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LOBOS Y PERROS RABIOSOS:

The Legacy of the Inquisition in the Colonization of New Spain and New Mexico

Cheryl Martin, PhD.

Master's Seminar Essay

May 11, 2012

C. Michael Torres

It is unlikely that any American elementary school student could forget the importance of the year 1492, as it immediately brings to mind explorer Christopher Columbus, his three tiny sailing ships and the daring voyage of discovery to the New World. Of no less importance was what historian Teofilo Ruiz of UCLA has called *the Other 1492*, the completion of the *Reconquista* (Reconquest) of the Moorish kingdoms in Iberia, and the expulsion of the Jews from Spain by the Catholic Monarchs Ferdinand II of Aragón, and Queen Isabella of Castile.¹ These seemingly unconnected events influenced the history and economy of Spain and Europe, setting in motion the exploration, immigration, and colonization of the Americas which gave rise to Spain's Golden Age.

Therefore, with the council and advice of the eminent men and cavaliers of our reign, and of other persons of knowledge and the conscience of our Supreme Council, after much deliberation, it is agreed and resolved that all Jews and Jewesses be ordered to leave our kingdoms, and that they never be allowed to return.²

This quotation from the Alhambra Decree dated 31 March 1492, also known as the Edict of Expulsion, was intended to permanently expel all of the Jews living in the realms and possessions of the Catholic Monarchs. The document was the capstone of the campaign to recapture the Iberian Peninsula after several hundred years of Moorish presence, and to engender a harmonious, homogeneous Catholic realm free of foreign, non-Christian influences. For centuries, the multi-ethnic, multi-lingual *mélange* of Spain and Iberia was the legacy of the

¹ Teofilo F. Ruiz, *The Other 1492: Ferdinand, Isabella, and the Making of an Empire* (Chantilly, VA: The Teaching Co., 2002), 1.

² Peters, Edward, trans., *The Alhambra Decree*. Foundation for Advancement of Sephardic Studies, www.sephardicstudies.org/decree.html (accessed 12/06/2011).

Romans, Visigoths, Vandals, Carthaginians, Jews and Muslims that had made the Iberian Peninsula their home. Queen Isabella the ardent Catholic and King Ferdinand the pragmatic autocrat utilized the completion of the *Reconquista* to create a united Spanish realm. The remnants of the Moors in Isabella's domains would also be forced to leave or convert.³

The Catholic Monarchs and the Inquisition were energized by the momentum of the victorious *Reconquista* and influenced by the weight of history, precedence, and sacred tradition in their campaign to rid Spain and its territories of Jews, crypto-Jews, and other heretics. The actions and activities of these two powerful entities unwittingly brought about the migration of Jews and crypto-Jews to New Spain, the establishment of a sizeable influential community of crypto-Jews in Mexico City, and the dispersal of members of that community to the nether regions of New Spain upon the arrival of the Mexican Inquisition in 1571. Despite ongoing investigations and event-driven pogroms conducted from the late sixteenth century to mid-seventeenth century, documents and Inquisition records indicate a less-than-consistent and not-always-vigorous attempt to fully prosecute and achieve the expulsion of the crypto-Jews from New Spain. Historical evidence establishes the early and ongoing presence of *conversos* (Jews converted to Christianity) and crypto-Jews in the New World and New Mexico in particular.

This essay will utilize historic documents to illustrate a predisposed religious and racial mindset concerning the Jewish population that existed in Iberia from the time of Christian Rome, and in New Spain from Cortés's conquest of the Aztecs. Early documents presaged the treatment of the Jews in Spain and set the stage for continuing intimidation, persecution, and exploitation of Jews, crypto-Jews and *conversos* after they made their way to the New World. The formidable presence of the Holy Office of the Inquisition and the Catholic religious orders would impact the

³ Henry Kamen, *Spain 1469-1714: A Society in Conflict* (London: Pearson-Longman, 2005, ©1983), 39.

commerce and colonization of New Spain in that they directly influenced the lives, livelihood, and geographic settlement of Jews, crypto-Jews, and other *conversos*. Examination of Inquisition *procesos* documents from Mexico's Archivo General de la Nación (National Archives), plus the work of Richard Greenleaf, Stanley Hordes, Solange Alberro, France V. Scholes and others reveal the extent and depth of the Inquisition's and the Catholic religious orders' influence, particularly in the provinces of Nuevo León and New Mexico.

This history becomes all the more interesting as the Edict of Expulsion forbade the presence of Jews in Spain or any Spanish possession. Additionally, due to the suspicion of the *conversos*, Queen Isabella restricted immigration to the New World to Old Christians who could prove that their four grandparents had already converted to the Catholic faith.⁴ By the late fifteenth century Christians co-opted from the Moors the concept of Holy War (Jihad) and “began to take on the Jews’ concern for preserving their purity or blood.”⁵ Christians, Muslims and Jews shared ideas and cultural concepts while managing to coexist and cooperate some of the time under a *modus vivendi* referred to as *convivencia*, “a relationship between unequals.”⁶ Historian David Nirenberg argued against the concept of a ‘peaceful and idyllic’ coexistence because violence was “a central and systemic aspect of the majority and minorities in medieval Spain.”⁷ The Jewish and Muslim minorities had specific roles in the polyglot society: the Muslims were a ready source of soldiers, valuable agricultural labor, musicians, and entertainers

⁴ Arnold Wiznitzer, “Crypto-Jews in Mexico during the Sixteenth Century.” *American Jewish Historical Quarterly* 51:3 (March, 1962), 169.

⁵ Edward R. Tannenbaum, *European Civilization since the Middle Ages* (New York: John Wiley & Sons, 1965), 97.

⁶ Henry Kamen, *The Spanish Inquisition: A Historical Revision* (New Haven, CT: Yale University, 1997), 4.

⁷ David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton: Princeton University Press, 1996), 9.

while the Jews filled the roles of artisans, merchants, physicians and financiers.⁸ The accommodations engendered by the *convivencia* were acceptable to most, though some areas of vexation were evident. Perhaps the most pronounced was the aggravation and jealousy exhibited by the landed gentry, ‘Old Christians,’ and the clergy toward the Jews and *conversos*. By converting, the Jews became New Christians and gained access to careers and opportunities not available to them as Jews, and they prospered. That many of the New Christians were Christians in-name-only caused anger, jealousy and consternation among the Old Christians.⁹ This social, cultural, and economic irritation would be a major factor in the Catholic Monarchs’ ultimate decision to expel the Jews.

The Legacy of History in Iberia

Even before the great Jewish insurrections in Judea during the reigns of Vespasian, Trajan, and Hadrian that resulted in Jewish slave populations being transported to the West as far as Iberia and Gaul, there had been a Jewish presence on the Iberian Peninsula.¹⁰ The community in Iberia was one of the oldest communities of Jews outside of Palestine.¹¹ Christianity became the state religion in Rome during the reign of Constantine I (306-337). According to legend, Emperor Constantine had his legions paint a Christian symbol on their shields after he had a vision of the symbol and the phrase *in hoc signo vinces* “in this sign you will conquer” and won a crucial battle. In gratitude Constantine gave the energetic new religion legitimacy and a foundation on which it built a global presence that has endured to modern times.

⁸ Kamen, *The Spanish Inquisition*, 4-5.

⁹ Cecil Roth, “Marranos and Racial Anti-Semitism: A Study in Parallels,” *Jewish Social Studies*, 2 (1940), 240-241.

¹⁰ *Jewish Encyclopedia.com*, s.v. “Great Jewish Diaspora,” <http://jewishencyclopedia.com/view.jsp?artid=329&letter=D> (accessed 02/26/2011).

¹¹ Joachim Prinz, *The Secret Jews* (New York: Random House, 1973), 18.

“Since the fourth century after Christ, there have been three anti-Jewish policies: conversion, expulsion, and annihilation.”¹³ Conversion was the preferred policy because Christians believed they had an obligation to save barbarians and unbelievers from damnation. When the program to convert Jews failed to meet the objectives of Church and state, expulsion was the next best option, as witnessed in Spain and Portugal. The third anti-Jewish policy, elimination, was Nazi Germany’s solution, *the Holocaust*.

The quote below is from the Visigothic Code, as it related to the rights and treatment of the Jews. “Visigothic law codes regularly included legislation relating to Jews” and were later reflected in the law codes of Alfonso X of Castile.¹⁴

No Jew who has received the sacred rite of baptism shall renounce the faith of the holy Christian religion, or blaspheme said faith, in any way. No Jew shall flee to avoid being received into the Church, or conceal himself for such a purpose, after having taken flight. No Jew shall entertain the hope of resuming his errors, or of performing the ceremonies of his infamous belief. No Jew shall entertain in his heart any perfidy against the Christian religion...No one shall venture to conceal a Jew...No one shall delay to denounce a Jew.¹⁵

This law set the Jews apart from the rest of Visigothic society. Second, it implied that the Jews should go along in order to get along, that is, convert to Christianity. It was Visigothic King Sisebut (612-620), who was the first to force Jews to convert and accept baptism.¹⁶ Once converted, the Jews became subject to penalties if they recanted, blasphemed, spoke ill of the faith, or resumed the practice of the Law of Moses. The Visigothic Christians considered

¹³ Raul Hilberg, *The Destruction of the European Jews* (New Haven: Yale University Press, 2003 © 1961), 4.

¹⁴ Olivia Remie Constable, ed., *Medieval Iberia: Readings from Christian, Muslim, and Jewish Sources* (Philadelphia: University of Pennsylvania Press, 1997), 269.

¹⁵ S.P. Scott, ed., *The Visigothic Code: (Forum Judicum)*. The Library of Iberian Resources Online: <http://libro.uca.edu/vcode/vg/12-2.htm> Book XII, Article IV. (accessed 02/26/2011).

¹⁶ Roger Collins, *Visigothic Spain, 409-711: A History of Spain* (Malden, MA: Blackwell Publishing, 2004), 76.

baptism to be irreversible.¹⁷ Those Jews who chose not to convert remained subject to the laws, proscriptions, and taxes applicable to Jews.

The Visigoths created the first true Spanish monarchy with the stated goals of uniting the peninsula “with concomitant destruction or ejection of those racial and cultural elements regarded as alien” in the opinion of historian Roger Collins.¹⁸ Many of these rules for living among Christians carried over to the treatment of Jews in the *Siete Partidas* law codes of Alfonso X (1252-1284) of Castile.¹⁹ The *Siete Partidas*, the codification of Spanish laws published in the late thirteenth century begins with an explanation of its purpose. “These laws were established so that men may live well and according to God’s will, guarding the faith of Jesus Christ.”²⁰ These legal principles and proscriptions were taken seriously, but were at the same time subject to local, contemporaneous accommodations engendered by *convivencia* in various Iberian communities.

At the age of eighteen young Isabella was one of the claimants to the throne of Castile, the largest kingdom in Iberia.²¹ Her decision to marry Ferdinand of Aragón was intended to help strengthen her claim, and to keep Castile from being absorbed by another state like France or Portugal. Their marriage would create “the dynastic unification of most of present day Spain... and unify Christian Spain to an extent not seen since the eighth century.”²² But, before agreeing

¹⁷ Collins, 76.

¹⁸ Collins, 1-2.

¹⁹ Paul Halsall, ed., *Las Siete Partidas: Title XXIV: Concerning the Jews*. Internet Medieval Sourcebook: Fordham University. <http://www.fordham.edu/halsall/source/jews-sietepart.html> (accessed 03/28/2011). Title XXIV contains eleven specific laws relating to the Jews and how Christians may relate to them.

²⁰ Margaret Mott, “The Rule of Faith over Reason: The Role of the Inquisition in Iberia and New Spain,” *Journal of Church and State* 40:1 (Winter, 1998), 60.

²¹ Jon Cowans, ed., *Early Modern Spain: A Documentary History* (Philadelphia: Univ. of Pennsylvania, 2003), 7.

²² Philip Daileader, *The Late Middle Ages* (Chantilly, VA: The Teaching Co., 2007), 81.

to the union she asked for and received a list of concessions in a letter signed in 1469 by young Ferdinand. Two of the twenty-four articles are material to this narrative: Article 1. As a Catholic King and lord, Ferdinand agreed to “remain devoted and obedient to the wishes, commands and exhortations of the Holy See (Vatican),” and Article 23. “Once we have the kingdoms and domains of Castile and León in our joint power, we will be obliged to wage war on the Moors, and other enemies of the holy Catholic faith...”²³ These terms created a de facto commitment to the faith and to wage a holy war from Aragon, Castile and León on Muslims, Jews, foreigners, and heretics in accordance with the dictates of the Pope and the Vatican. As Margaret Mott has noted, “Medieval philosophy was renowned for its religious intolerance, and Christians had a moral duty to extirpate heretics and infidels.”²⁴

The major means of enforcement utilized by the Roman Catholic Church in Medieval Europe was the institution of the Holy Office of the Inquisition, which was “particularly active in northern Italy, France and the Iberian Kingdom of Aragon.”²⁵ The royal marriage of Isabella and Ferdinand began the creation of the modern Spanish state, but they had to do something about the Jews and the Moors.²⁶ Church officials and nobles began campaigning to have the Inquisition activated in Castile and León targeting the New Christian *conversos*, who were suspected of Judaizing, “the clandestine observance of various Jewish practices.”²⁷ The *converso* problem in

²³ Cowans, 7-9.

²⁴ Mott, 64.

²⁵ Cowans, 10.

²⁶ Tannenbaum, 97.

²⁷ Paul Hauben, ed., *The Spanish Inquisition: A Crucible of National Values* (New York: John Wiley & Sons, 1969), 7.

