

A Contested Presence

Portuguese New Christians in the Spain of Philip IV, 1621-1632

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On Sunday, July 4, 1632, the Spanish capital of Madrid witnessed the greatest *Auto de Fé* the city had ever held.¹ Organized in the city's Plaza Mayor and attended by the royal family along with ranking members of the government, the spectacle offered the Castilian multitude an impressive display of Catholic piety and power. King Philip IV manifested his commitment to the eradication of heresy with a sworn oath to defend the faith and support the Holy Office in front of Antonio Zapata, the Inquisitor-General of Castile. Following that ritual, Fray Antonio de Sotomayor, the king's confessor and soon to be the successor of Zapata, preached a sermon addressed to the public. But the highpoint of the *Auto* came when an official of the Holy Office announced that seven of the prisoners present at the event were sentenced to be burned at the stake. Among the condemned were six Portuguese New Christians, descendants of baptized Portuguese Jews who migrated to Castile after the annexation of Portugal by Spain in 1580. Their crime: involvement in an act of sacrilege which came to be known as the *Cristo de la Paciencia* affair.

The affair in question began in September 1630, with the Inquisition's arrest of several Portuguese New Christians living in Madrid. Although initially charged with Judaizing, the testimony of a young boy known as Andresillo, the son of two members of the aforementioned group, altered the nature of the charge. Andresillo affirmed that this group met weekly in his parents' home in Madrid's Calle de las Infantas where they desecrated an image of Christ Crucified, whipping it with thorns and passing it through fire. Miraculously, the image bled and spoke, asking his tormentors why they were mistreating him, since he was their only true God.

The *Cristo de la Paciencia* affair constituted a veritable *cause célèbre* in the Spanish capital. Two days after the *Auto de Fé* and the execution of the New Christians, angry madrileños demolished the house of

¹ The details of the events presented in what follows are based on the anonymous *Relación del auto de la fé que se celebró en Madrid Domingo a quatro de Julio de MDCXXXII* (Madrid: n.p. 1632). My account here is indebted to Yosef Hayim Yerushalmi's retelling of the story. See his *From Spanish Court to Italian Ghetto. Isaac Cardoso: A Study of Seventeenth-Century Marranism and Jewish Apologetics* (New York & London: Columbia University Press, 1971), pp. 105-122. The original documents of the inquisitorial proceedings are in the Archivo Histórico Nacional in Madrid, *Inquisición de Toledo*, legajo 140-4.

Andresillo's parents. Church authorities then made arrangements to establish a Capuchin convent on the lot where the house once stood. In the months that followed, ceremonies honoring the desecrated image were held on a regular basis. The incident also triggered a massive outpouring of pamphlets, sermons and treatises, together with poems by Lope de Vega and other prominent authors.²

Interesting in its own right, the event also points to the general phenomenon of Portuguese New Christians in Spain under Philip IV and to the complex nature of the charge of sacrilege. To date, the only extended treatment of the *Cristo de la Paciencia* affair is Juan Ignacio Pulido Serrano's *Injurias a Cristo* (2002), which argues that the Inquisition fabricated the sacrilege as part of a general defamatory campaign against Philip IV's favorite, the Count-Duke Olivares, who was rumored to favor the New Christians. As Pulido concludes, the accusations were the outcome of “a political practice... expressed in religious terms”.³ While Pulido's exhaustive analysis shed important light on the context of the event in the intrigues at Philip IV's court, it suffers from two major lacunae. First, in his account the New Christians play only a minor role, taking second place to the Inquisition which used them to mobilize opposition against Olivares. It should be noted, however, that the *Cristo de la Paciencia* affair occurred in the context of extensive discussions between the Crown and representatives of the Portuguese New Christians over the status of the latter. To be sure, within the monarchy the New Christians were conceived as a threat and suffered from legal impositions and violent persecution. But a mixture of *raison d'État* and notions of ideal Christian kingship had made their presence an open question.

In the second place, Pulido considers the sacrilege charge on generic terms and thus views it as an instrumental use of old Anti-Judaic libels by the anti-Olivarista camp. He argues that the model for the *Cristo de la Paciencia* accusation was in the story of the Santo Niño de la Guardia, an alleged ritual murder of a Christian boy which served as one of the pretexts for the expulsion of the Jews in 1492.⁴ Since Pulido does not account for the obvious difference in content and context between the two accusations, he implies that the meaning of the

2 A partial list of published and unpublished works devoted to the *Cristo de la Paciencia* affair is provided by Yerushalmi, *From Spanish Court to Italian Ghetto*, pp. 120-121, n. 61.

3 Juan Ignacio Pulido Serrano, *Injurias a Cristo: religión, política y antijudaísmo en el siglo de XVII* (Alcalá de Henares, Madrid: Instituto internacional de estudios Sefardíes y Andalusíes, Universidad de Alcalá, 2002), p. 29. The *Cristo de la Paciencia* affair is mentioned frequently in other works, though only in cursory manner. See, for example, Julio Caro Baroja, *Los judíos en España moderna y contemporánea*, II (3rd ed.; Madrid: Istmo, 1976 [1962]), pp. 445-447.

4 Pulido, *Injurias a Cristo*, pp. 123-153, esp. pp. 137-141.

stories is static and independent of their historical context.⁵ Yet, although general similarities between accusations of ritual crimes surely exist, each story had unique qualities, embedded in their respective contemporary settings. Inquisitors labored more than a year in the process of authenticating a specific evidence against the New Christians. New Christians within the realms of the Spanish monarchy and ex-Iberian Jews wrote about the minutiae of the case throughout the early 1630's and many years after the event. The specific details and context were crucial for them in order to render the stories meaningful.

