in the Canary Islands did not have any such case, with no one charged with sodomy in addition to a proposition, which in some ways invalidates the galley service sentences under the crime of simple fornication. However, even if they are removed from the equation, there is still a clear difference in sentencing levels between the two tribunals for the offence of simple fornication. The same tendencies can be found amongst the other categories, although blasphemous propositions and various heretical proposition along with various scandalous propositions are harder to make a direct comparison as the spoken words often differ, although the exteriorised belief and the offences are thematically similar.

The question of whom the Inquisition convicted of uttering a heretical proposition in the islands in the period from 1569 to 1610 is answered by looking at every case of heretical proposition at both locations, analysing the contents to be able to find out who these people were. The first data harvested from the trial records was the gender of the accused. The result from both tribunals shows that the category was dominated by male offenders, with a slightly

higher percentage of male offenders in the Canaries. The interesting find here is that the women convicted of heretical propositions are represented in every category, and their propositions are as varied as the male counterparts. There are no “common” proposition women the Inquisition on either tribunals convicted women of having uttered. The category of statements about marriage and virginity do have a much higher percentage of female convicted on both tribunals, than the other categories, but the category contains so few convicted, and women do not dominate the category itself, but more of an equal number of female as male offenders.

Seeing as there were little differences in the gender, age was the next variable to consider. The age of all the convicted, where it was possible to extract the information from the sources, were considered. The average age of an offender of heretical proposition between the two tribunals was even more similar than the gender of the offender. The average offender was in his or her mid-thirties. Both tribunals convicted offenders who were below the age of majority, which was at 25, and they both had convicted well over the age of 60, according to the trial records. The youngest offender was a 13-year old girl, whilst the oldest was said to be 100 years old.

The last piece of information to be able to answer the question of whom the Inquisition convicted of such a proposition was to look at the social and economic status of the offenders. The social and economic status of the offenders is based on the cases where the Inquisition noted the offender’s occupancy along with other factors revealed in the trial records. The significant find amongst the status of the average offender was that the tribunal in the Canaries had a more diverse group of convicted. On Mallorca, there is more conformity, with 40% of the cases where the status is known, being people working in the primary sector, whilst another 40% is unknown. The largest difference between the two is the number of individuals convicted by the tribunals who are deemed to belong to the privileged group, or as slaves. In the Canaries, 10% of the offenders in the Canaries were slaves, and 9% belonged to the other side of the social scale, the privileged group. Compared to the tribunal on Mallorca, where only 5% of the offenders were from either of the two groups, there is a clear difference between the two. The sizeable number of convicted where there is no way of concluding which part of society they belonged to is similar in both tribunals. Although as mentioned, the earliest sources from the Canaries tend to mention the status of the victim only if they belonged to any other category than artisans and in the primary sector, which might indicate that there are at least several from the unknown category who probably belonged to



the primary sector. However, the largest group of offenders in the Canaries were from the primary sector like on Mallorca, although far from as dominant.

As seen, there were differences in whom the Inquisition prosecuted, and the severity of punishment, which led to the last question, was there a difference in what the offenders were convicted of having uttered. On both archipelagos, offenders were primarily convicted of having said a blasphemous statement, simple fornication or various heretical proposition. The main statistical difference lies within the category of simple fornication, which on Mallorca is the largest category, but in the Canaries, it is the third largest category. There were 26 more people convicted on Mallorca for the simple fornication proposition, even though there are no RDC's known until 1579, which means that there are ten more years of data from the Canaries, which only enhances the clear difference. On that subject, it is important to remember that during the 41 years in question, the Canaries had a total of 173 cases of heretical proposition, whereas 154 of the cases led to a conviction of the offender. On Mallorca, the number is 177 cases, which resulted in 176 convictions. The differences in what type of proposition the tribunals prosecuted within the categories became apparent in Chapter 3. Simple fornication is a good category to use as an example, as the conformity of the spoken words is high due to the nature of the proposition. There was not a number of different ways offenders denied the sin in sex outside of marriage. The character of the cases under the category of blasphemy is also a category where there is a difference in the statements uttered. The tribunal in the Canaries had more of a conformity amongst the blasphemers in what and how they supposedly blasphemed, with common phrases such as "I deny God", which several slaves, amongst others were convicted of having uttered. On Mallorca, such tendencies are not found, with each blasphemous proposition, in general, were more varied.

Both tribunals had few cases under the category of statements about marriage and virginity, which like the simple fornication proposition, were mainly the same proposition. Various heretical propositions, as the name indicates, a category with a considerable variation in the propositions spoken. Nevertheless, there is statistically several more dark-skinned people convicted in this category in both tribunals, than any of the other categories. In the Canaries, foreigners, slaves and other individuals with a darker complexion were a large part of the offenders, whilst on Mallorca, there were not any more foreigners or slaves, but there were more of the dark-skinned offenders than the other categories. This tendency might be a symptom of people having been converted to Christianity rather recently, or just that the indoctrination of the Catholic faith was, in general, lacking amongst the dark-skinned population, which in the Canaries, often were slaves. The last category of scandalous

propositions is a category with few convicted and does not give much ground for comparison, other than that the ecclesiastical men sentenced in the Canaries were treated mildly.

The study has shown that there were differences in who and for what the Inquisition prosecuted people of having uttered on the two archipelagos, as well as the severity of the punishments. Even so, there are plenty of similarities. The largest group on both tribunals convicted of uttering a heretical proposition were from the lower class of society, from the primary sector. Most of the offenders on both locations were also of Old Christian heritage, with very few New Christians' convicted of uttering a heretical proposition. Another similarity between the two tribunals can be found when looking at the cases against the female offenders. The propositions the female offenders uttered were as varied as the men's, and their punishments ranged the entire severity of punishment scale, except for the galley service which was applied exclusively to the male offender.

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