Spain “dated from 1391, the year a great wave of anti-Semitic protests and riots raged over the peninsula causing great numbers of Jews to choose between Christian baptism and death.”²⁸

The most well known outbreaks of violence against a minority population in Iberia were the attacks in 1348 stemming from the outbreak of the Black Death (bubonic plague), and the Seville riots of 1391.²⁹ In times of crisis the issue of blame for the disaster, in this case the outbreak of the plague, caused violence to be visited on travelers, foreign elements, Muslims, Jews, and others in Europe and Iberia.³⁰ In Seville “on June 4, 1391, a mob sacked and burned the *aljama* (the Jewish section) and its synagogues” and the Jews who survived were forced to accept baptism and Christianity or face death.³¹ Lingering resentment related to the plague and the fiery rhetoric of the local archdeacon, who had been preaching vitriolic sermons against the Jews, incited the mob. Thousands of Jews were killed as the violence spread to Valencia, Burgos, Majorca, Gerona, Madrid and other large communities.³²

The riots and pogrom of 1391, and subsequent attacks on *conversos* such as in Toledo in 1449 had caused a great many Jews to accept conversion to Christianity. However, the 1449 Edict of Toledo (*Actas de Toledo*) restricted any person, converted or no, from holding public offices if they had Jewish lineage in their background.³³ Many Jews had converted under duress, and some converted voluntarily, recognizing that the violence and restrictions placed on Jews would negatively impact their status, property, and ability to make a living. Whether the

²⁸ Richard L. Kagan and Abigail Dyer, eds., *Inquisitorial Inquiries: Brief Lives of Secret Jews and other Heretics* (Baltimore: Johns Hopkins University Press, 2004), 12.

²⁹ Nirenberg, 231.

³⁰ *Ibid.*, 231-232.

³¹ Bernard F. Reilly, *The Medieval Spains* (Cambridge: Cambridge University Press, 1993), 200.

³² *Ibid.*, 200-201.

³³ Kenneth Baxter Wolf, trans., “Sentencia-Estatuto de Toledo, 1449.” From the original text by Eloy Benito Ruano, *Toledo en el Siglo XV* (Madrid, 1961) <http://sites.google.com/site/canilup/toledo1449> (accessed 11/04/2011).

conversions were sincere legitimate changes of faith, and many obviously were not, they became known as *cristianos nuevos*, New Christians.³⁴ This term distinguished them from the Old Christians; usually persons of higher social rank who could trace their lineage and prove that no Jewish or Muslim blood existed in their families. Despite the new categorization, which bestowed a de facto second class status, New Christians managed to make their way and prosper. The success of the *conversos* created jealousy, suspicion, and resentment among the clergy and the Old Christians. Due to the many conversions, “there was now a vast number of titular Christians scattered throughout the country, pushing their way into every walk of life, and constituting a problem of their own.”³⁵ The Church was forced to intercede for the *conversos*, because the church had preached conversion. On September 24, 1449 Pope Nicholas V issued a bull declaring that “all the faithful are one,” and endorsed the laws of the former kings of Spain which admitted converts to the privileges of Christians.³⁶ This neutralized the proposed *Actas de Toledo*, and to add further weight to the bull, the Pope excommunicated the authors in 1450.³⁷

Pope Sixtus IV received a letter from the Catholic Monarchs requesting activation of the Holy Office in their kingdoms and possessions to ferret out “certain bad Christians, apostates, heretics and *conversos* who despite receiving the sacrament of baptism...have turned and converted to the sect, superstition, and faithlessness of the Jews.”³⁸ There were practical considerations as well as religious ones in this request. The newlyweds did not wish to cause dissension among their nobles, and were “seeking to consolidate their own rather tenuous

³⁴ Kagan, 12-13.

³⁵ Cecil Roth, *A History of the Marranos* (New York: Meridian Books, ©1932, 1959), 29.

³⁶ Roth, *Marranos and Racial Anti-Semitism*, 244.

³⁷ *Ibid*, 244-245.

³⁸ Cowans, 10.

power.”³⁹ “Unification [was] the goal of orthodoxy... a highly regulated faith was the adhesive which held the illiterate masses together.”⁴⁰ But anxious to guard against undue interference from Rome, the Crown insisted that except in matters of dogma, the Holy Office in Spain would report to, and be under the direction of, the Catholic Monarchs themselves, including the authority to select the Inquisitors.⁴¹ Pope Sixtus IV granted their request to create the Spanish Inquisition on 1 November 1478. The Crown, the noble elite, and the clergy believed that the people of Spain, peasants and horsemen, needed an institution that would provide a strong moral compass and have the authority to enforce compliance with Catholic principles.⁴²

HISTORIOGRAPHY

The historiography of the Jews, crypto-Jews, and *conversos* in Spain, Mexico (New Spain) and New Mexico centers on a number of highly debated issues. Was the Holy Office of the Inquisition created simply to insure the purity of the Catholic faith in Spain and her possessions? Was the Inquisition’s true *raison d’être* to provide a revenue source and method of enrichment for the crowns and the Church? Were any of the forced conversions true changes of faith? What were the motivations for the unforced conversions? Did all of the victims of the forced conversions become crypto-Jews? Did the practicing Jews attempt to proselytize the *conversos*? If immigration to New Spain was barred to anyone having Jewish or Moorish lineage in their family backgrounds, how did so many *conversos* and crypto-Jews make their way to the New World? What was the mission of the Inquisition in New Spain? Did the

³⁹ Ibid, 10.

⁴⁰ Mott, 65.

⁴¹ Cowans, 11.

⁴² Mott, 65.

conversos identify more with the Jewish faith and heritage in the New World, or with their assumed Christianity?

Historian Henry C. Lea's epic *A History of the Inquisition of Spain*, published in 1905, is an exhaustive encyclopedic work on the Inquisition in Spain. Lea's work centered on the Inquisition's quotidian operations, methodology, and administration. The preface to the masterwork states it "involved the accumulation of much detail in order to present the daily operation of a tribunal of which the real importance is to be sought...in the silent influence exercised by its incessant and secret labors...and the limitations which it placed on the Spanish intellect."⁴³ Lea's work led him to believe that the Inquisition was established to police the faith, and guard against heresy and heretics. Henry Kamen believed that "the expulsion of the Jews from Spain was carried out for religious motives."⁴⁴ However, the work of the Inquisition, Kamen thought, was also an exercise in class warfare to suppress the rising influence of the middle class and the New Christians which represented a large part of it. An earlier three volume work by Juan Antonio Llorente, a secretary to the *Suprema* (Supreme Council of the Inquisition), provided a discordant early assessment of the institution, and actually called for its dissolution.⁴⁵ Although subsequent works have argued that Llorente reported overly large numbers of Jews and victims in Spain, his research is considered significant, as it was the first work directly derived from the Inquisition's own records, to which Llorente had access as Secretary General of the Inquisition of Spain from 1783 to 1791.⁴⁶

⁴³ Henry C. Lea, *A History of the Inquisition of Spain, vol. 1* (New York: Macmillan, 1905), v.

⁴⁴ Kamen, *Spain 1469-1714*, 46.

⁴⁵ Juan A. Llorente, *Historia crítica de la Inquisición en España* (Madrid: Hisperión, ©1980, 1981).

⁴⁶ Juan Antonio Llorente and Leonard Gallois, *History of the Spanish Inquisition; Abridged from the Original Work of M. Llorente, Late Secretary of that Institution* (Memphis, TN: General Books, © 1896, 2010), 1.

In Chapter X Llorente made observations attendant to this essay relating to the pre-history of the Inquisition. He observed that in the Eleventh century “the persecution of heretics was regarded by the court of Rome as a meritorious act; and apostolic indulgences were granted, as a reward for this kind of devotion to the cause of religion.”⁴⁷ Llorente went on to report that most Popes were committed to the removal of heresy: they urged rulers “not to suffer heretics to remain in their dominions, and commanded them to drive them away, and...not content with preaching crusades against the *Mahometans* (Mohammedans), the Roman pontiffs exhorted the people to take arms for the destruction of heretics in Christian countries.”⁴⁸ Llorente believed that Ferdinand established the Inquisition “to carry on a vigorous system of confiscation against the Jews, and so bring their riches into the hands of the government.”⁴⁹ Llorente was well-educated, trained in the law, and fervently believed in the subordination of church to state.⁵⁰

Historian Alfonso Toro traced the treatment of heretics by inquisitors back to the Roman emperors who reigned after Constantine I (306-337).⁵¹ Under Roman law any citizen had the right of public accusation of heretics, but Emperor Theodosius instituted the much feared office of Inquisitors of the Faith.⁵² The investigation and punishment of heretics became less focused over time, but the Inquisition came back into prominence when heretical sects like the Cathars and Albigensians made their appearances in the eleventh and twelfth centuries.⁵³ The role of the Inquisition expanded beyond policing heresy to other acts such as blasphemy, demon worship,

⁴⁷ Ibid, 18.

⁴⁸ Ibid, 19.

⁴⁹ Juan A. Llorente, “A Spanish Anti-Clerical View,” in *The Spanish Inquisition: A Crucible of National Values*, Paul Hauben, ed., 33-34.

⁵⁰ Llorente, “A Spanish Anti-Clerical View,” 32.

⁵¹ Alfonso Toro, *The Carvajal Family: The Jews and the Inquisition in New Spain in the Sixteenth Century* (El Paso, TX: Texas Western Press, 2001), 177.

⁵² Alfonso Toro, *The Carvajal Family, 177-178* citing Edward Gibbon, “History of the Decline and Fall of the Roman Empire.”

⁵³ Toro, 178.

schismatics, and excommunicants; their methodology codified torture and secret trials.⁵⁴ Toro, like Llorente, believed the Inquisition morphed into a revenue producing agency of the state.

The most contentious historiographical argument concerns the nature of the *conversos*: were they true and sincere converts to the Catholic faith, or Christians in name only, having accepted baptism only to avoid death or expulsion? German historian Yitzhak Baer in his history of the Jews in Christian Spain indicated his belief that most of the converts tended to be Christians to the outside world, while secretly remaining true to the Law of Moses.⁵⁵ Historian Cecil Roth in his *A History of the Marranos* makes a good case for Yitzhak Baer's position that the majority of the conversos were in fact crypto-Jews. "Crypto-Judaism, in one form or another is as old as the Jew himself" he wrote, and traced it back to the days of the Hellenistic Greeks.⁵⁶ Like Alfonso Toro he, too, wrote about Jews under Roman rule indicating that they hid their Jewishness in order to avoid paying the *Fiscus Judaicus*, a special tax on Jews in place since the fall of Jerusalem.⁵⁷

Fellow historian Benzion Netanyahu took the opposing view, arguing that most of the *conversos* by the time of the Edict of Expulsion in 1492 were living Christian lives for the most part.⁵⁸ However, Netanyahu believed the hatred towards the Jews had become more racial than religious, as exhibited by the 1449 Edict of Toledo, which sought to ban New Christians from ascending into the higher levels of Spanish society. The issue was no longer the practice of the Jewish religion, but rather having Jewish blood. The *limpieza de sangre* became all-important.

⁵⁴ Toro, 182-3.

⁵⁵ Benzion Netanyahu, "A Controversial Jewish View," in *The Spanish Inquisition: A Crucible of National Values*, ed. Paul J. Hauben, 43.

⁵⁶ Cecil Roth, 1.

⁵⁷ Cecil Roth, 1.

⁵⁸ Netanyahu, "A Controversial Jewish View," 43.

The two theories are not necessarily mutually exclusive. Those Jews who were forcibly baptized in the 1391 race riots may have remained Jews in secret, as they had received no formal grounding or instruction in the Catholic faith. They were Christians in name only having accepted baptism and outwardly lived as Christians, while privately adhering to the principles and practices of Judaism. “In race, in belief, and largely in practice, they remained as they had been before the conversion.”⁵⁹ By the time of the Alhambra Decree, three generations of *conversos* had lived and worked in Spain. Netanyahu’s belief that the *conversos* had assimilated was probably true for at least some of the convert families. What is certain is that there were *conversos* who secretly retained some or all of their beliefs and practices in Judaism, the crypto-Jews. “Judaizing continued to keep the Inquisition busy, with the assistance of informers on a fairly large scale.”⁶⁰ Under Inquisition rules, informants remained anonymous. In Tannenbaum’s opinion, a Jew could avoid suspicion by proclaiming a dislike for Jews and turning informer.⁶¹ According to Cecil Roth, “it was hopeless to attempt to extirpate the Judaizing heresy from the land while Jews were left in it to teach their kinsmen the practices of their ancestral religion.”⁶² A resident population of Jews would act as a source of instruction in Judaism, and as potential proselytizers of the *conversos*.

Regardless of the proportions, there were three categories of *conversos* resident in Isabella and Ferdinand’s kingdoms: forced converts living as Christians, willing converts who became true Christians, and the crypto-Jews. As a group their futures were perilously uncertain. If they stayed and lived as Christians, they would be under suspicion of being crypto-Jews by their friends and neighbors, and would live under the watchful eye and jurisdiction of the Holy

⁵⁹ Roth, 20.

⁶⁰ Hauben, *The Spanish Inquisition: A Crucible of National Values*, 7.

⁶¹ Tannenbaum, 99.

⁶² Roth, 52.

Office. If they chose to leave, they could only take with them that which they could carry, no businesses, no gold or silver specie, no jewels, and no real property. The Jews and *conversos* in 1492 Spain found themselves caught between Scylla and Charybdis: many fled to Portugal, a great many others to Islamic countries and kingdoms, and some managed to find their way to new opportunities in the New World.⁶³

Just how many Jews and *conversos* were forced to leave Spain in the wake of the Alhambra Decree? Lea stated “the Jews formed [a] large and important portion of the population.”⁶⁴ Lea estimated the number of Jews expelled at about 165,000 with an additional 20,000 who died⁶⁵ Benzion Netanyahu agreed with Lea’s 165,000 expelled Jews. Henry Kamen stated that “the final figure for those who left permanently could not have been more than about 50,000.”⁶⁶ Bernard Reilly agreed with the 50,000 figure in his book *The Medieval Spains*. Cecil Roth agreed with the 165,000 figure, and believed there had been up to three hundred thousand (300,000) *conversos* throughout the peninsula prior to expulsion.⁶⁷ John A. O’Brien of Notre Dame University put the population of Spain at eight million, of which three million were lost to the expulsions of Jews and Moors in 1492, 1502 and 1609.⁶⁸ Llorente also credits the Holy Office of the Inquisition and the expulsions for reducing the population of the kingdoms of

⁶³ *Webster’s New Universal Unabridged Dictionary*, 2nd ed., s.v. “Scylla.” To be caught between two equally perilous alternatives, as between Scylla and Charybdis a rock and a maelstrom in the Straits of Messina in classical mythology.