Sacrilege, it should be stressed, was a very serious accusation. Sebastián de Covarrubias, for instance, defines sacrilege in his *Tesoro de la lengua castellana, o española* (1611), the first monolingual Castilian dictionary, as a violent act against Christian institutions and as a transgression of the borders of sacred and profane:

Sacrilege is committed against the person, as if one injures or mistreats an ecclesiastic person; Or against the place, when the immunity of the church is broken; Or against objects, as if one steals sacred objects, even if they were from a non sacred place, or those that are not [sacred] which are removed from a sacred place. Finally, according to Saint Thomas, *secunda secundae, questione* 99: “Sacrilege is everything done irreverently to sacred things.”⁶

Sacrilege, then, was conceived as a vehement violation of the ritualistic order, especially when it involved a desecration of the image of Christ or a Host. Consequently, once occurred it required an act of restoration of that order. We can see this in the *Cristo de la Paciencia* affair, where rites of various sorts were held in honor of the desecrated image, including rituals in which substitute images were deployed for the purpose of purification.⁷ Sacrilege also has to be seen as a felony. Together with the related crimes of heresy and

⁵ For a critique of this kind of historiography, see Miri Rubin, *Gentile Tales: The Narrative Assault on Late Medieval Jews* (New Haven & London: Yale University Press, 1999).

⁶ Sebastián de Covarrubias Horozco, *Tesoro de la lengua castellana, o española* (Madrid: Luis Sánchez, 1611), p. 1277: “Cometese el sacrilegio contra la persona, como si hiriésemos o maltratásemos a persona Eclesiastica, o contra el lugar quando se quebranta la inmunidad de la Iglesia, o en las cosas como si uno robasse las cosas sagradas, aunque fuesse de lugar no sagrado, o las que no lo son de lugar sagrado; finalmente, según santo Tomás, *secunda secundae, questione* 99: “*Sacrilegium est omne quod fit ad irreuerentiam rei sacrae*”. Covarrubias definition is very similar to that of Aquinas, who distinguishes between three kinds of sacrilege: personal, local, and real (i.e against sacred things).

⁷ On the role of images in the *Cristo de la Paciencia* affair, see Felipe Pereda, “The Desecrated Image and its Miraculous Substitutes,” paper presented at Sixteenth-Century Society conference at Cincinnati, Ohio 10/27/2012. I thank Professor Pereda for allowing me to read this unpublished paper. See also the descriptive article by Marta Bustillo, “The Episode of the Cristo de la Paciencia and its Influence on Religious Imagery in Seventeenth-Century Madrid,” in *Imagery, Spirituality and Ideology in Baroque Spain and Latin America*, ed. Jeremy Roe & Marta Bustillo (Newcastle, UK: Cambridge Scholars Publishing, 2010), pp. 59-70.

blasphemy, it demanded a punitive act of retribution. According to Aquinas, the penalty on major acts of sacrilege was excommunication. However, when that spiritual penalty was not enough to prevent the criminal from sinning – for instance, in the case of Jews or heretics – a temporal, that is, corporal punishment was due. Thus, as an attack on the social order and on church institutions, sacrilege called for the intervention of the authorities in order to protect the Christian public and to castigate its enemies. This was especially true for Spain's Catholic monarchy, which fashioned itself as a defender of the faith against heretics.⁸

The charge of sacrilege was not invoked spontaneously nor did it attain its meaning *in vacuo*. As I will demonstrate in what follows, it should be understood against a backdrop of heated discussions in the 1620's and early 1630's over the status of the New Christians. Tracing the development, objectives and rhetoric of these discussions, I aim to place the charge of sacrilege within a specific debate over Spanish sovereignty and its relationship with the New Christians. As part of this investigation, I will analyze nine petitions New Christians forwarded to a special royal committee dealing with the status of the New Christians at a time of growing friction between the Crown and the Portuguese Inquisition over that “problem”. Through this analysis I intend to give voice to the New Christians and to point to the ways these individuals attempted to negotiate their presence within Iberian society, as well as to the challenges facing them. The unpublished documents I use here are part of a trove of several hundred, recently discovered in the archives of the Hispanic Society of America and consisting in vast majority of letters written by Portuguese clergy and Castilian officials against the New Christians.⁹ In addition to the nine petitions mentioned, I am particularly interested in a petition drafted by one New Christian, João Baptista d'Este, who had seemingly turned his back against the New Christians. Ultimately,

8 The categorization of sacrilege as a crime demanding an act of retribution has a long history. Already in Leviticus V:15-16 we can find an elaboration of the retributive acts necessary after an injury to the sacred. In a specific legal context, the first appearance of sacrilege as a crime was probably in the fifth century Theodosian codex. See: *The Theodosian Code and Novels, and the Sirmondian Constitutions*, trans. Clyde Pharr (Princeton: Princeton University Press, 1952), XVI: II, 31. In late medieval Iberia it appears most notably in Alfonso X's *Siete Partidas*, see: *Las Siete Partidas*, ed. Robert I. Burns, trans. Samuel Parsons Scott (Philadelphia: University of Pennsylvania Press, 2001), I:220-225. My discussion here on sacrilege as a problem to the authorities is informed by Magda Teter's study of Counter-Reformation Poland: *Sinners on Trial: Jews and Sacrilege after the Reformation* (Cambridge, Mass & London: Harvard University Press, 2011).

9 Related documents were published by Elkan Nathan Adler in the *Revue des Études Juives* [henceforth *RÉJ*] 48-51 (1904-1906). The originals he used are housed in the library of the Jewish Theological Seminary of America (ms. Spanish 31, fols. 1-103). For reasons unknown to me, the continuation of these documents, fols. 104-623 [with the lacuna of 458-507] are housed in the library of the Hispanic Society of America [henceforth HSA], inquisition, 363-141. I will make use of both source bases, with a preference to the previously untapped documents from the HSA.

in the third and final part of this paper I look at a case of sacrilege that took place in Lisbon less than a year before the infamous *Auto* in Madrid. I argue that this case was the immediate context to the *Cristo de la Paciencia* affair and that the event in Madrid should be viewed also as a part of the wider struggles between the Crown the Inquisition over the status of the New Christians. Finally, through comparing the ways Inquisitors, New Christians and ex-Iberian Jews wrote about these cases, I demonstrate that sacrilege was used as a form of evidence in a debate about the relationship between New Christians, the wider Iberian society, and the Catholic monarch.