⁶⁴ Lea, 85.

⁶⁵ Lea, 142.

⁶⁶ Kamen, 44.

⁶⁷ Roth, 27.

⁶⁸ Keith Fogel and Marian E. Fogel, *Conversos of the Americas: Emergence and Descent of the Converted Jews of Spain* (New York: Pajaros-Lopez Publishers, 2004), 20.

Aragon, Castile, and León by three million.⁶⁹ Edward Tannenbaum writing in *European Civilization Since the Middle Ages* placed the number of Jews at about a quarter of a million.⁷⁰

The actual tally notwithstanding, O'Brien commented that the true cost of the expulsions was that "the monarchs had successfully excised the two hemispheres of the Spanish brain... and with them went: education, medicine, science, literature, art, architecture, commerce and industry."⁷¹ Cecil Roth also believed that "emigration had drained the country of its ablest brains."⁷² Tannenbaum wrote that "Christians disdained the industriousness and economic aptitudes of the Moors and Jews to their later misfortune."⁷³ According to Lea, "Whatever may have been the number, the sum of human misery was incomputable."⁷⁴

THE SEPHARDIM IN THE NEW WORLD

It seems appropriate at this point to address the various terms and appellations used to refer to the Sephardim, Spanish Jews, in the narrative. The Jewish term *Anusim* refers to those Jews who were forced to convert to Christianity. A *converso* refers to a convert to Christianity, as does New Christian, whether the conversion was forced or voluntary. Another term *Nuevo creyente* literally means a new believer, and was used interchangeably with the term New Christian.⁷⁵ Benzion Netanyahu referred to the converts as *Marranos*, which in Spanish refers to pigs or swine. This pejorative term may have originated with the Old Christians and been used

⁶⁹ Llorente and Gallois, 53.

⁷⁰ Tannenbaum, 95.

⁷¹ Fogel, 20.

⁷² Roth, 340.

⁷³ Tannenbaum, 97.

⁷⁴ Lea, 143.

⁷⁵ Dell F. Sanchez, "Secrets of our Forefathers" *La Prensa Editorials*. April 6, 2008 edition on the "4Sephardim" website. <http://www.4sephardim.com/prensa.html> (accessed 05/03/2011).

to demean the converts, or it may have come from Jews themselves to refer to those of their faith who were forced to ingest pork as part of their New Christian regimen. Historian Solange Alberro used the term *Marranos* interchangeably with *Judeocristianos* (meaning Judeochristians). She believed that those Jews who neither left Spain nor sincerely accepted Christianity were traitors in the eyes of true believers of both faiths.⁷⁶ Judaizers or *Judaizantes* refers to those New Christians who adhered to their old religion, usually secretly, but sometimes openly. The term *Portugues*, or Portuguese, referred to Jews; the terms were interchangeable particularly in New Spain during the seventeenth century, when so many Portuguese Jews and converts made their way to Mexico and the other Spanish colonies and communities in the New World. One final term of interest was *Alboraycos*, which was “derived from the name of Mohammed’s mythic steed, al-Burak, which was neither horse nor mule, male nor female – much like the [*conversos*] who were neither Jews nor Christians.”⁷⁷

Historian Seymour Liebman has written that despite theft, pilferage, fires, and other predations, government archives and private collections, in the United States and Mexico, contain sufficient primary records to establish a continuing presence of Spanish and Portuguese Jewry in New Spain since the time of Cortés’s conquest of the Aztecs.⁷⁸ “When Cortés conquered Tenochtitlán...in 1521, he was accompanied by several Iberian Sephardic Jews among whom was soldier Hernando Alonso...” who seven years later would be “the first Jew to

⁷⁶ Solange Alberro, *Inquisición y Sociedad en México 1571-1700* (Mexico: Fondo de Cultura Económica, 1988), 417. “...los marranos se negaron a elegir y se aferraron a una ilusión: la de seguir siendo judíos en España bajo las apariencias del cristianismo...”

⁷⁷ Roth, 27.

⁷⁸ Seymour B. Liebman, “They Came with Cortes: Notes on Mexican-Jewish History,” *Judaism*, 18:1 (Winter 1969), 91.

be burned at the stake in the New World.”⁷⁹ Unfortunately, for other Jews, *conversos*, and crypto-Jews, he would not be the only Sephardi to suffer that fate.

Despite Queen Isabella’s order banning any person who could not prove that his or her four grandparents had already been converted to the Catholic faith, *por los cuatro costados*, from entering the territories of the New World, many Jews found ways to emigrate and settle in the new lands of the Americas. In response to the repressive legislation non-Christians, *Judeo-cristianos*, and ‘Portuguese merchants’ sought and “found peaceful domicile outside Spain and integrated into local populations.”⁸¹ Although there were several countries willing to accept the Jews and *conversos* after the expulsion, many opted to attempt to enter the New World. As Stanley Hordes observed in his doctoral dissertation, these refugees were first and foremost Iberians, and chose to travel to lands with similar language, culture, and customs as the land they were leaving.⁸² “New Christians succeeded in migrating to Mexico through the use of assumed names, by employing false documents concerning their ancestors, as well as by resorting to bribery.”⁸³

“According to the Archivo General publication, *Libro y Libreros del Siglo XVI*, by 1550 there were more Jews than Catholics among the Spaniards.”⁸⁴ Taken at face value the previous statement would appear to be an exaggeration, or facetious canard. However, after Isabella’s death in 1504, King Ferdinand II allowed New Christians to emigrate for trade purposes without

⁷⁹ Liebman, “They Came with Cortes,” 91

⁸¹ Jerome Friedman, “Jewish Conversion, the Spanish Pure Blood Laws and Reformation: A Revisionist View of Racial and Religious Antisemitism,” *The Sixteenth Century Journal*, Vol. 18, No. 1 (Spring, 1987), 11. <http://www.jstor.org/stable/2540627> (accessed: 05/20/2010).

⁸² Stanley M. Hordes, “The Crypto-Jewish Community of New Spain 1620-1649: A Collective Biography” (Ph.D. dissertation, Tulane University, 1980), 128.

⁸³ Wiznitzer, 170.

⁸⁴ Liebman, 92.

the above restrictions, although this exemption only lasted until King Charles V rescinded the order in 1518.⁸⁵ “In depth investigations in the Inquisition archive led [Richard Greenleaf] to believe that there were many more Jews in colonial Mexico than [was] commonly supposed.”⁸⁶ It is thus possible that a combination of Jews, *conversos*, and newly converted New Christians might have outnumbered the Old Christian Catholics in Mexico by 1550. What is significant is that their number was consequential, and they were not a negligible minority. Richard Greenleaf indicated that he inferred from his research of the archival documents that only a small portion of the total number of Jews or *conversos* in Colonial Mexico ever appeared before the Inquisition.⁸⁷

The Holy Office of the Inquisition had no sanctioned physical presence in the New World following the conquest. Rather, the individual prelates, priests, and monks of the Franciscan and Dominican Orders, were charged with overseeing the orthodoxy of the faith in the new colonies. This Monastic Inquisition (1522-1533) was followed by the Episcopal Inquisition from 1535 to 1571.⁸⁸ The inquisitors during the Episcopal or apostolic phase were not as vigorous or as harsh in their persecution of the Judaizers as were the Holy Office inquisitors after 1571.⁸⁹ This assessment would have been small comfort to those Jews and *conversos* who were tried, convicted, and executed by fire prior to 1571.

Because of the ongoing antagonism between the regular and the secular clergy, and the continuing threat posed by advocates of the Reformation, King Philip II ordered the establishment of the Tribunal of the Holy Office of the Inquisition in Mexico in 1569, though it

⁸⁵ Wiznitzer, 169.

⁸⁶ Richard E. Greenleaf, “Historiography of the Mexican Inquisition: Evolution of Interpretations and Methodologies,” in *Cultural Encounters: The Impact of the Inquisition in Spain and the New World*, eds., Mary Elizabeth Perry, and Anne J. Cruz (Berkeley: University of California Press), 266.

⁸⁷ Greenleaf, “Historiography,” 266.

⁸⁸ Alberro, 21.

⁸⁹ Liebman, “Sephardic Ethnicity,” 144.

did not become operational until 1571.⁹⁰ From that time forward, until its dissolution in the nineteenth century, the Holy Office assumed all inquisitorial powers in New Spain, except that the indigenous native populations did not come under their direct jurisdiction. The overly zealous apostolic ecclesiastical judge, Bishop Juan de Zumárraga had turned over Indian leader Don Carlos Chichimecatecuhtli to the secular authorities for burning in 1539.⁹¹ The *Suprema* judged Zumárraga's sentence to be too harsh, given that the native indigenous population lacked the religious instruction and education to make rational decisions about religion and God.

From 1543 onward the Indians came under the jurisdiction of the regular (monastic) clergy rather than the apostolic Inquisition. "After 1571 the Tribunal of the Holy Office acted as a fact-finding agency in the uncovering of Indian transgressions against orthodoxy [however] actual control over Indian orthodoxy reverted to the [local] bishop's or archbishop's office."⁹² The control and authority over the native populations without clear articulation between the duties and responsibilities of the regular clergy, the secular clergy (which included the offices of the bishops and archbishop), and the Tribunal of the Holy Office created ongoing complications over jurisdiction. This tendency to engender parallel or overlapping fields of supervision would soon fuel church and state authority disputes in the province of New Mexico. According to

⁹⁰ Auguste Boudinhon, "Secular Clergy," *The Catholic Encyclopedia*, Vol. 13. (New York: Robert Appleton Co., 1912). <http://www.newadvent.org/cathen/13675a.htm> (Accessed April 20, 2011). The regular clergy is distinct from the secular clergy in that they are members of a monastic order who live under a rule, especially those who have been ordained. The secular clergy lives among the people and follows no monastic rules, but works under the direction of the bishop or other superior in the church.

⁹¹ Richard E. Greenleaf, *The Mexican Inquisition of the Sixteenth Century* (Albuquerque: University of New Mexico Press, 1969), 74.

⁹² Richard E. Greenleaf, "The Inquisition and the Indians of New Spain: A Study in Jurisdictional Confusion." *The Americas* Vol. 22 No. 2 (October 1965), 141.

Margaret Mott, “The Inquisitors used their office to wreck the fortunes of political opponents, destroy the reputations of competing religious orders, and to amass personal wealth.”⁹³

SOURCES

Up to this point the essay has depended on a number of secondary sources, books and scholarly articles, plus a handful of iconic primary sources from the Iberian Peninsula’s historic past. The primary sources have been utilized as a skeletal structure for the essay’s thesis. The **Visigothic Code** is an essential element in the essay’s thesis as well as a foundational progenitor of Alfonso X’s *Siete Partidas*.

The *Siete Partidas* was a code of laws in seven parts that sought to provide a set of guidelines for medieval legal questions and theory.⁹⁴ The *Siete Partidas* began with an explanation of its purpose: “*Estas son establecimientos para que los hombres vivan bien y segun manda Dios; guarden la fe de Jesucristo.*”⁹⁵ It is in part seven, *Criminal Law*, interestingly enough, that law governing the Jews is found. “Jews should pass their lives among Christians quietly and without disorder, practicing their own religious rites...” and seeking not to besmirch the Christian faith.⁹⁶ Included in part seven are (1) restrictions against forced conversion of Jews, and (2) “after any Jews become Christians, all persons in our dominions shall honor them...without reproach.”⁹⁷ How different might Spanish, European, and New World history

⁹³ Mott, 75.

⁹⁴ Constable, 255.

⁹⁵ Margaret Mott, 60: “These laws were established so that men may live well and according to God’s will, guarding the faith of Jesus Christ.”

⁹⁶ Constable, 269.

⁹⁷ Ibid, 271.

have been, had these protective covenants been respected by the Catholic Monarchs, the Vatican, the clergy and the Holy Office of the Inquisition?

Three primary documents relating to the Catholic Monarchs are critical elements of the essay's thesis. The **pre-nuptial letter** of concessions from Ferdinand to Isabella engendered and presaged the *Reconquista*. The **letter written by the Catholic Monarchs to Pope Sixtus IV** requested that a Spanish Inquisition be convened in their realms, under their authority to insure orthodoxy of the New Christians. Lastly, the **1492 Edict of Expulsion** forced Jews to convert to Catholicism or quit the kingdoms. These actions by the Catholic Monarchs would lead to three principal participant elements being present in New Spain: Old Christian Spaniards, *conversos* and the Portuguese New Christians, and the Holy Office of the Inquisition.

The following primary documents add substance and texture to the framework created by the source documents described above, as the essay now focuses on New Spain and New Mexico: A **charter issued by Philip II** to Governor Luis de Carvajal (the elder), *procesos* from the national archives of Mexico relating to the trials and investigations conducted by the Holy Office of the Inquisition, and the **1561 *Compilación de las Instrucciones del Oficio de la Santa Inquisición*** as revised by **Archbishop Fernando de Valdés** which focused attention on the inquiries and methodology utilized in New Spain and New Mexico in particular. **Selected *procesos*** (Inquisition records of proceedings) of the Holy Office relating to the ongoing church and state disputes in New Mexico, between the governors and the clergy, will also be examined. The last document is a **letter written by Governor Diego de Vargas** to his son-in-law in Spain, reporting the re-conquest and colonization of New Mexico after the Pueblo Revolt, which brings to a close the seventeenth century in New Mexico.

LOBOS Y PERROS RABIOSOS

Richard Greenleaf in his introduction to *The Mexican Inquisition of the Sixteenth Century* provides the reader with material insights into the operations of the inquisitorial inquiries from Cortés's conquest of the Aztecs to the official arrival of the Holy Office of the Inquisition in Mexico City in 1571. "The Holy Office had as its purpose the defense of Spanish religion and Spanish Catholic culture against individuals who held heretical views and people who showed lack of respect for religious principles."⁹⁸ To this end an 'Edict of Grace' service was conducted during which the attendees were made to swear "to defend the religion by persecuting heretics as *lobos y perros rabiosos* (wolves or rabid dogs) poisoning souls and destroying the vineyard of the Lord" by befouling the sanctity of the faith.⁹⁹

The fifteenth and sixteenth centuries brought new concerns to the Catholic Church, Luther's Reformation, the philosophy of humanism and "the forces of liberalism threatened to fragment the One True Faith."¹⁰⁰ The Inquisition in Mexico in the first decade of operation was charged with policing heresy and was "used as a weapon against the Cortés faction."¹⁰¹ In addition, the Inquisition was kept busy as political and economic rivalries produced denunciations of heresy, and maintained a watchful eye on the colonists, clerics, and Indians for signs of moral and religious lapses. Later, the philosophical differences between advocates of Renaissance philosophies and adherents of the Counter Reformation came into focus, particularly in the monitoring of foreigners arriving in New Spain. Lastly, there were the

⁹⁸ Greenleaf, *The Mexican Inquisition*, 1.