The Problem with the Portuguese New Christians

I begin this inquiry in the late fourteenth century and the state of the so-called *converso* problem in Iberia. Starting in 1391 in the Andalusian city of Seville, a series of anti-Jewish violent riots in both Castile and Aragon sparked the conversion of many Jews to Christianity. These conversions, many of which were done under duress, were crucial steps leading up to the expulsions of Jews from Castile and Aragon (1492), Portugal (1497), and Navarre (1498). But even before the end of the fifteenth century the conversions altered Iberian societies. Of particular importance here was the emergence of a large population of *judeoconversos* that occupied a liminal space between existing Christian and Jewish communities. According to David Nirenberg, the emergence of this group destabilized traditional categories of difference between Jews and Christians, and provoked new forms of social, political, and religious identity of Jews and Christians alike.¹⁰

Nor did the changes triggered by the presence of large numbers of *judeoconversos* end once the last Jews had left Iberian soil. In general, *judeoconversos* remained a marginal group, mainly because conversion to Christianity did not mean *ipso facto* total acceptance. Starting in the mid-fifteenth-century, new Purity of Blood (*Limpieza de sangre*) statutes prevented *conversos* from entering military and religious orders, confraternities, municipal councils, together with some colleges, universities and cathedral chapters.¹¹ In addition, the

¹⁰ David Nirenberg, "Mass Conversion and Genealogical Mentalities: Jews and Christians in Fifteenth-Century Spain," *Past & Present* 174 (2002), pp. 3-41.

¹¹ The most exhaustive research on this topic is still Albert A. Sicoff's *Les controverses des statuts de 'pureté de sang' en Espagne du XVe au XVIIe siècle* (Paris: Didier, 1960).

Inquisition, established in 1478 for the purpose of eradicating the crime of “Judaizing” throughout the kingdom, influenced the lives of *Judeoconversos* on a daily basis.

The question whether the New Christians were devout Catholics or crypto-Jews, that is, secretly practicing Mosaic laws and rites, had nurtured a prolonged scholarly debate. The complexity of the issue and the problematic nature of evidence (mainly inquisitorial) render one-dimensional explanations overtly reductive.¹² Whether secretly practicing rites containing Jewish elements or not, the notion of a socially distinct group of *conversos* developed during the fifteenth century and subsequently persisted throughout the early modern period. In part, the emergence of this idea had to do with the practice of endogamous marriage before and after the expulsions. But it should be stressed that the category itself came to encapsulate more than a notion of group self-identification. Members of this group were called *conversos* simply on account of their ancestry. Thus, the offspring of converted Jews were still *conversos* even though they themselves were baptized as infants. The social category functioned as well as a stigma. In documents using quotidian parlance, *conversos* were referred to as *tornadizos* (renegades) and also *marranos*, a pejorative term probably originating from Portuguese and alluding to pork.¹³

The experience of Portuguese New Christians was related to, yet distinct from the experience of Spanish *judeoconversos*. In 1497, largely in response to Spanish royal pressure, Dom Manuel I ordered the forced baptism of all Portuguese Jews, a group which was estimated at about 30,000 (or 3% of the kingdom's population).¹⁴ Prior to that order, the experience of Jews living in Portugal was relatively different from their counterparts from Spain, as there were no widespread violent riots or organized anti-Jewish persecution. Thus, whereas in fifteenth-Century Spain *conversos* lived next to Jews, in Portugal the Jewish community converted at once. Adding to this the relatively late establishment of the Portuguese Inquisition (1536), scholars have

12 The literature on the subject is too vast to survey here. Regarding to the nature of the religion of the *conversos*, see: David M. Gitlitz, *Secrecy and Deceit: The Religion of the Crypto-Jews* (Philadelphia: Jewish Publication Society, 1996); Cecil Roth, “The Religion of the Marranos,” *Jewish Quarterly Review* 22:1 (1931), pp. 1-33; Yosef Hayim Yerushalmi, “Marranos returning to Judaism in the Seventeenth Century: Their Jewish Education and Psychological Preparation,” *World Congress of Jewish Studies* 2:5 (1972 [Hebrew]), pp. 201-209.

13 Israël S. Revah, “Les Marranes,” *RÉJ* 118 (1959), pp. 29-77, here at p. 30. See also Benzion Netanyahu, *The Marranos of Spain: From the Late 14th Century to the Early 16th Century, According to Contemporary Hebrew Sources* (3rd ed.; Ithaca, NY: Cornell University Press, 1999), p. 59, n. 153, with further references.

14 Maria José Pimenta Ferro Tavares, *Os Judeus em Portugal no Século XV* (Lisbon: Universidade Nova de Lisboa, Faculdade de Ciências Sociais e Humanas, 1982), II:74.

suggested that Portuguese crypto-Judaism was much more vital than in other parts of the Iberian Peninsula.¹⁵ Since knowledge about the persistence of Judaic practice is either based on inquisitorial interrogations or contemporaneous Jewish apologetics, it is difficult to make any clear statement.¹⁶

The number of New Christians residing in Portugal remains a highly speculative issue. In 1624, the Portuguese Inquisition claimed that 200,000 New Christian families were residing in Portugal, and this number, probably exaggerated, is one some scholars still accept, though others have argued that real number is in fact closer to 50,000.¹⁷ Far more certain is that Portuguese New Christians rose to prominence in the course of the sixteenth century, especially in Lisbon, where they dominated the mercantile class.¹⁸ They owed this position partly to Dom João III's decision to farm out royal trade monopolies and tax contracts to individuals, partly to the growing importance of Lisbon as a commercial hub. Thus, with the emergence of Lisbon as a key port in the trans-oceanic trade, New Christians achieved an important commercial role in both Portugal and its colonies overseas.¹⁹ The more enterprising of these New Christians entered into business partnerships with other New Christians who, having emigrated to other countries where they lived openly as Jews, played an important role in trading centers such as Amsterdam, London, Livorno, and Hamburg. These so-called "Men of the Nation"

15 Yerushalmi, *From Spanish Court to Italian Ghetto*, 4-5; Revah, *Les Marranes*, *passim*; The thesis over the persistence of crypto-Judaism was criticized by António José Saraiva, *The Marrano Factory: The Portuguese Inquisition and its New Christians, 1536-1765*, trans., rev., & aug. H.P. Salomon & I.S.D. Sassoon (Leiden: Brill, 2001 [originally published as *Inquisição e Cristãos-Novos* (Lisbon: Editorial Inova, 1969)]). This book, written from a somewhat uncritical Marxist approach, raised an extremely prolonged and heated debate, mostly between Saraiva and Revah. See in *ibid*, appendix 1 & 2, pp. 235-342.