⁹⁹ Toro, 190.

¹⁰⁰ Mott, 71.

¹⁰¹ Greenleaf, *The Mexican Inquisition*, 5.

contentious rivalries involving authority and pre-eminence between the clergy and the secular administrative servants of the king.

For their part, many Jews and *Anusim* (the Hebrew term for the forcibly converted) “emigrated to Mexico partly because of economic opportunities...” in mining, precious metals, and arable land “but mainly in order to live far away from the suspicious eyes of their Christian neighbors and acquaintances, [possibly] so that they might follow and practice secretly the religion of their ancestors.”¹⁰² Land, economic opportunity, and religious freedom paralleled the impulses that inspired the pilgrims from England to make a new life for themselves and their families in the North American colonies. Once the Holy Office arrived officially in Mexico City in 1571, self-preservation created a focused motivation for the New Christian *Judaizantes* to put physical distance between themselves and the Holy Office.

Investigations involving *Judaizantes* were not numerically the chief problem of the Mexican Holy Office; they actually represented only about sixteen per cent of all the cases tried in the three hundred years the Holy Office was in operation in New Spain.¹⁰³ As was the case in Spain and Portugal, the vast majority of investigations conducted by the Holy Office Tribunal were cases of blasphemy, bigamy, witchcraft, misconduct by the clergy, and Lutheranism (belief in or practice of Protestant ideals). The only additional responsibilities were the cases involving the beliefs and practices of the indigenous natives. However, the inquiries involving the crypto-Jew *Judaizantes* have characteristically received more attention as they often involved the use of torture, and at times ended with the horrific sentences of execution by fire. Historian Stanley

¹⁰² Wiznitzer, 169.

¹⁰³ Wiznitzer, 176.

Hordes noted that some modern “writers demonstrated a preoccupation with torture and burnings at the stake, phenomena which, while spectacular, occurred infrequently.”¹⁰⁴

The arrival of the Holy Office Tribunal in New Spain not only distressed the *conversos* and crypto-Jews, for the existing clerical arbiters and civil administrators were concerned about a possible loss of authority or standing.¹⁰⁵ The Viceroy, Martín Enriquez, also experienced anxiety as “the entire machinery of the viceroyalty was charged to assist the tribunal in its work.”¹⁰⁶ Not only was his administration supposed to govern the entire colony and its operations, but without any increase in personnel, funding, or support he now additionally had to operate as the legal enforcement arm of the Inquisition as well.

This appended obligation added to the potential for contentious church and state disputes which would extend from Mexico City to the far corners of the colony, and involve the clergy, archbishops, viceroys, governors and other civil servants. While the conquest and colonization of new territory and the exploitation of natural resources were primary objectives, the concomitant propagation of the faith was of equal importance to the Catholic monarchs. Failure to designate specific areas of authority granted to the secular and church administrators became friction points almost from the beginning. The disputes over ultimate authority in New Mexico between the governors and church custodians are examples of the failure of organization.

In June of 1579 King Philip II signed a decree in Toledo which gave his loyal servant Captain Don Luis de Carvajal y de la Cueva the right to recruit and transport men and families to colonize the newly designated province of Nuevo León in New Spain. In signing the decree

¹⁰⁴ Stanley M. Hordes, “The Inquisition as Economic Agent: The Campaign of the Mexican Holy Office against the Crypto-Jews in the Mid-Seventeenth Century.” *The Americas* Vol. 39, No. 1 (July 1982), 23.

¹⁰⁵ Greenleaf, *The Mexican Inquisition*, 158.

¹⁰⁶ Greenleaf, *The Mexican Inquisition*, 159.

below, King Philip II subverted the normal vetting process for the approval of prospective immigrants and colonists bound for New Spain. What would have caused Philip II to supersede the *limpieza de sangre* requirement, especially in light of having created the Holy Office of the Inquisition in Mexico a few years prior? It is possible that Philip knew that Carvajal was Christian, and expected the recruits to be likewise in orientation. Stanley Hordes theorized that “the need for European colonists with valuable mercantile skills was such that the Crown pragmatically adopted a tacit policy of toleration versus persecution in regard to the crypto-Jews.”¹⁰⁷ What follows is a translation of the decree sent to the Casa de Contratación in Seville.

The King. [To] Our Officials residing in the city of Sevilla in the House of Trade of the Indies. I order you to allow Captain Luis de Carvajal de la Cueva to return to New Spain, and that you allow him to bring with him one hundred men, sixty of whom shall be married farmers, together with their wives and children, and the remainder soldiers and artisans for the discovery and pacification of the provinces that shall be called the New Kingdom of León, the same lands that I have ordered taken by means of the contract and agreement, without asking any of them for any information whatsoever. And for the present, we entrust the aforesaid Captain Luis de Carvajal to exercise much care that they be persons clean, and not of the [category of people] prohibited from crossing to those parts...¹⁰⁸

Historian Richard Greenleaf writes in his *The Mexican Inquisition of the Sixteenth Century* that Seymour Liebman was of the opinion that the Chichimeca Indians of Nuevo León were formidable foes and difficult to pacify. Don Luis de Carvajal had proven most adept at Indian fighting and pacification. Politically and economically, the goal of expanding the frontier

¹⁰⁷ Stanley M. Hordes, “The Crypto-Jewish Community of New Spain, 1620-1649: A Collective Biography” (PhD diss., Tulane, 1980), 182.

¹⁰⁸ Stanley M. Hordes, *To the End of the Earth: A History of the Crypto-Jews in New Mexico* (New York: Columbia University Press, 2005), 75. This translation comes from the Orden del rey a la Casa de Contratación, Toledo, June 14, 1579, folio 7v, Sección de Indiferente, legajo 416, AGI as noted on page 97, note 11.

and developing the northeastern quadrant of the colony, including silver mining, ranching, and farming was considered more important than insuring “orthodoxy on the frontier.”¹⁰⁹

Having lived and served in New Spain, Don Luis knew the opportunities available in the New World, and was anxious to share the chance for wealth and good fortune with his family, friends, and associates. Though Carvajal was a devout Catholic, there is no reason to believe that he was unaware that some of his family members secretly practiced the Jewish faith. Otherwise he would not have requested and received the waiver of *limpieza de sangre* restrictions. Nuevo León was beneficially many miles from Mexico City, and far from the probing eyes of the Holy Office Tribunal resident in the capital.

Luis de Carvajal y de la Cueva was born in Mogodorio on the border with Portugal to a family of New Christian *hidalgos* of the minor nobility.¹¹⁰ Like many New Christians who made their way to New Spain, Carvajal was a devoted servant of the crown who was “half warrior and half merchant.”¹¹¹ Unlike many who became merchant princes in the New World, Don Luis de Carvajal was a devout Catholic Christian, and as a young man decided to make an investment of time and service to the king in order to earn status, wealth, and influence. Success as a sea captain, soldier, administrator, rancher and Indian fighter, had made Carvajal the king’s paladin.

As a reward for his service, Carvajal was appointed Governor of the newly created province of Nuevo León (New León) and sailed back to Spain in 1578 to receive his royal commission. Curiously, this gave him the opportunity to re-acquaint himself with his spouse, Doña Guiomar de Ribera, whom he had married in 1566. Though they were each devoutly

¹⁰⁹ Greenleaf, *The Mexican Inquisition of the Sixteenth Century*, 170.

¹¹⁰ Toro, 1.

¹¹¹ Toro, 1.

dedicated to their religion, Luis was Catholic and Guiomar was a secretly practicing Jew.¹¹² In addition to her dedication to her religion, Doña Guiomar was unwilling to be uprooted and transplanted to New Spain. Don Luis fervently hoped that upon his appointment as Governor, Guiomar would relent and accompany him to Nuevo León. Family support in New Spain was important for those who were in government service. Don Luis sailed for Mexico with several members of his extended family, but without Doña Guiomar.

Carvajal had spent many months making acquaintances at court and garnering support for his new enterprise. He received a most unusual privilege, in that the farmers, soldiers and merchants and their spouses whom he was recruiting to colonize Nuevo León would not be required to prove *limpieza de sangre*. This requirement barred persons with a genealogical background that included Jews, Moors, crypto-Jews, or anyone convicted of heresy by the Holy Office of the Inquisition from immigrating to New Spain.¹¹³ It is unclear whether this boon was granted to Carvajal as reward for his services, or because as historian Seymour B. Liebman believes, that King Philip II “needed the private enterprise type of pacification, and worried less about orthodoxy.”¹¹⁴ This would appear to be inconsistent with Philip II’s 1569 establishment of the Holy Office of the Inquisition in New Spain: “wanting the extension and exaltation of the Christian religion in the new provinces entrusted to us by God through divine favor, these

¹¹² Martin A. Cohen, *The Martyr: Luis de Carvajal, a Secret Jew in Sixteenth Century Mexico* (Albuquerque, NM: University of New Mexico Press, 1973), 38-39.

¹¹³ Cohen, *The Martyr*, 56-57. “Although New Christians had taken part in the discovery of the New World, the Catholic Monarchs Ferdinand and Isabella denied Jews, Moors, and their descendants permission to settle in the New World. In 1509 an exception was made allowing New Christians to trade in the Americas, provided that they did not stay longer than two years on each expedition. King Charles V reversed this exemption in 1518, but it was restored in 1526, only to be reversed again in 1537 by Papal bull.”

¹¹⁴ Greenleaf, *Mexican Inquisition*, 170.

provinces must remain free of heretical error.”¹¹⁵ But Edward Tannenbaum notes that both Charles I and Philip II attempted and succeeded in developing a “consistent and enlightened colonial policy, and their achievement in governing the New World was impressive.”¹¹⁶

In his book about the Carvajal family of Nuevo León Alfonso Toro indicates that Governor Don Luis de Carvajal became embroiled in a legal controversy over jurisdiction of several townships with the newly appointed Viceroy, the Count of Coruña, Don Lorenzo Suárez de Mendoza. In addition, Don Lorenzo was reportedly unhappy with Carvajal for courting his niece.¹¹⁷ The entire incident created a toxic relationship between the two men. Viceroy Suárez de Mendoza’s desire for retribution brought him into contact with a cleric who also was at odds with Governor Carvajal. The priest suggested that given the special privilege granted to Carvajal by the King, there might be *Judeocristianos* in the governor’s family background.

Viceroy Suárez de Mendoza requested that the Holy Office of the Inquisition investigate Governor Carvajal as a *Judaizante* in 1583, which he did without disclosing his personal animosity toward the governor.¹¹⁸ The Inquisition arrested Don Luis and took him in chains to Mexico City. The governor placed a trusted associate, Capitán Don Gaspar de Castañeda in charge of the province in place of his nephew and heir, Luis de Carvajal, the younger, with whom he had had a falling out due to his nephew’s Judaizing activities.¹¹⁹

¹¹⁵ Alejandro Cañeque, “Theatre of Power: Writing and Representing the Auto de Fe in Colonial Mexico.” *The Americas*. Vol. 52, No. 3 (Jan., 1996), 324. American Academy of Franciscan History. <http://www.jstor.org/stable/1008004> (accessed: 08/25/2010).

¹¹⁶ Tannenbaum, 120.

¹¹⁷ Keith Fogel and Marian E. Fogel, *Conversos of the Americas: Emergence & Descent of the Converted Jews of Spain* (New York: Pajaros-Lopez Publishers, 2004), 133.

¹¹⁸ Toro, 168.

¹¹⁹ Toro, 168-9.

The Governor's arrest plus the increased scrutiny of the Carvajal family and close associates in the 1580s brought about an ignoble end to the goals and aspirations of the Carvajal faction in Nuevo León. Despite the fact that under torture Carvajal's niece Isabel exonerated him of being a Jew or practicing Judaism, the governor was convicted of "being a harbinger and concealer of Jews" and sentenced to imprisonment and service in the galleys.¹²⁰ Don Luis de Carvajal died in prison. His sister, Doña Francisca, her daughters, and his nephew Luis Carvajal, the younger were accused, investigated, subjected to torture, and ultimately died in the flames of the Inquisition. Don Luis's other nephew Fray Gaspar, the Dominican friar, managed to survive the Inquisition's investigation, though he was found guilty of failing to denounce known Judaizing members of his family and was confined to his order's monastery for a time.¹²¹

Governor Carvajal's colonization of northeastern Mexico around modern day Monterrey is germane to this narrative because he was a civil servant, denounced and tried for Judaizing, and his accuser used the Inquisition as a weapon to damage Carvajal. Moreover, Carvajal's actions would lead to an abortive first attempt to colonize what is now New Mexico and its eventual permanent settlement by Juan de Oñate. Had it not been for the accusation of Judaizing Governor Carvajal, already the shining paragon of the stalwart Christian Conquistador, administrator, warrior, and servant of the King, would have perhaps become viceroy. Instead Carvajal became a victim of his own success and of the Inquisition, as would some future governors of New Mexico.

¹²⁰ Seymour B. Liebman, *The Enlightened: The Writings of Luis de Carvajal, El Mozo* (Coral Gables, FL: University of Miami Press, 1967), 30-31.

¹²¹ Toro, 263.

NEW MEXICO

New Mexico in the seventeenth century was the vast northland, extending from the Río Colorado eastward to the Great Plains, and from the northern frontier of the province of New Biscay northward to the Strait of Anián.¹²²

No arbitrary or geographical boundaries were delimited for the province of New Mexico. It was New Spain's claim to the amorphous expanse to the north and west. Because of the Inquisition's attention focused on Nuevo León by the arrest of Governor Carvajal, his family and associates, many of the colonists there became concerned. Capitán Don Gaspar de Castañeda organized an expedition to the north and west to what would become New Mexico. The trek and settlement in New Mexico would have relocated the colonists further away from the prying eyes and ears of the Holy Office. But because the crown had not sanctioned any colonization north and west of Nuevo León, the viceroy recalled the expedition.