16 Not only that the inquisitorial documents themselves are problematic, but we should bear in mind that since in Portugal there was not any substantial *Morisco* population, nor a perceived threat of Protestantism, the Portuguese Inquisition dealt almost exclusively with descendants of Jews. See Ana Isabel López-Salazar Codes, *Inquisición Portuguesa y Monarquía Hispánica en tiempos del perdón general de 1605* (Lisbon: Colibri & Centro Interdisciplinar de História, Culturas e Sociedades da Universidade de Évora, 2010), p. 10, n. 3.

17 For the Portuguese Inquisition estimation, see João Lúcio de Azevedo, *História dos Cristãos Novos Portugueses* (2nd ed; Lisbon: Livraria Classica Editora de A. M. Teixeira, 1975 [1921]), appendix 14, pp. 471-472. Revah accepts this estimation. See his "Le plaidoyer en Faveur des Nouveaux Chrétiens portugais du Licencé Martin Gonzalez de Celorigo," *RÉJ* 122 (1963), pp. 279-398, here at p. 313. Edgar Samuels think there were no more than 50,000 at that time (though it is not clear whether he refers to individuals or families). See "The Trade of New Christians of Portugal in the Seventeenth Century," in his *At the End of the Earth: Essays on the History of the Jews of England and Portugal* (London: The Jewish Historical Society of England, 2004), p. 90.

18 According to David Grant Smith, at the end of the sixteenth century New Christian merchants outnumbered their Old Christian counterparts three to one. See his *The Mercantile Class of Portugal and Brazil in the Seventeenth Century: A Socio-Economic Study of the Merchants of Lisbon and Bahia, 1620-1690* (PhD Diss., University of Texas at Austin, 1975), p. 18.

19 Daviken Studnicki-Gizbert, *A Nation Upon the Ocean Sea: Portugal's Atlantic Diaspora and the Crisis of the Spanish Empire, 1492-1640* (Oxford & New York: Oxford University Press, 2007).

occupied an important niche in the the burgeoning mercantile economy of the early modern world.²⁰ Yet, at the same time of this economic rise, the New Christians of Portugal suffered from legal discrimination and outward persecution, as Portugal followed Spain in implementing *Purity of Blood* laws and the institution of the Inquisition.

The next chapter in the history of the New Christians began in 1580, when Philip II annexed the kingdom of Portugal. At that point, the border separating the two neighboring kingdoms became relatively porous. Eager to escape the aggressive Portuguese Inquisition and lured by the economic opportunities Spain offered, New Christians immigrated to Spain in big numbers, concentrating in such cities as Seville, gateway to the Indies, and Madrid, home of the royal court.²¹ The Crown had some part in the arrival of Portuguese New Christians to Castile. At the time of his death, Philip II left an empire in a deep financial crisis. The costs of empire were rising far beyond its revenues and the Crown was desperately short of funds. It was in that context that negotiations over loans between leading Portuguese businessmen, most of them New Christians, and the bankrupt crown began.²²

Yet, together with the financial opportunities they offered, the Portuguese New Christians also became a matter of debate in Spain and in Portugal. They were a distinctive and influential group, and their loyalty and sincere Catholicism were constantly questioned. Moreover, they placed Spanish sovereignty in the realm of Portugal into question. While Portugal became a part of the Spanish Crown in 1580, the kingdom retained a

20 On the importance of Iberian New Christians and Jews in the trans-oceanic economy of the early modern era see: *Atlantic Diasporas: Jews, Conversos, and Crypto-Jews in the Age of Mercantilism, 1500-1800*, ed. Richard L. Kagan and Philip D. Morgan (Baltimore: Johns Hopkins University Press, 2009); Jonathan I. Israel, *European Jewry in the Age of Mercantilism, 1550-1750* (Oxford: Clarendon Press, 1985); *idem*, *Diasporas Within a Diaspora: Jews, Crypto-Jews, and the World of Maritime Empires* (Leiden & Boston: Brill, 2002). The involvement of Jews and New Christians in the mercantile economy was perceived in essentialist terms by classical sociologist Werner Sombart. To a criticism, see Claude B. Stuczynski, "Religious Identity and Economic Activity of New Christians: A New Examination," in *Portuguese Jewry at the Stake: Studies on Jews and Crypto-Jews*, ed. Yom Tov Assis & Moises Orfali ([Hebrew] Jerusalem: Magness Press, 2009), pp. 227-259.

21 Miriam Bodian estimates the numbers of the Portuguese New Christians entering Castile "in the thousands", though does not give any specific evidence for this estimation. See her *Hebrews of the Portuguese Nation: Conversos and Community in Early Modern Amsterdam* (Bloomington: Indiana University Press, 1997), p. 13.

22 Juan Ignacio Pulido Serrano, "Las negociaciones con los cristianos nuevos en tiempos de Felipe III a la luz de algunos documentos inéditos (1598-1607)," *Sefarad* 66:2 (2006), pp. 345-376; Claude B. Stuczynski, "New Christian Political Leadership in Times of Crisis: The Pardon Negotiations of 1605," in *Bar-Ilan Studies in History V: Leadership in Times of Crisis*, ed. Moises Orfali (Ramat-Gan: Bar-Ilan University Press, 2007), pp. 45-70, esp. 55-56. These negotiations had antecedents in the activity of influential Portuguese New Christians since the mid-sixteenth century, see Stuczynski, *Leadership in Times of Crisis*, pp. 47, 53; Heim Beinart, "Departure of *Conversos* from the Iberian Peninsula in the Fifteenth-Seventeenth Centuries," in his *Chapters in Judaeo-Spanish History*, II ([Hebrew] Jerusalem: Magnes Press, 1998), pp. 63-106.

measure of autonomy in matters of government and church. Until the death of Philip II (1598), the relationship between Portuguese institutional framework and the Crown was relatively stable. But throughout the reign of Philip III (1598-1621), Portugal's autonomy deteriorated.²³ And while the Crown and the representatives of the New Christians asked for several reforms in the status of the New Christians, the Portuguese Inquisition refused any intervention in its authority.