A new expedition north in 1598, led and financed by the Oñate family, succeeded and took root where the others had failed. The Crown granted Don Juan de Oñate and his family hegemonic control over the colony for two generations, in addition to naming Don Juan as governor and Captain-General.¹²³ Don Pedro de Peralta succeeded Oñate as governor and arrived in New Mexico in 1610 with a mandate to relocate the provincial capital, which he relocated to Santa Fe from San Gabriel.

The province of New Mexico was so remote that the fifteen hundred mile trip north from México City to Santa Fe by supply train took six months. Life on the frontier was arduous and risky, and colonists, their families, soldiers and governors had to accept the rigors of the journey, the arid desert landscape, hostile Indians, and primitive conditions. Historian France Scholes

¹²² Frances V. Scholes, "Civil Government and Society in New Mexico in the 17th Century," *New Mexico Historical Review*, 10:2 (1935: April), 71.

¹²³ Scholes, "Civil Government," 73-74.

wrote that “New Mexican life was characterized by a roughness, a lack of luxury and refinement, crudeness, and [a] striking degree of ignorance was apparent...moral laxity was widespread [and] formal education was practically non-existent.”¹²⁴

Given these challenging conditions, what would attract an educated person to make a hazardous journey, endure hardships, and administer the King’s justice in a locale so far removed from civilized society? Only the governor and royal armorer received salaries, those being quite modest. Unlike New Spain in the south there were no silver or other mineral mines, trade was limited, and the good land with water had for the most part already been claimed by the indigenous natives. “The *raison d’être* of the province was the missions, and the non-aboriginal population was there mostly to sustain and defend them.”¹²⁵ Land grants, *encomiendas*, trading, and ranching did attract colonists, as did the distance from Mexico City. Stanley Hordes’ research found that many of the family names that appeared as colonists from the abortive Nuevo León expedition were also listed on Juan de Oñate’s company roster.¹²⁶ This listing suggests that some of those families were crypto-Jews, and became part of the new colony in order to benefit from the geographic distance from the Holy Office in Mexico City.

Governor Juan de Oñate soon found that the establishment and administration of a new colonial province was no easy task. The colonists were disappointed that New Mexico was not a land of easy riches; hard work would be required to earn a living. Some colonists, friars and soldiers even planned to desert and return to Mexico, as they were all unhappy with Oñate. The colonists and Oñate all had expected the northern part of New Spain to be as resource-rich as Nuevo León and Zacatecas in the south. What they found was that there were no precious metals

¹²⁴ Scholes, “Civil Government,” 99.

¹²⁵ Scholes, “Civil Government,” 96.

¹²⁶ Hordes, *To the End of the Earth*, 110-111, 114-115.

mines, no gold, or jewels as promised by the stories of the Seven Cities of Gold. There were good lands for ranching and farming and moderate amounts of good water for irrigation. The land supported wildlife and livestock moderately well. New Mexico would support a colony, but it required hard work, organization, and cooperation between the government, ranchers, Indians, soldiers, and the religious orders.

Historian France Scholes reported that “the first violent breach of relations between Church and State occurred during the administration of Governor Pedro de Peralta (1610-1614).”¹²⁷ In the archives of the Inquisition is a letter written by Juan Pérez Graniella, *alcalde ordinario*, in which he declared that Fray Ordóñez had imprisoned Governor Peralta citing his authority granted by the Holy Office for Peralta’s offenses against the Holy Faith.¹²⁸ While this quarrel did not involve an accusation of heresy or Judaizing, Fray Isidro Ordóñez used alleged Inquisitorial powers to excommunicate and imprison the Governor. Testimony before the Holy Office in 1612 indicated that an alleged lack of funding for the friars by Governor de Peralta was at the heart of the dispute with Fray Ordóñez, and was further inflamed by a statement by Peralta that he wished the Devil to come and not leave Fray Ordóñez alive.¹²⁹ The Inquisition investigated and reprimanded Fray Ordóñez for falsely claiming Inquisitorial authority in wrongfully imprisoning the Governor and confiscating his possessions.

Admiral Don Bernardino de Ceballos, Peralta’s rescuer and successor, attempted to maintain cordial relations with the clergy, but soon became embroiled in a public controversy with the friars. Using accusations similar to those employed against Peralta, the clerics

¹²⁷ Frances V. Scholes, “The First Decade of the Inquisition in New Mexico,” *New Mexico Historical Review*.10:3 (July 1935), 196.

¹²⁸ AGN (Archivo General de la nación de Mexico), Inquisición, Tomo 318, Proceso y causa contra Peralta, (1618), ff. 477-479. Here after this will be abbreviated to AGN, Inquisición, Tomo ____, Proceso...(date).

¹²⁹ AGN, Inquisición, Tomo 316, Proceso Deponente Ordoñez, (1611), ff. 149-184.

excommunicated Governor Ceballos, who then had to publicly atone for his apparent lack of cooperation. Unfortunately for all concerned, these two early incidents set a pattern for future strained relations between the clerical and secular authorities in New Mexico. Writing for the New Mexico Office of the State Historian, Grace Meredith stated that “the marked antagonism between Church and State revealed [in the Peralta-Ordóñez dispute] affected almost every governor who followed Don Pedro de Peralta.”¹³⁰

When the new governor, Juan de Eulate, took office in 1618 little time passed before he, too, ran afoul of the church in the person of Father Esteban de Perea. A serious attempt at intervention by the viceroy failed to bring about peace and cooperation. Father Esteban de Perea appealed to the Holy Office of the Inquisition in Mexico City. While no records exist of Governor Eulate’s being tried or detained by the Holy Office, he did run into trouble with the viceroy and had to make good on his abuse of royal carts and Indian labor. Fray Esteban de Perea did technically emerge victorious in this confrontation, as the Inquisition bestowed inquisitorial powers on the then clerical custodian of New Mexico, Fray Alonso de Benavides.

The presence of an official of the Holy Office in New Mexico gave the clergy a powerful weapon to use in disagreements with hostile secular authorities, particularly the governors.¹³¹ “For the Church, the Inquisition was a weapon of great importance in dealing with civil authority, because the broad definition of heresy and related spiritual offenses made it easy to

¹³⁰ Grace Meredith, *Don Pedro de Peralta: Third Spanish Governor 1610-1614* (New Mexico Office of the State Historian: New Mexico State Record Center and Archives, 2004-2010), 3.
<http://www.newmexicohistory.org/filedetails.php?fileID=23475> (accessed 06/23/2010).

¹³¹ France V. Scholes, “The First Decade of the Inquisition in New Mexico,” *New Mexico Historical Review* 10:3 (1935: July), 201.

bring charges against officials who resisted the policies of the clergy.”¹³² Excommunication was the usual remedy for recalcitrant governors and civil servants. By definition the ex-communicant existed outside the community of the church, and in a provincial setting, communal life revolved around church services, feast days, and celebrations.

The contentious jurisdictional disputes continued. Capitán Don Luis de Rosas, the tenth governor battled not only the Franciscan friars, but the local *cabildo* (town council) of Santa Fe over the issue of livestock, grazing rights, and the use of Indian labor. Although Rosas had the support of Viceroy Márquez de Cadereita, he was arrested after the new Viceroy, Don Diego López Pacheco, ordered an investigation of Rosas’s activities. Rosas was killed while in custody by a man who claimed he had been cuckolded by the governor. Indian labor would again be a major flashpoint mid-century when Governor Don Bernardo López de Mendizábal took office.

Three Inquisition investigations will be discussed based on the *procesos* from the Archivo General in Mexico: Governor Don Bernardo López de Mendizábal, Doña Teresa de Aguilera y Roche (Mendizábal’s spouse), and Fray Juan Ramírez. All three of these individuals were charged with being *Judaizantes*. The Inquisition investigated these individuals for practicing Judaism, and as they outwardly portrayed themselves as Christians, by definition were suspected of being crypto-Jews. The most serious charge brought by the Inquisition was that of Judaizing, as it carried the possibility of torture and death by fire. These cases will be discussed and compared to the investigations of Governor Don Luis de Carvajal, Doña Isabel de Carvajal, and Fray Gaspar de Carvajal. In addition, some elements present in these cases will also be

¹³² France V. Scholes, “Church and State in New Mexico, 1610-1650.” *New Mexico Historical Review* 11:1 (1936: Jan), 18. “The jurisdiction of the Inquisition was wide and elastic. Heresy, apostasy, blasphemy bigamy, superstition, sorcery and demonology, propositions subversive of the faith, denial of ecclesiastical authority, lack of respect for ecclesiastical persons, institutions, and censures, solicitation in the confessional, evil sounding words, were some of the causes for prosecution by the tribunal.”

discussed in reference to the instructions for Inquisitors by Don Fernando de Valdez in the 1561 revisions of the *Compilación de las Instrucciones del Santo Oficio de la Inquisición*.¹³³

Don Bernardo López de Mendizábal, like Governor Luis de Carbajal, was an ex-military man, and had proven himself an able administrator and servant of the crown before being assigned as the next governor of the province of New Mexico in 1659. However, he and his spouse, Teresa de Aguilera y Roche, managed to make several missteps and errors in judgment which led to a difficult term as governor, and a predictable conflict with the religious leaders of the province. The hostility with the Franciscans began before he even arrived in New Mexico. Fray Juan Ramírez was the *custodio* in charge of the supply train with whom the Mendizábals would be traveling to New Mexico. Fray Ramirez and Don Bernardo had a disagreement about the provisions necessary for the six-month trek to New Mexico. Ultimately the viceroy decided in favor of Mendizábal, but the damage was done. Ramírez and Mendizábal would become bitter enemies, and both would be tried by the Inquisition.

In the Archivo General de la Nación de Mexico there is an entry in old script that details the charges against Governor Don Bernardo López de Mendizábal. The attorney for the Holy Office tribunal of Mexico City, Don Rodrigo Ruiz de Cepeda Martinez acted for the court:

Acuso criminalmente contra Don Bernardo Lopez de Mendizábal natural de Chietla y vecino de esta ciudad ocupado en officios de Guerra y justicia y presso en las carceles secretas, xtiano, bautizado y confirmado, acoso como malo y perfido ha hecho y cometido muchas acciones que son contra Nuestra Santa Fe Católica y ley evangelica.¹³⁴

¹³³ Fernando de Valdés, *Compilación de las Instrucciones del Oficio de la Santa Inquisición, hechas en Toledo, año de mil quinientos y sesenta y uno*.

http://www.rarebooks.nd.edu/exhibits/inquisition/text/30_selected.html (accessed 10/25/2011).

¹³⁴ AGN, Inquisición, Tomo 421, Proceso causa contra Mendizábal (1663), f. 201.

The list of charges goes on for several pages and folios: Speaking scandalous and irreligious suggestions about the social status of those in the church; blaspheming heretically against the sacrament of the altar and making other observations against the Holy Catholic faith; for being an observer of Jewish rites and ceremonies and for being a descendant of his mother's family that was tried and convicted by this Holy Office; for being a perjurer and suspected of ill faith with heretical intent.¹³⁵ The charges continue on the following page: the governor stated that the clerics and religious spend too much time and treasure on the ornamentation of their churches to the detriment of their pious and faithful flocks; he declared openly that it was unnecessary to have so many Indian choir members, and that singing during mass was superfluous; that the governor continued in his spouting of *disparates* (lunatic ideas) and without supporting the conversion of the infidels, while continuing his scandalous, heretical acts.¹³⁶ The list of charges goes on to list the introduction of pernicious doctrine by stating "that God did not want Temples, but rather spirituality, and it was shameful that the depraved building in the province worked against the good of and at the expense of the miserable Indians."¹³⁷ The governor on many occasions spoke ill of the clergy referring to them as "being sly and crafty cuckolds," and on a Sunday in 1661 the governor delivered a tirade against the clergy for using the Indians to tend their cattle and flocks to the detriment of the ranchers and the Indians themselves who raised cattle for profit, to generate more income than was truly necessary for the maintenance of their churches and holy works.¹³⁸ There follows a litany of charges listed over several pages: negating the authority of the Church; declaring hatred of the clergy, stating that his authority as governor superseded the jurisdiction of the friars; that the friars were troublemakers and traitors and

¹³⁵ Ibid, f. 201v (vuelta)

¹³⁶ Ibid, ff. 202-203.

¹³⁷ Ibid, f. 203.

¹³⁸ Ibid, ff. 203-204.

indicating his preference to choke (garrote) or hang them as schemers and fornicators and enemies of God; stating that his excommunication was not valid as the clerics had no authority over his office, and that as governor he was the only one who was to be obeyed without question; and in reference to his relationship with the *custodio* Fray Juan Ramírez not receiving the *custo* with respect and deference as was the custom, and from the beginning of his term sowing discontent and undercutting the authority of the *custo* with the other clerics making the journey from Mexico City to New Mexico.¹³⁹ In a reversal of the methods of the Inquisition, when visiting the pueblos the governor would set up a table and chairs where he would sit and hear complaints from the Indians and other residents against the clergy; and great blame was assigned to the governor and his assistants for publicly exposing the misdeeds of the clergy, declaring his authority to hang the friars and priests, and his authority to bring charges against the clergy.¹⁴⁰ The above is an abbreviated list of charges and complaints against Don Bernardo chronicled in thirty-five chapters of the *acoso* by the Holy Office.

On the 24th of May 1661 Capitán Francisco Valencia appeared before the Holy Office tribunal in Mexico City having been called in the case against Governor Mendizábal.¹⁴¹ Padre Pastor Fray Alonso de Posada, ecclesiastical judge of the tribunal asked what if anything did the witness know about anyone doing or saying anything against the Church or its ministers? Valencia answered that he did not know why he was called to testify, and that he did not know anything, but had heard that Governor Mendizábal ordered that the ministers be monitored as to their activities. He also related that in September of the previous year (1660) the Governor gave

¹³⁹ Ibid, ff. 204-207.

¹⁴⁰ Ibid, f. 208.