Following a complex series of negotiations between the Crown, Portuguese authorities, the Papacy, and the representatives of the New Christians, Philip III issued a General Pardon in 1605, acquitting all New Christians held in prison of the Portuguese Inquisition. However, the General Pardon did not initiate an era of acceptance. Rather, the edict itself was designed to educate New Christians in the Catholic faith and also to protect the Spanish economy by preventing them from leaving Iberia. Moreover, the concessions made towards the New Christians were followed by the publication of anti-Judaic treatises by inquisitors – most notably that drafted by the Inquisitor-General Mascarenhas – and the instigation of violent riots in Lisbon in 1605.²⁴ Finally, the pardon was practically annulled in 1610.

With the start of the reign of Philip IV in 1621, the king's *valido* (royal favorite), the Count-Duke Olivares, attempted to implement a set of general reforms in order to invigorate the declining monarchy. This marked the renewal of discussions between the New Christians and the Crown.²⁵ In the past, the crown had relied on Genoese bankers for loans, but since the end of the sixteenth century it looked to the Portuguese New Christian bankers. The Portuguese' substantial *asientos* (loans) allowed the Spanish Crown to continue its belligerent foreign policy. Furthermore, since the Portuguese were subjects of the Spanish Crown, the court had more control over the circulation of capital, its debts, and its methods of payments.²⁶

23 Juan Igancio Pulido Serrano, "Political Aspects of the Converso Problem: On the Portuguese Restoração of 1640," in *The Conversos and Moriscos in Late Medieval Spain and Beyond*, II, ed. Kevin Ingram (Leiden & Boston: Leiden, 2012), pp. 219-246, esp. pp. 221-223. On this period, see in general Codes, *Inquisición Portuguesa y Monarquía Hispánica en tiempos del perdón general de 1605*.

24 Pulido, *Political Aspects of the Converso Problem*, cf. 233; Reuven Finegold, "The New Christian Problem in Portugal, 1605-1625," *Zion* 54 (1989 [Hebrew]), pp. 379-400.

25 James C. Boyajian, *Portuguese Bankers at the Court of Spain, 1626-1650* (New Brunswick, NJ: Rutgers University Press, 1983); John H. Elliott, *The Count-Duke Olivares: The Statesman in an Age of Decline* (New Haven & London: Yale University Press, 1986), pp. 300-304; Antonio Domínguez Ortiz, *Política y hacienda de Felipe IV* (Madrid: Derecho Financiero, 1960), pp. 125-139; Mauricio Ebben, "Un triángulo imposible: La corona Española, el Santo Oficio y los banqueros Portugueses, 1627-1655," *Hispania* 53 (1993), pp. 541-556.

26 Boyajian, *Portuguese Bankers*, esp. Ch. 2.

The negotiations, however, could not be reduced to the financial deal between the Portuguese bankers and the Spanish Crown. The New Christians elicited a wide set of responses from elite and common folk alike, and on account of this Philip IV ordered his confessor, fray Antonio de Sotomayor, to establish a special Junta, dedicated to investigating the proper way to deal with the New Christians. Very little is known about this Junta except for the fact that, starting in 1621, its members met at the house of Sotomayor. According to John H. Elliott, it originally consisted of two members in addition to Sotomayor, but the letters in the HSA suggest that its membership varied across time. It seems plausible to speculate that the Junta was a fluid body, with Sotomayor as its stable head.²⁷

Part of the Junta's work was to respond to petitions submitted by the New Christians from both Lisbon and Madrid, as well as to petitions submitted by Portuguese Inquisitors and church officials.²⁸ These petitions were addressed to Philip IV and in that sense Sotomayor and the Junta acted as intermediaries between the king and his subjects. It is also clear that the Junta was to provide the king with council on matters related to the petitions. In Spain of the age of *Arbitristas*, authors who regularly offered the king advice on financial and other matters, usually pointing to the necessity of reform and at the same time hoping to attain some benefit, the Junta was perhaps a necessary bureaucratic creation in order to deal with the abundance of written material.²⁹ Yet, the Junta should also be seen as an institution of control. Ad hoc Juntas were introduced during the reign of Philip III, together with the system of *validimiento*, that is, the concentration of authority in the hands of the king's *valido*. These temporary institutions bypassed the authority of the *concejos*, the older institutions of government, and meant to facilitate reform and centralization. The New Christians were thus at the center of a struggle over the extent of royal jurisdiction and sovereignty.

27 Elliott, *The Count-Duke Olivares*, p. 118. The only study of Sotomayor I am aware of is José Rodríguez Espinosa's introduction to his edition of the correspondence between the king and his confessor. See his *Fray Antonio de Sotomayor y su correspondencia con Felipe IV* (Vigo: M. Roel, 1944), pp. 11-38. Unfortunately, this study does not address Sotomayor's role in the Junta.

28 Pulido, *Injurias a Cristo*, pp. 76-77.

29 On the *arbitrista* literature see John H. Elliott, "Self-Perception and Decline in Early Seventeenth-Century Spain," in his *Spain and its World, 1500-1700. Selected Essays* (New Haven: Yale University Press, 1989), pp. 241-261; Jean Vilar Berrogain, *Literatura y economía: la figura satírica del arbitrista en el Siglo del Oro*, trans. Francisco Bustelo del Real (Madrid: Revista de Occidente, 1973).

Writing Petitions to the Junta

Over the course of the 1620's and the early 1630's, numerous petitioners addressed the Junta headed by Sotomayor. They included Portuguese clergy together with inquisitors from Bragança to Goa, all of whom offered suggestions about the New Christian “problem”. New Christians also wrote to the Junta and voiced their claims, complaints and requests before the king's committee. The nine petitions of New Christians I have consulted differ in length, content and style, and apart from one petition, written by “the Portuguese New Christians living in Madrid,” do not specify the location of the authors. These petitions, all written in Castilian rather than Portuguese, can be dated to the period of ca. 1626-early 1632, that is, prior to the *Auto* of 1632. They are neither signed nor dated, thus contrasting sharply to other letters addressed to the Junta.³⁰

Who were the authors of these petitions? Despite their anonymity, these petitions provide a treasure trove of information about the New Christians. Most are written using the third person plural, although two are presented by an anonymous “representative” who nevertheless refers to the Portuguese New Christians as a group.³¹ The variety of terms used to refer to these individuals worth a closer look. In the petitions analyzed here one finds such general terms as “the Men of the kingdom of Portugal” (*la gente de reyno de Portugal*) or “the Men of the Nation of Portugal” (*la gente de la nacion de Portugal*).³² Also employed are the more occupation-specific terms “businessmen of the Nation” (*los hombres de negocios de la nacion*) or “Portuguese businessmen” (*los hombres de negocios portugueses*).³³ One even finds a term highlighting common origin such as “the Men of Portugal who descend from the Hebrew Nation” (*la gente de portugal que descende de la nacion hebrea*).³⁴

These terms correspond to a more general trend in the way Portuguese New Christians described themselves and were described by others. In her study of Amsterdam's Jewish community of Portuguese ex-*conversos* in the seventeenth century, Miriam Bodian underscores how older terms such as “Converts”

30 The only petitions from Portuguese New Christians I have found with explicit authors are the one written by João Baptista d'Este, a specific case which will be discussed below, and several petitions written by the consortium of the Fernandez brothers, dealing with the loans to the Crown. For reasons of space, I will concentrate on this paper on the anonymous petitions.

31 For the petitions presented as written by the representative, see: *REJ* 49 (1904), pp. 55-58 (doc. 1); HSA 363-141, fols. 184-188.

32 *REJ* 49 (1904), pp. 58-60 (docs. 2 & 3); HSA 363-141, fols. 354-355; fols. 356-357; fol. 433.

33 *REJ* 49 (1904), pp. 55-58, 63-65 (docs. 1 & 5); HSA 363-141, fols. 184-188.

34 HSA 363-141, fols. 434-436.

(*conversos*), “New Christians” (*cristianos nuevos*), and “Confessed” (*confesos*), gave way to such terms as “People of the [Jewish] Lineage” (*gente del linaje*), “those People” (*esta gente*), “that Race” (*esta raza*), “those of the Nation” (*los de la nación*), or their equivalent terms in Portuguese: “People of the Nation” (*gente da nação*), and “Men of the Nation” (*homens da nação*).³⁵ It should be stressed that the use of the term “nation” – coupled often with the modifier “Hebrew” (*hebrea*) – can be found among Portuguese New Christians themselves. According to Bodian, this shift reflect the emergence of an ethnic group self-perception within Amsterdam's Jewish community, where ex-Iberian *conversos* articulated their identity vis-à-vis the existing non-Iberian Jewish community and found a common denominator in their shared origin and history. Bodian's argument is convincing, but it does not necessary apply to New Christians of the Ibero-Atlantic world. There, communal organization structures and institutions were generally lacking and group self-perception coincided with kinship networks, shared commercial pursuits, and a common experience of persecution. It is true that some of the petitions hint at ethnicity by acknowledging a shared “Hebrew” past, but more in evidence is an emphasis on a shared marginal status, together with a reference to a common occupational identity, as evident in the recurring term “businessmen” (*homens da negócio*). Remember too that the term “nation”, although etymologically connected to designating a group of foreigners sharing a place of origin, was used since the middle ages and until the early modern period also to refer to a foreign colony of traders.³⁶

While these self-referential terms provide hints about the history and experience of the New Christians as a social group, it is worth asking whether the language and the concepts contained in the petitions reveal anything about the “identity” of the New Christians. The choice not to use proper names and to prefer collective terms could have been a rhetorical strategy designed to conceal the identity of the petitioners, and thus reduce the risk of exposing the authors to inquisitorial scrutiny.

35 Miriam Bodian, *Hebrews of the Portuguese Nation*, pp. 7, 11-13; *idem*, “Men of the Nation': The Shaping of Converso identity in Early Modern Europe,” *Past & Present* 143 (1994), pp. 48-76. This is not to say that terms associated with race, ethnicity and lineage were not used before. See in particular David Nirenberg, “Was there Race before Modernity? The Example of Jewish Blood in Late Medieval Spain,” in *The Origins of Racism in the West*, ed. Miriam Eliav-Feldon et al. (Cambridge & New York: Cambridge University Press, 2009), pp. 232-264.

36 The history of the word “nation” is of course much more complex, and throughout the middle ages designated also groups of university foreign students and rivaling ecclesiastic groups. See in general Guido Zernatto & Alfonso G. Mistretta, “Nation: The History of a Word,” *The Review of Politics* 6:3 (1944), pp. 351-366. See also the essays in fourth part (“«Nations» et «communautés»: enjeux identitaires”) of *Commerce, voyages et expérience religieuse, XVIe-XVIIIe siècle*, ed. Albrecht Burkardt (Rennes: Presses Universitaires de Rennes, 2007).