¹⁴¹ AGN, Inquisición, Tomo 593, Proceso contra Mendizábal (1661), exp. 82-85. Testimony of Capt. Alonso Valencia. There is a hand written note by the translator France V. Scholes indicating that there was no new evidence given, that what was given in evidence was known by the Inquisition, likely from previously deposed witnesses.

the Indians of the region permission to resume native religious dances that had been banned by the Franciscan friars of the various pueblos. He went on to say that the Indians exited from the Governor's palace in Santa Fe dressed in the native Indian dancing costumes and danced what the priests called *bailes diabólicos*, diabolical *Katzines* (Kachina) dances. The Kachina dances by the Pueblo Indian tribes are prayers to their Gods. The witness reported that in October of last year Alcalde Mayor Nicolás de Aguilar also allowed Kachina dances in the Pueblo of Cuarac. The Kachina dancers danced and yelled their way around the pueblo continuing their superstitious dance ceremony. Valencia went on to say that the previous August at the feast of Santa Cruz he heard Governor Mendizábal say that the only men who went into the convents were cuckolds, and that he had persecuted the priests and clerics in every one of his previous jurisdictions. Although he could not remember who told him this in 1659, it might have been Pedro de Artiaga, he heard that Governor Mendizábal had carnal knowledge of two sisters and one of their daughters in the Pueblo of Isleta (just south of modern day Albuquerque).

The following day May 25th 1661 Padre Fray Francisco Muñoz, age 30, of the Franciscan order testified against Governor Mendizábal.¹⁴² Padre Muñoz recited the following catalogue of charges against Governor Don Bernardo Lopez de Mendizábal: That he knew that on many occasions the Governor had allowed Kachina dances despite being told by Padre Fray Miguel de Guevara that they were superstitious, and could lead to making pact with the devil; and he had been told in secret by Juan Griego that Francisco Gómez [the governor's associate] said that it was not a sin to hit or assault a holy object such as a saint's statue; and that Governor Mendizábal had related to Capitán Luis Martínez that he had great hatred for priests, that there should not be mass on Sundays, and that a certain Doña Ana who lives in Alamo said that a

¹⁴² AGN, Inquisición, Tomo 593, Proceso contra Mendizábal (1661), Exp. 87-91.

negro slave belonging to the Governor alleged that Mendizábal washed his feet and hair and trimmed his nails every Friday evening; in addition the witness heard that the Governor ordered that only one Indian should assist at mass as sacristan and in singing; he also had heard that on arrival at the convent of Socorro, the Governor verbally abused the welcoming priest for not receiving said governor in the same manner as the Holy Sacrament on the feast of Corpus Christi; and finally that he had heard that Governor Mendizábal did not regularly attend mass, and spent his time ‘playing’ with his *mulatilla* (mulatta slave), and as a rule wore his hat in church during mass. The witness related that he heard that ranchers were afraid to attend mass on Sundays or feast days in fear of the Governor.

On the 14th of March 1662 Licenciado Don Julio de Ortega Montañes, fiscal of the Holy Office, denounced before the tribunal in Mexico City Don Bernardo Lopez de Mendizábal, alcalde mayor [governor] of the province of New Mexico: for many and varied crimes and acts perpetrated against the Holy Catholic faith; knowing and celebrating Judaic ceremonies, carefully washing his feet and dressing in clean clothes on Fridays, for being a descendent of Julio Nuñez de León who was punished by the Holy Office for suspicion of Judaism, for demonstrating a scandalous animosity and opposition towards the holy Catholic faith, and a gross hatred of the ministers of that faith, supporting erroneous scandals and sedition, suspicion and usurping ecclesiastical jurisdiction, and spreading injurious falsehoods and notorious blasphemies against the Holy Faith and its ministers, and other crimes and atrocities.¹⁴³ The Holy Office deemed this litany of criminal and injurious acts, suspicions, and transgressions against the Church sufficiently serious and solemnly heretical enough to warrant imprisonment,

¹⁴³ AGN, Inquisición, Tomo 593, Proceso contra Mendizábal (1662), ff. 23-24.

sequestration of property and other assets, and trial pending investigation and the completion of the governor's *Residencia* by his successor.¹⁴⁴

Collectively the above *procesos* paint a decidedly dark picture of Don Bernardo as a Catholic, a governor, and individual. It would appear that Don Bernardo, despite his experience as a Spanish administrator missed the opportunity to engage the clerics as important members of the colony, and potential allies in managing the far-flung ranches, *encomiendas*, and pueblos. Instead, the *procesos* indicate an arrogant disregard for the friars, the church, and their work with the Indian natives. Making an enemy of *custo* Fray Juan Ramirez may have been due to a negative personal chemistry, or more likely a method of establishing a pecking order with Fray Ramirez in a secondary position to the secular governor.

Undercutting the authority of the priests and monks by berating their greeting of his arrival in Socorro and portraying the friars as cuckolds engendered personal animosity among the friars and priests. By belittling their treatment of the Indians, indicating that the friars focused on their own livestock, buildings, and wellness to the detriment of the Indians, ranchers and other colonists, placed the friars in opposition to the well-being of the rest of the colony. But worst of all allowing the Indians to dance their Kachina dances was a direct assault on the authority of the priests and Catholic doctrine, and indicated an autocratic, authoritative, combative, management style intended to intimidate the clerics and befriend the Indians.

On a personal level Don Bernardo, according to testimony, did not care much for Catholic mass, feast days and ceremonies. His reportedly infrequent and inattentive attendance at mass would have been noticed by all of the attendees, including the Indians. By his actions and

¹⁴⁴ France V. Scholes, *Civil Government*, P. 87. "Every governor was obliged to submit to a formal *residencia* at the end of his term of office." A *residencia* was a form of audit and review of the term of office, and was normally conducted by the governor's successor.

intimidations he may have limited the attendance of the ranchers, which could only lessen his contact with these valuable members of his province. The disrespect shown for the Franciscan friars, the church, and the *custo* invited a strong response from Fray Juan Ramírez.

Don Bernardo's actions handed Fray Ramírez a loaded gun in that he made himself and his spouse targets of charges of heresy and Judaizing. In a colonial township such as Santa Fe, community life revolved around the Church, and close neighbors also meant there were few secrets. Bathing, washing of hair, trimming of nails, using clean linen and changing clothes on Friday evenings would not fail to be noticed by servants, friends, and associates. Dalliance with a slave girl may not have been a glaring lapse of decorum, but doing so instead of attending Sunday mass was decidedly a sign of ungodliness. Wearing a hat in church not only showed disrespect for the church and the priest, but could also be interpreted as something that Jews did when attending services. The foregoing, while not definitive signs of Judaizing, could provide observers with strong suspicions that Don Bernardo may have leaned in that direction.

On Saturday morning April 28, 1663 in the Holy Office of the Inquisition in Mexico City appeared Don Bernardo Lopez de Mendizábal, having been brought from the secret prison cells of the Tribunal before Don Pedro de Medina Rios, *visitador* (visitor) and judge, to give testimony regarding the charges for which he was being held in prison.¹⁴⁵ This *proceso* began to answer the many charges that had been brought against the governor from several sources. Like other defendants before the Inquisition, he was unaware of the identities of his accusers or the nature of their testimony, which was standard procedure for the tribunal. Mendizábal identified himself as a native of the realm, of about forty years of age, and his occupation as a servant of his King in politics and military, having served as soldier and governor on terra firma, as well as

¹⁴⁵ AGN, Inquisición, Tomo 502, Proceso deponente Mendizábal (1663), exp. 3, f. 279.

in the King's armada in the galleons for twelve to fourteen years as a captain of war, and as Captain-General and Governor of New Mexico.¹⁴⁶

The description we derive from these *procesos* is not too unlike some of the previous governors of New Mexico. Mendizábal was a *hidalgo*, born to a family of means and property, educated, and a loyal servant of the crown and viceroy, with military and administrative experience. Like other governors, Mendizábal's mindset was one of maximizing his personal gain during his governorship, while exercising hegemonic oversight of the king's province. The governor's exhibited negative characteristics included greed, arrogance, overt disdain for priests and clerics, and an aggressive intimidating management style.

There are some interesting similarities and differences in the trials of two governors, Mendizábal and Carvajal. While they were both born to families of means, Mendizábal was a *criollo*, a child of Spanish parents born in New Spain, and Carvajal was born in Spain, and then immigrated to New Spain. Interestingly, both men were loyal servants of the king, serving in the military and as administrators in the colonies of the New World. Carvajal's spouse, Doña Giomar, was a known Judaizer and proselytizer in Spain but never traveled to the colonies. Doña Theresa Aguilera y Roche lived and married in the New World and was accused, but never convicted of Judaizing.

Governors Mendizábal and Carvajal were both powerful men in their respective provinces, but both had powerful enemies: the viceroy in the case of Carvajal and the Franciscan Custodio in New Mexico in Mendizábal's case. In neither case was Judaism the real issue behind the accusations. Judaizing was merely a serious accusation leveled at the governors in

¹⁴⁶ *Ibid*, f. 279.

order to achieve revenge and assert authority. Unfortunately, both governors died in the Inquisition's secret prison. Carvajal was found innocent of practicing Judaism, but judged guilty of hiding *Judaizante* members of his extended family. He died in prison before serving his sentence in the royal galleys. Don Bernardo Lopez de Mendizábal died due to ill health in 1664 before resolution of his case, but won posthumous acquittal in 1671 due to the efforts of his widow, who still had to pay for the governor's expenses while he was a prisoner of the Inquisition.¹⁴⁷ Both men suffered imprisonment, sequestration and confiscation of assets, and death in the Holy Office's secret prison after being accused of practicing the Law of Moses.

Guilt by association was a practiced methodology as utilized by the Inquisition. In the case of Governor Mendizábal, his closest associate was his spouse, Doña Teresa de Aguilera y Roche who was accused, arrested and imprisoned with Mendizábal. In the Holy Office of the Inquisition of Mexico on the second day of May 1663 Don Pedro de Medina Rico sent for a woman from the secret prison. She was sworn to tell the truth, and to keep secret the results of the audience and all others that took place until the final determination of her cause. The woman identified herself as Doña Theresa de Aguilera y Roche, of about forty years of age, spouse of Governor Don Bernardo Lopez de Mendizábal, with no occupation other than spouse, who entered prison the tenth day of April of the previous year (1662) in New Mexico from which she was brought to the secret prison of the Inquisition.¹⁴⁸

As was the preferred format, the deponent declared her genealogy, with her parents being Don Melchor de Aguilera who served in several honorable government posts including governor and Capitán General of Cartagena, and other posts in Cadiz and Toledo; her mother was Doña

¹⁴⁷ Henry J. Tobias, *A History of the Jews in New Mexico* (Albuquerque: University of New Mexico Press, 1990), 16.

¹⁴⁸ AGN, Inquisición, Tomo 596, Proceso contra Theresa Aguilera y Roche (1662), f. 122.

Maria de Roche, a native of Ireland and a Catholic Christian.¹⁴⁹ Doña Theresa went on in great detail to establish her *limpieza de sangre*.¹⁵⁰ Despite her long and well established genealogy, and unlike her husband's many and varied charges and abuses, Doña Theresa was accused by her servants and neighbors of several suspicious acts that led the Inquisitors to surmise that she practiced rites, ceremonies and habits consistent with a woman who was a follower of the law of Moses. This made her a crypto-Jew in the eyes of the Inquisition as she was outwardly a practicing Catholic Christian, but secretly a *Judaizante* as was the allegation against her husband. The suspicious acts were that she bathed and put on clean clothes and changed the linens on Fridays, and like her husband was an infrequent and inattentive attendant at mass on Sundays, feast days and Holy days of obligation. This also included infrequent confession and communion except on the yearly prescribed days of Easter and Christmas. Like Governor Mendizábal, Doña Theresa was described as suspicious in her dietary habits during the season of Lent and feast days of fasting and abstinence. As was the practice before the Holy Office, all testimony given against Doña Theresa was taken from witnesses who would remain anonymous and would today be considered strictly hearsay and inadmissible in U.S. courts. "In 1664 the Inquisition suspended the trial against Doña Theresa with no finding of guilt or innocence."¹⁵¹ She had already served twenty months in the Inquisition's secret prison.

France Scholes relates an interesting story about Doña Theresa testifying before the Inquisitors. After successfully answering the charges against her during several sessions, Doña Theresa confessed to having had advice and assistance from a jailer who acted as a messenger

¹⁴⁹ Fernando de Valdés, *Compilación de las Instrucciones del Oficio de la Santa Inquisición de Toledo*: Instruction number 14 calls for the accused to relate their genealogy to the Tribunal. http://rarebooks.nd.edu/exhibits/inquisition/images/30/30_3.jpg (accessed 10/25/2011).

¹⁵⁰ AGN, Inquisición, Tomo 596, Proceso contra Theresa Aguilera y Roche (1662), ff. 122-127. Doña Theresa declares her parents and grandparents to be "Católicos, Xptianos, limpios de toda mala raza."

¹⁵¹ Tobias, 16.

from Governor Mendizábal, who was housed in a separate cell.¹⁵² The jailer, Juan de Cárdenas, had been a friend of her father's in Cartagena, and offered to advise her as to what to say during the hearings and how to best defend herself.¹⁵³ That the advice was good, and that she was able to successfully fend off the accusations levied against her is on record. After Doña Theresa's revelation the Holy Office investigated Cárdenas. Unfortunately no record of his fate was found.

Unlike Doña Theresa, who was ultimately released by the Inquisition despite charges of suspicion of Judaizing, Governor Carvajal's female relatives Doña Francisca, his sister and Doña Isabel his niece were tried twice. As was the case with most first-time offenders who plead guilty and asked forgiveness and mercy, Carvajal's relatives were all reconciled to the church and penanced at an *auto de fe* ceremony. However, Carvajal's sister, nieces, and nephew Luis, were arrested a second time for relapsing and openly and unwisely returning to the practice of Judaism. The Holy Office, which was forgiving and tolerant of first-time offenders, tended to be none too gentle with relapsed Judaizers and heretics. Although the Carvajals confessed their return to practicing the Law of Moses, the Inquisitors subjected the accused to torture in order to extract more information and names of fellow *Judaizantes*.¹⁵⁴ "Under stress of the rack the younger Luis Carvajal denounced 116 friends, relatives and associates as Judaizers," many of whom met their fate at the *quemadero* in the auto-de-fe of December 1596.¹⁵⁵

Given the expectation of torture and death by fire for any relapsed heretic, it was definitely ill-advised arrogance for the Carvajals to return to their practice of Judaism knowing

¹⁵² France V. Scholes, "Troublous Times in New Mexico, 1659-1670," *New Mexico Historical Review*, 15:4 (1940: Oct), 387.