The anonymous collective character of the petitions also allowed the New Christians to present themselves as a unified community. Contemporary sources suggest that such unity did not in fact exist, and that New Christians were divided into factions and several competing groups.³⁷ On the other hand, there was something to be gained by presenting themselves as a single, harmonious community. Tamar Herzog, for instance, has argued that belonging to a community was the basis for citizenship in the Iberian world. Thus, highlighting communal affiliation was a way to claim certain rights and privileges.³⁸ Furthermore, by presenting themselves as a united group, the New Christians seemingly attacked what we can understand as “collective guilt,” that is, condemning an entire group on the basis of the shortcomings of a few individuals. Judging the entire population of Portuguese New Christians according to the supposed guilt of certain individuals was an obstruction of justice. Common concepts of law in early modern Spain emphasized the importance of equal distribution of justice among the people, giving each one as he deserves.³⁹

A similar collective strategy can be found in Lope de Vega's famous play, *Fuenteovejuna* (1619). This drama comes in the third act, following the murder of Fernán Gómez de Guzmán, the tyrannical *comendador* imposed on the village Fuenteovejuna. The monarchs Ferdinand and Isabel send a judge to investigate the crime, but when he asks the villagers “who killed the *comendador*?” they respond collectively: “Fuenteovejuna did it”. The judge continues his investigation, but eventually abandons his quest for identifying a single culprit. In the end, the people of Fuenteovejuna receive a general pardon from the monarchs. Thus, by using the collective voice, the villagers shifted an individually-based criminal procedure to a system of justice based on communal principle. In a similar vein, I argue, the petitioners to the Junta employed collective terms in order to appeal to the monarch as a unified community and to spur a sense of communal justice.

37 In the early 1600's negotiations between the Crown and the Portuguese New Christians the latter described themselves as representatives of the entire “nation”, but once an agreement was made rifts appeared among the New Christians. It seems that one of the fundamental points of disagreement was the amount of money payed to the Crown, and the extent to which all New Christians need to participate in recruiting the funds. See Pulido, *Las negociaciones con los cristianos nuevos*, pp. 366-368.

38 Tamar Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven & London: Yale University Press, 2003). Note that in chapter 6, which dedicated to “the Other,” Herzog reaches the conclusion that Catholicism was a fundamental requisite in acceptance as a part of the community.

39 Thus, for instance, Jerónimo Castillo de Bobadilla defined justice in his *Política para corregidores* (Madrid: Luis Sánchez, 1597), II:II: “not hurting anyone, rendering unto each what is rightfully his, rewarding good, punishing evil, and guarding the faith”. Quoted here from Richard L. Kagan, *Lawsuits and Litigants in Castile, 1500-1700* (Chapel Hill: The University of North Carolina Press, 1981), p. 151.

As for the content of the petitions, all nine underscore what is described as the miserable and deprived status of the New Christians. They also recommend measures for reform, in *arbitrista* fashion. In general, they ask Philip IV to assert his royal authority in Portugal, especially as it concerns his power over the church. In keeping with the Count-Duke of Olivares' centralizing ideas as outlined in his *gran memorial* of 1624, the overarching idea was to bring Portugal's ecclesiastical institutions, and the Inquisition in particular, to operate in much the same way as those of Castile.⁴⁰ To cite one of the petitions, they ask “that the same rules and manners in the temporal and spiritual [sphere] which are in use and were always in use in Castile will be used in that kingdom [i.e. Portugal]”.⁴¹ It is difficult to determine whether the position of New Christians in Castile was actually less precarious than in Portugal.⁴² Yet, this request can be understood as an attempt to appeal to Olivares' attempt to exercise greater control over Portugal and other parts of Spain's “composite monarchy”.⁴³

The complaints and requests of the petitioners are obviously interrelated, but will be presented here separately for the sake of clarity. We can divide their requests into three categories: the regulation of the Portuguese Inquisition's procedures, in particular reform in the ways it collected, authenticated, and then used witness testimonies, the establishment of the Portuguese New Christians' reputation as good Catholics, and finally, the end of discriminatory laws and impositions related to this community's civil and commercial status.

40 The text of the *gran memorial* of Olivares was published with a preliminary study by John H. Elliott & José F. de la Peña, *Memoriales y cartas de Conde Duque de Olivares* (Madrid: Ediciones Alfaguara, 1978), I: 37-100.

41 HSA 363-141, fol. 354v.

42 The claim that the Portuguese Inquisition was more brutal than the Castilian is expressed by Yerushalmi, *From Spanish Court to Italian Ghetto*, p. 9. More recent scholarship has showed that the Castilian Inquisition operations were growing since the arrival of the Portuguese New Christians. See Jean Pierre Dedieu, “les quatre temps de l'Inquisition,” in *L'Inquisition espagnole XVe-XIXe siècle*, ed. Bartolomé Benassar (Paris: Hachette, 1979), pp. 13-39; Rafael Carrasco, “Preludio al 'Siglo de los Portugueses': la Inquisición de Cuenca y los judaizantes lusitanos en el Siglo XVI,” *Hispania* 47 (1987), pp. 503-599. I was unable to reach Yocheved Beer's *The Portuguese New Christians Tried by the Inquisitorial Court in Seventeenth Century Cuenca* ([Hebrew] PhD diss, Hebrew University of Jerusalem, 2010). From a different perspective, Francois Soyer has showed that the Portuguese and Castilian Inquisitions were collaborating one with the other. See his “Nowhere to Run: The Extradition of Conversos between the Spanish and Portuguese Inquisitions during the Sixteenth and Seventeenth Centuries,” in *Conversos and Moriscos in Late Medieval Spain and Beyond*, pp. 247-274. For a helpful survey of recent Portuguese Inquisition studies, see Giuseppe Marcocci, “Toward a History of the Portuguese Inquisition Trends in Modern Historiography (1974-2009),” *Revue de l'histoire des religions* 3 (2010), pp. 355-393.

43 For further discussion on composite monarchies in the early modern period, see: John H. Elliott, “A Europe of Composite Monarchies,” *Past & Present* 137 (1992), pp. 48-71.