¹⁵³ *Ibid*, 387.

¹⁵⁴ Valdés, *Compilación de Instrucciones*. Instruction number 48 permits *Tormento* (torture) as a remedy permitted the Inquisition.

¹⁵⁵ Mott, 64.

they would be under observation for signs of relapsing. If their religion meant that much to them, a return to Europe or a more tolerant country like Turkey would have been a better choice, and would have likely been allowed by the Holy Office. Instead martyrdom by fire was their fate, though reportedly all of the Carvajals acquiesced and chose to reconcile to the Church, and die as Catholics. This meant they were garroted before their bodies were subjected to the flames.

The case against Fray Juan Ramírez is interesting in many respects, but mostly because he was a Franciscan priest who was accused of Judaizing, a charge he had brought against his nemesis Governor Don Bernardo López de Mendizábal. This was not the only charge brought against Fray Ramírez. On November 16th, 1664 before the Holy Office tribunal in Mexico City Padre Ramírez gave testimony and answered charges brought against him. Padre Ramírez was identified as a religious of the order of St. Francis, priest, confessor, preacher and minister to the Indians, he declared he was Christian, baptized and confirmed.¹⁵⁶ Padre Ramírez was accused of the following: scandalous words and deeds that demonstrated a suspect faith; acts relating to Judaizing; ecclesiastical censures; and conduct unbecoming a priest on his journey to New Mexico. On that journey he reportedly blessed holy water in a chamber pot, encouraged priests and religious to eat meat during lent, and he said mass from his cart with little or no adornment. That cart was where he slept and took care of his body functions, which lent an air of disrespect and irreverent behavior unworthy of an ordained minister of the Holy Catholic Church. These actions set a most negative, unholy, and heretical example of bad faith that engendered suspicion of Judaizing and promoting Judaism.¹⁵⁷

¹⁵⁶ AGN, Inquisición, Tomo 502, Proceso contra Fray Juan Ramírez (1664), Exp. 3, f. 360.

¹⁵⁷ AGN, Inquisición, Tomo 502, Causa contra Fray Juan Ramírez (1664), Exp. 3, ff. 360v – 367v.

As was customary, Fray Ramírez was able to answer all of the charges against him. For instance, one of the more serious charges related to his shortcomings as a Franciscan was that he ate meat and caused others to eat meat during the Lenten season and on Fridays during the journey to New Mexico. Fray Ramírez answered that fish not being available throughout the season of Lent, that meat was eaten as they had to eat something. But by responding in this fashion Fray Ramírez opened the door to the truth of the charges by Don Bernardo López de Mendizábal that as leader of the supply train to New Mexico Fray Ramirez had not purchased sufficient supplies and materials for the extended trek to Santa Fe. Furthermore as a priest he had set a very poor example to the other religious and secular members of the supply train, and the Indians as well; these deficiencies as a religious also brought about a suspicion of Judaizing and heresy, and failing in obedience to his church vows and thus bringing disrespect upon the Franciscans and all members of the religious community in New Spain.¹⁵⁸

Fray Ramírez was found guilty of the majority of charges brought against him, including heretical acts and suspicion of bad faith. Through his defense attorney, Fray Ramirez appealed the decision of the court, but the Tribunal upheld the decision. Accordingly Fray Juan Ramírez was brought before the Tribunal, read the decision of the court, made to *abjure de vehementi* his many indiscretions and shortcomings as administrator, priest, and friar.¹⁵⁹ Though Fray Ramírez was investigated by the Inquisition, he was sequestered in a Mexico City convent, not the secret prison in which Governor Mendizábal and Doña Theresa de Aguilera y Roche were housed. Despite being accused of being a Judaizer and heretic, Fray Ramírez was never subjected to torture. His priestly shortcomings were addressed by his not being allowed to conduct any

¹⁵⁸ AGN, Inquisición, Tomo 502, Causa contra Fray Juan Ramírez (1664), Exp. 3, ff. 327-327v.

¹⁵⁹ Valdez, *Compilación de Instrucciones*. Instruction number 42 called for the accused to solemnly recant his deficiencies and faults.

religious services for a time, and when allowed to participate in the sacraments it was to be in the company of or under the direction of another priest. After his sentence was rendered, Fray Juan Ramírez requested that he be allowed to return to Spain, and his request was granted.

The case of Dominican priest Fray Gaspar Carvajal makes an interesting contrast to that of Fray Juan Ramírez. Fray Carvajal was already in New Spain when his uncle Governor Luis de Carvajal and Gaspar's immediate family arrived to colonize and pacify Nuevo León. Like his uncle, Fray Gaspar must have known or at least suspected that his mother, sisters and his brother Luis de Carvajal (the younger) were active crypto-Jews. When his family came under suspicion of being *Judaizantes*, the Tribunal investigated Fray Gaspar for heresy and practicing Judaism. Like Franciscan Fray Ramírez, Fray Gaspar's Dominican brothers sequestered him in a convent. The Inquisition found both Fray Gaspar and his uncle to be Christians, but convicted them of failing to denounce Judaizers and hiding Judaizers respectively. Fray Gaspar was sentenced to serve several months sequestered in the Dominican convent in Mexico City, where he underwent instruction and service to his order. Like Fray Ramírez, he asked to be sent back to Spain where his other brother had escaped when the family came under suspicion.

Pueblo Revolt

The long and troubled history of the colonization of New Mexico with its jurisdictional disputes between the secular and the Catholic authorities, the conversion and pacification of the Pueblos and the predations of the Navajos and Apaches came to a serious inflection point with the Pueblo Revolt of 1680. The Indians drove the soldiers, administrators, ranchers, farmers and the Franciscan friars out of New Mexico all the way to El Paso del Norte. There were abortive

attempts to re-conquer New Mexico but they failed. However in 1691 Don Diego de Vargas led a campaign of conquest that pacified the Pueblo tribes winning an important victory over the Zunis, and permanently solidified the province of New Mexico as part of New Spain. The following is an excerpt from a letter written by Don Diego to his son-in-law Don Ignacio López de Zárate in 1692, a Spanish nobleman that de Vargas addresses as “Your Lordship.”

I have written to Your Lordship on every occasion offered by the mail dispatched to Mexico City. I have apprised you of my progress in this government...to the satisfaction of the most excellent lord viceroy, the Conde de Galve...I decided to conquer and restore at my own expense this villa of Santa Fe, capital of the kingdom of New Mexico. I therefore give him [the King] the news of this conquest, of the pueblo and districts I have restored to his royal crown, and the number of people baptized. During the twelve years since the Indians of this kingdom rose up and separated themselves from Our Holy Faith, they have been living as apostates in their idolatry. ...with divine favor and at my own expense, I have now achieved the unexpected.¹⁶⁰

Unknown to Don Diego another battle with the Indians would need to be fought and won on his return to Santa Fe with more colonists in 1693. A grateful king and viceroy rewarded De Vargas for his soldierly skills and service by appointing him governor of New Mexico until 1697.

Interestingly, as the seventeenth century drew to a close, so did the Inquisition’s aggressive investigations of the crypto-Jews. The Inquisition re-defined policy in New Mexico to one of non-intervention after 1665 “to prevent loss of prestige and respect for the tribunal.”¹⁶¹ The change in policy may have been influenced by the embarrassment caused by Fray Juan Ramírez and his trial by the Holy Office for priestly, Christian, and administrative deficiencies. Oddly enough, the contentious rivalry between the religious and secular authorities in New Mexico also ceased to be a problem. The Pueblo Revolt may have convinced the warring factions that cooperation was necessary and beneficial to the health and well being of the colony.

¹⁶⁰ Diego de Vargas, John L. Kessell, Rick Hendricks, and Meredith D. Dodge, eds., *Letters from the New World: Selected Correspondence of Don Diego De Vargas to His Family, 1675-1706* (University of New Mexico, 1992) ebook Collection (EBSCOhost), 129-131 (accessed November 19, 2011).

¹⁶¹ Tobias, 17.

What do these *procesos* tell us about the Inquisition, the defendants, and the victims? We can make several observations using the trials of Governor Mendizábal and Doña Theresa. First, it is plain that Don Bernardo was the author of his and his spouse's misery. He was a poor manager by today's standards: autocratic, arrogant, overbearing, opinionated, loud, boisterous, and intimidating. Instead of enlisting the Franciscans and the *cabildo* as valued allies in governing the colony, his in-your-face style, made many enemies and few friends. Having served as a colonial administrator before, and surely having discussed his appointment with the viceroy, Mendizábal must have been aware of the church and state controversies in New Mexico. Yet, at the first opportunity, he entered into an argument over supplies with Fray Juan Ramírez. Rather than taking the opportunity to sit down, negotiate, attempt to solve the problem as comrades, Mendizábal referred the issue to the viceroy, who ruled against Fray Ramírez. From that point forward, the relationship was poisoned.

It is possible that Mendizábal's educational background was responsible for his animosity toward Ramírez and his cohorts. Fray Ramírez and all of the religious in New Mexico were members of the Franciscan order. Don Bernardo was educated at the Jesuit University in Puebla, where he studied art and canon law.¹⁶² The Dominicans and the Franciscans were less than charitable with the Jesuits, who were the newest of the three orders, and "were not affiliated with the Inquisition."¹⁶³ The Society of Jesus and its founder Ignatius Loyola resisted the racist *limpieza de sangre* restrictions of the Dominicans and Franciscans, which made the Jesuits the order of choice for New Christians with a vocation.¹⁶⁴ There was a contentious rivalry among the three orders in Spain and in the New World. In 1767 the Jesuits were banned from Latin

¹⁶² France V. Scholes, Troublous Times in New Mexico, 1659-1670, *New Mexico Historical Review*, 12:2 (1937: Apr.), 152.

¹⁶³ Mott, 77.

¹⁶⁴ Kamen, *The Spanish Inquisition*, 245-246.

America, which “unwittingly deprived the Hispanic world of the one religious order that had shown itself capable of meeting the Enlightenment upon grounds still capable of preserving a traditional view of the world.”¹⁶⁵

There was no secular clergy in New Mexico to balance or mitigate the power and influence of the Franciscans. Don Bernardo’s knowledge of canon law and his mandate to administer the King’s will may well have colored his actions and judgment in dealing with the Franciscan friars. Like certain modern day politicians, Mendizábal was less than discrete in his affairs of the heart. As the King’s representative he was a de facto role model for the colonists and the Indians and could have conducted himself more appropriately. His lack of respect and open contempt for the friars opened himself and his spouse to accusations by the clergy.

By comparison to Don Bernardo, Doña Theresa’s minor peccadilloes seem hardly worth mentioning. However, like her husband she might have taken more care than to give her servants cause to carry tales to her neighbors and their friends. Her unusual Friday night routines could not help but be noticed and cause suspicions of Judaizing. Infrequent attendance at mass, dietary habits, inattention to holy days of obligation, and reading books in a foreign language gave rise to gossip, suspicion, and charges of bad faith. As the daughter of a colonial governor and the first lady of the colony, she too was a de facto role model for the distaff colonists.

The *procesos* are excellent sources of information about the defendants, social life in the colonies, commerce and trading, and how the friars interacted with the colonists and Indians. Had they survived the Pueblo Revolt of 1680, the civil government records of Santa Fe could have given us a better understanding of life from the colonist’s perspective. We also have no

¹⁶⁵ Mott, 78.

sources of information or perspective from the Pueblo Indian tribes. History only has the Inquisition records to tell the Indians' side of the story, and those are told from the Franciscans' point of view. The only indication we have of how the Indians lived and were treated is the fact that they were so fed up with the friars and colonists that they revolted and chased them all out of New Mexico. Historians can speculate whether the revolt of 1680 could have been avoided by coordinated efforts of the civil and religious authorities to encourage friendship, trade, and cross-cultural reciprocity and assistance.

What do the *procesos* not tell us? They don't tell us how the colonists and Indians viewed the Franciscans and their methods. Were they all pious, benevolent, helpful friars or were they dominant overbearing taskmasters? Was there any substance to the charges brought by Mendizábal? Did the return to Kachina dances encourage disrespect for Christianity, diabolical behavior, and revolt? Or did the dances simply provide a benign outlet for Indian traditions?

An essay by William Broughton raises some interesting issues about New Mexico colonial history. France V. Scholes interpreted seventeenth century New Mexico society as a continuous struggle between a corrupt and avaricious government, and a merciful and beneficent church.¹⁶⁶ Scholes viewed the governors as self-serving exploiters of Indians, but Broughton points out that the governors had sole authority over the Indians with the power to collect tribute and to *encomendar* the Indians for the colonists' benefit.¹⁶⁷ As such, Mendizábal and the other governors were within their rights to make decisions about Indian labor. The Franciscans and their order served at the pleasure and expense of the Crown, and the governors by way of the

¹⁶⁶ William H. Broughton, "The History of Seventeenth-Century New Mexico: Is it Time for New Interpretations?" *New Mexico Historical Review*, 68:1 (1993: Jan.), 3.

¹⁶⁷ *Ibid*, 5-6.

viceroy were the Crown's representatives and rightfully should have had input in the non-religious decisions of the missions.¹⁶⁸

As historians we must conclude that if we had access to civil records from Santa Fe and if the Indians had written histories, our perspective and understanding of the colonial dynamic might differ significantly. Lastly, it should be observed that the Franciscan order was more accusatory and less willing to allow Fray Juan Ramírez to continue his tenure as Custodian of the Supply Service, than was the viceroy.¹⁶⁹ The embarrassment to the Franciscans by Fray Juan Ramírez and the Supply Service episode caused the order to move quickly to punish him and put the issue to rest. In much the same way the Dominicans in Mexico City ordered that Fray Gaspar de Carvajal be committed to sequestration in their monastery, yet he was allowed to remain in the order and in New Spain. The Dominicans and Franciscans jealously guarded their orders' reputations. Any negative or unsavory characterization that besmirched them was to be avoided or quickly and quietly squelched.

CONCLUSIONS

The two centuries of discovery, exploration and colonization of the New World by Spain and Portugal, from the conquest of the Aztecs to the close of the seventeenth century, literally changed the direction of European history and the future of the New World. The monumental events transpiring in 1492, the Expulsion of the Jews from Spain, and the sponsorship of Columbus's voyage of discovery reset the course of European and world history in ways that

¹⁶⁸ Ibid, 6.

¹⁶⁹ France V. Scholes, "The Supply Service of the New Mexico Missions in the Seventeenth Century, Part II, 1631-1664," *New Mexico Historical Review*, 5:2 (1930: Apr.), 186.

Ferdinand and Isabella could not even conceive of given their attenuated parochial view of their world. The Golden Age of Spain might never have come about if the Catholic Monarchs not sponsored Columbus's voyages. The enrichment of Spain's treasury by the exploitation of the New World's natural resources became possible due to the efforts of the explorers, colonists and merchants, many of whom were crypto-Jews and *conversos*. But underlying these monumental achievements was a historic legacy; a tradition of social segregation, political disenfranchisement, and economic exploitation of the Jews dating back to the fall of Jerusalem.

Under the guise of protecting the purity of the Catholic faith in Spain the Inquisition created a reign of terror against all potential opponents of royal authority. Heresy was the crime it was supposed to deal with, but its main victims were people accused of being relapsed Jews. The Inquisition stifled freedom of thought and expression by making Catholicism a totalitarian state religion.¹⁷⁰

The relevance of the above is that an important part of Spanish and Portuguese history was the impact of the Jewish population in Iberia, and how the many masters of that peninsula chose to deal with, engage, and exploit that narrow but significant segment of the Iberic community.

Dating back to the fourth century and the time of the Christianization of Rome, there were rules of law relating to the Jews, their rights and limitations under Roman law. The Visigothic Christians legislated provisions and proscriptions about how Jews could and should interact within the Visigothic community. In their turns, the Muslims and Christians collected taxes from the Jews, and also specified codes of conduct within which the Jewish community was expected to conform.

Created by Ferdinand and Isabella to root out crypto-Jews, heretics, and unorthodox behavior, the Spanish Inquisition grew in size and scope until it operated in the whole of

¹⁷⁰ Tannenbaum, 99.

metropolitan Spain, and throughout the Spanish territories in America.¹⁷¹ “In the first eight years in Seville alone, more than seven hundred persons were burnt and over five thousand punished.”¹⁷² Heresy and Judaizing were the major targets of investigation in the beginning, and at various other times due to the politics of empire. “An institution with so vast a history created twelve years before the discovery of America and extinguished thirteen years after the death of Napoleon was bound to have an exceedingly complex life cycle.”¹⁷³

The work of Seymour Liebman, Richard Greenleaf, and Stanley Hordes has established that there were significant numbers of *converso* New Christians in New Spain (Mexico), even from the time of Cortés and the Aztec conquest. Stanley Hordes has researched the records of the Mexican Inquisition in Mexico’s national archives and found that there was a large and vibrant community of crypto-Jews in Mexico City, but that the religious authorities in Mexico were not continuously attentive or zealous in attempts to extirpate crypto-Jews from New Spain. Greenleaf, Hordes and Solange Alberro have determined that only a small portion, about one in six, of the Inquisition records dealt with investigations into Judaizing. The remainder of the Inquisition’s cases pertained to the more pedestrian transgressions of adultery, blasphemy, bigamy, witchcraft, and the shortcomings of priests and other religious.

Using primary source documents, including records of *procesos* of Inquisition trials, and secondary sources, this essay has sought to discover a legacy or interconnection between the conduct towards the Jews and *conversos* in Iberia, and the way in which Crown and church authorities dealt with Jews, crypto-Jews, and other *conversos* in New Spain and the province of

¹⁷¹ Henry Kamen, “500 Years of the Spanish Inquisition.” *History Today*, 31:2 (Feb: 1981), 37.

¹⁷² Kamen, “500 Years,” 37. “The terrible holocaust of the 1480s never occurred again, but its intensity left an abiding impression of savagery.”

¹⁷³ *Ibid*, 38.

New Mexico. Much as had been the case in the Iberian Peninsula, church and Inquisition energies were not solely and steadfastly directed at Jews, crypto-Jews and heretics one hundred percent of the time. The search for and extirpation of Jews, crypto-Jews and other *conversos* appears to have been event or special purpose driven. In Spain those events were related to the Black Death in 1349, the 1391 riots, the 1449 *anti-converso Sentencia de Estatuo* in Toledo, the start of the Spanish Inquisition in 1480, and the completion of the *Reconquista* in 1492. In New Spain the two events that caused the Inquisition to focus on crypto-Jews and heretics were 1589 to 1605, when Luther's Reformation and Lutheranism created fear and anxiety among the church hierarchy, and the Portuguese rebellion of Duke de Bragança from 1642 to 1649.

In the first instance, the Church and the Crown were concerned that Martin Luther's publication of his Reformation theses would negatively impact the common people's respect for the church and its hierarchy of prelates, priests and friars. The loss of respect could inevitably extend to the Crown, the nobility, and government officials given that in the Middle Ages "there was little distinction between church and state."¹⁷⁴ Consequently the Inquisition in Mexico re-focused attention on the extirpation of heretical Protestants, the prevention of heretical written material making its way into the colony from Britain and Holland, and keeping the heresy of the crypto-Jews from spreading to other colonists.

"In 1640 the Duke of Bragança led a successful revolt for Portuguese independence from Spain."¹⁷⁵ The Crown feared that a revolt in New Spain aided and abetted by Portuguese immigrants might move the colony to the control of Portugal. Accordingly, the Holy Office began to arrest colonists known to be of Portuguese descent or associated with Portuguese

¹⁷⁴ Mott, 60.

¹⁷⁵ Hordes diss., 131.

immigrants. The majority of Portuguese immigrants that had arrived in New Spain in the last thirty years were New Christians, and many were crypto-Jews. Philip IV issued instructions expelling anyone who sympathized with Bragança, ceasing immigration from Portugal, and ordering Portuguese immigrants to distance themselves twenty leagues from strategic ports and mining areas.¹⁷⁶ Beginning in the summer of 1642 many crypto-Jews were arrested, charged with criminal heresy, and “by 1650 hundreds had been *penanced* at autos-de-fe, suffering imprisonment, confiscation, exile, and some executions by fire.”¹⁷⁷ This renewed focus on the *Judaizantes* by the Holy Office eventually would ebb, but not before snaring Governor Bernardo Lopez de Mendizábal, his spouse, his associates, and his nemesis Fray Juan Ramírez.

This essay’s examination of Inquisition *procesos* found them to be quite similar to and congruent with *procesos* in mainland Iberia. The rules for conducting Inquisition investigations and trials had been issued by the Suprema, headed by Fray Tomás de Torquemada, Queen Isabella’s confessor. These rules were updated and re-issued by Don Fernando de Valdés, Archbishop of Sevilla, as the 1561 *Compilación de Instrucciones del Santo Oficio de la Santa Inquisición* as revised. These instructions were definitive in their directions for conducting a trial, even specifying when and how a defendant could be and should be subjected to torture. While the instructions were definitive, the actual application of those rules was frequently divergent. A classic example of this was the torture of Don Luis de Carvajal’s niece Isabel, and his nephew Luis (the younger). In both cases torture was utilized even after the defendants had confessed to practicing Judaism. The torture was applied more than once for each offense, and

¹⁷⁶ Ibid, 140.

¹⁷⁷ Ibid, 135.

multiple times in one day, neither of which was allowed under the rules issued by Archbishop Fernando de Valdés of Sevilla in 1561.¹⁷⁸

These were not the only transgressions perpetrated by the Inquisitors, which is why the *Suprema* (Supreme Council) ordered two *Visitass* (Visitations) by Inquisition authorities for the purpose of conducting investigational audits of the records and functions of the Inquisition in Mexico. The first visit was less than energetic or successful in uncovering any infractions or embezzlement. However the second *Visita* by Dr. Medina Rico found numerous cases of embezzlement and multiple violations of procedure, particularly those that protected the health, rights, and property of the defendants. Unfortunately, the punishments meted out to the Inquisitors and their minions by the *Suprema* were little more than reprimands and modest fines.

In comparing the Inquisition's *procesos* in Mexico and New Mexico, the only consistent difference between the two was the geography. The methods, the types of inquiries conducted, collection of evidence, betrayal by denouncement, anonymity of witnesses, confiscation of assets, imprisonment while awaiting trial, application of torture, and assignment of remedies and penances were essentially the same. Thus the Crown-controlled Inquisition, the policing body of the Catholic Church in Spain and her possessions, continued to enforce the laws and proscriptions relating to Jews, Moors, crypto-Jews, and other non-Catholic adherents in much the same manner as in mainland Spain and Portugal. Moreover, Jews and crypto-Jews were not the sole focus of the Crown-controlled Inquisition. Most of the cases and most of the time were directed at more mundane non-heretical behaviors and transgressions.

¹⁷⁸ Valdés, "Compilación de las Instucciones"

In the Historiography section of this essay are listed several questions related to Spain, the Inquisition, and the treatment of Jews. Having researched the listed documents and the Mexican Archives, there are answers or perspectives that can be imparted in conclusion. As previously noted, the Pueblo Revolt deprived historians of any civil or government records from New Mexico prior to 1680. Nor are there any written histories or documents from the Native American perspective of colonial New Mexico. But this essay can venture some observations and assumptions based on the records we do have.

When Ferdinand and Isabella sought to rid their kingdoms and possessions of Jews, crypto-Jews and Moors, they had no idea how difficult that task would be. First there were the numbers of Jews and crypto-Jews living and working in the Iberian Peninsula, estimated at from 50,000 to 300,000 out of a total population estimated at about 8,000,000. If 50,000 to 165,000 Jews and crypto-Jews were expelled, how many Jewish, New Christian, and gentile relatives did they leave behind? There had been a Jewish presence in Iberia since before the destruction of Jerusalem, and while most Jews practiced endogamy, not all did. Secondly, they were Jews, but they were Spanish and Portuguese Jews. The threads of language, custom, and culture ran deep. Thus though many fled to Portugal when expelled, many returned later. When the New World opened up, many Jews and crypto-Jews immigrated to take advantage of the opportunity to start over and make a living far from the probing eyes of the Inquisition. But over time there was an ebb and flow of *Judeocristianos* to and from the New World not unlike the sands of an hourglass.

When Philip II ordered the creation of the Holy Office of the Inquisition in New Spain in 1569, it was for the expressed purpose of maintaining the purity of the Catholic orthodoxy in the American colonies. The Inquisition records in Mexico indicate that after the initial emphasis on

extirpation of the Jews and crypto-Jews, only the periods that coincided with the fear of the spread of the Protestant Reformation, and the years following the Portuguese rebellion energized the Inquisition to aggressively seek the discovery and expulsion of the crypto-Jews. While Philip II's decree did not mention revenues or asset confiscations relating to Inquisitional activities, it is evident that the Inquisitors in Mexico became so involved in confiscations that the *Suprema* ordered *Visitas* for the purpose of auditing the activities of the Holy Office in Mexico. The *Suprema* was concerned about the methods utilized and revenues generated by the Holy Office Inquisitors in Mexico.

This essay noted that there were New Christian families in Iberia and in New Spain with members that had made true changes of faith and become true and loyal Catholics. However, the evidence of the *procesos* proved that there was a large and thriving crypto-Jewish community in Mexico, and that *converso* families, some with crypto-Jewish members, did make their way to Nuevo León and New Mexico. Ferdinand and Isabella made the decision to expel the Jews from Spain in part because they feared the practicing Jews would proselytize the New Christians. In Mexico, the newly arrived New Christians were frequently the only contact with Judaism that the crypto-Jewish community had, and over time the energy and purity of the faith were dissipated. The further the distance from Mexico City, and the longer the time between contacts with new arrivals, the greater the tendency for the crypto-Jews to identify with their overt Catholicism and less with their secret Judaism.

The Inquisition in New Spain did not exist solely to expose, impoverish, and eradicate relapsed *conversos*. Despite the pecuniary rewards associated with uncovering and prosecuting the *Judeochristianos*, the vast majority of Inquisition cases did not involve heresy by crypto-Jews. Those that did, however, attracted the most attention at the autos-de-fe and of history.

The tendency for modern readers to readily dismiss the horrors of the Spanish Inquisition's Black Legend as not as bad or abhorrent as the slaughter of millions by Hitler in Europe, the Japanese in Manchuria and China, the Cambodians, and the "ethnic cleansing" by African and Balkan nations is a disservice to all the victims of those criminal abominations. Cullen Murphy in his new history of the Inquisition, *God's Jury*, makes two interesting observations about the Inquisition: that "it was run not merely by warriors but by an educated elite; not merely by thugs but skilled professionals," and secondly that "in its higher dimensions it was animated not by greed or hope of gain or love of power, . . . but by the fervent conviction that all must subscribe to some ultimate truth."¹⁷⁹ Ferdinand and Isabella's ultimate truth may indeed have been the dogma of the Catholic Church. But *proceso* records indicate that there did develop a greed or hope of financial gain on the part of the Crown and the Inquisitors, and there were instances of abuse of Inquisitorial power by church officials to chastise or ruin those who would challenge church authority. If a historian can dismiss the misdeeds of the Spanish Inquisition and the "Black Legend" simply because only sixteen percent of the cases involved Jews and Judaizing, he or she is missing that if you are the one in six who is betrayed, imprisoned, tried, tortured, impoverished or executed by fire it is small comfort that you are in such a small statistical minority. Even one death attributed to religious bigotry or racial prejudice, is one too many. If humanity fails to heed the lessons of bigotry and prejudice, the injustices can become part and parcel of our modern day societies.

¹⁷⁹ Cullen Murphy, *God's Jury: The Inquisition and the Making of the Modern World*, (New York: Houghton, Mifflin, Harcourt, 2012), 23.

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