The Regulation of the Portuguese Inquisition

The most frequent complaint that appears in the petitions is the unjust methods of the Portuguese Inquisition, which persecute members of the Nation without a pretext. Echoing the centralizing ideas forwarded by Olivares in the *gran memorial*, they ask the king to reform the Portuguese Inquisition's procedures and more specifically, to reorganize it in accordance with “the order, styles, and ancient laws which govern the Holy Tribunals of the Inquisition in Castile”.⁴⁴ One petition elaborates upon this issue by requesting that “the methods (*estilos*) of that Inquisition should be reduced [to] the law and common practice (*derecho y común observancia*) of the others [inquisitions], for experience has demonstrated that the former do not produce good effects that result from those used in the kingdom of Castile”.⁴⁵

What kinds of practices were the complaints about? Here, the petitions agree that the main problem was the willingness of Portuguese inquisitors to admit false and self-interested testimony. Such testimony, it was claimed, originated principally from “hatred, envy, [and moral] weakness”, and led to “misery” among the New Christians. Furthermore, they alleged that “bad people, driven by passions and cruel animosity to the “good and Catholic Christians”, unnecessarily and unjustly denounce members of “the Nation” to the Inquisition in order to minimize their own infamy.”⁴⁶ To right this wrong, the petitioners proposed that the king exercise new oversight over the Portuguese Inquisition and establish new regulations regarding the gathering and verification of witness testimonies. One petition reads:

It would be appropriate to create a very precise questionnaire so that each witness will declare the specific circumstances of place, time, and hour of the events he is reporting on. He must also declare how and why he came to know them, specifying in detail the relationship and connection he has with those he is denouncing, indicating whether he had ever seen, visited, or engaged [with them], [providing all] the necessary details; And [he must also declare] whether any enmity exists, or did exist, among them. The witness must also be warned that if he fails to tell the truth while answering questions, he will be punished as if it were the principal case.⁴⁷

44 HSA 363-141, fol. 184r; HSA 363-141, fol. 356r.

45 HSA 363-141, fol. 354v.

46 HSA 363-141, fol. 354r-356r.

47 HSA 363-141, fol. 356r: “seria conueniente formarse un interrogatorio muy apretado para que el que depone declare todas las circunstancias de lugar, tiempo y hora, y de los actos de que testifican, declarando la raçon que ay para saberlo, y especificando con particularidad el trato y comunicacion que tienen con los que denuncian, si se ven, visitan, y tratan con los particulares nec(esarios); y la enemistad si la tienen, o tuuieron, aduertiendoseles que bien si en las generales no

Other petitions ask for other reforms in inquisitorial practices and procedures, and in particular demand that new and uniform standards of evidence and reliability be applied to the gathering of witness testimony. Unsupported, undocumented, generic, and otherwise vague denunciations, they claim, should not be accepted.⁴⁸ Also addressed were what were perceived as the problematic interrogation practices of the Portuguese Inquisition, among them the tendency of inquisitors to ask leading questions and to elicit specific answers by presenting witnesses a list of Judaic rites.⁴⁹ Pleading for new regulations concerning the interrogation witnesses, the petitioners articulated their complaints in gendered terms, as it was suggested that those New Christians who suffered the most were “ignorant women and damsels”.⁵⁰ This was probably a rhetorical strategy designed to elicit paternalist empathy from members of the Junta.

Other problems were the lack of explicit and enforced regulations and the nature of the individuals appointed to the inquisitorial office. Thus, the petitioners ask that rules will be written “and that the Inquisitor-General will order the Inquisitors not to depart from them, for as new judges started entering [the Inquisition], and in these matters any bias or inclination has grave outcomes, it is appropriate to lay out to them strict rules, which will be obeyed under grave penalties and not to be exceeded in any aspect”.⁵¹ On the same note, they ask the Inquisitor-General to choose mature and experienced inquisitors and judges. In addition, complaints were offered concerning the role of the “attorney” (*abogado*), named by the inquisitors and who was supposedly entrusted to assist those individuals arrested by the Holy Office. Specifically, the petitioners ask that these men, who they praise as “learned men, Old Christians [and] of great trustworthiness,” will be allowed to speak with the prisoners freely and privately, informing them in important matters relating to the trial.

The lack of regulation of inquisitorial practices and personnel might have a destructive influence on the life of accused, as brutal interrogations and extended periods of incarceration were common according to the petitions. The petitioners point several times to the harshness of the Inquisitorial's prison in Lisbon, claiming that

depusieron uerdad, seran castigados como si fuesse en el caso principal”. See also the similar requests in HSA 363-141, fols. 434-436.

48 HSA 363-141, fol. 435v, par. 9.

49 HSA 363-141, fol. 435v, par. 14.

50 HSA 363-141, fol. 435v-436r, par. 15.

51 HSA 363-141, fol. 356v: “y qu(e) el inquisidor general ordene a los inquisidores que no se a parten dellos, porq(ue) como van entrando nuevos jueces, y en estas materias resultan grauissimos dañ(os) de las opiniones, e inclinaciones de cada uno, es conueniente darles reglas cie(r)tas que sigan mandandose solo graues penas que no excedan en cosa alguna dellas”.

“the damage [caused] by the conditions there is irreparable and comparable to the penalty of death”. For this reason they asked New Christians not to be sent to that prison “without a very substantial evidence”.⁵² For the same reason, they requested that New Christians who were already in prison have their cases heard and settled within a year and also to have the final sentence reviewed by an Inquisitor-General named by the king.⁵³

Finally, the petitions, not surprisingly, addressed the issue of the death penalty, the sentence that the Portuguese Inquisition levied against those persons it determined unrepentant heretics. As was the case in their other requests for reforms, the New Christians did not question the right of the Inquisition to impose the death penalty nor its right to investigate persons suspected of Judaizing and other forms of heresy, including the crime of sacrilege. They did ask, however, that no person will be “relaxed,” that is, released to the secular authorities for the execution, for simply being a New Christian or on the basis of a single testimony, unless the proofs provided were of an irrefutable quality.⁵⁴

The Establishment of the Portuguese New Christians' Reputation

While “relaxation” was the worst punishment a New Christian might suffer, the petitioners claimed that other, lesser penalties imposed by the Inquisition could also have destructive effects. For one thing, they alleged individuals who had been arrested and imprisoned by the Inquisition but never formally charged with any particular crime suffered severe and irreparable damage to their reputation and social status. One petition, for example, explained that the “scandal” of having been arrested and imprisoned by the Inquisition was a principal reason why New Christians were stigmatized, even hated in their own homeland (*patria*).⁵⁵ Also addressed was the social stigma attached to those New Christians who, without having been formally charged, were still obliged by the Inquisition to wear a *sambenito* (penitential cloak). Being forced to wear this particular garment placed these New Christians who were otherwise good Catholics, so the petitioners say, in the same category of those New Christians who were actually apostates and thus rendered them targets for discrimination. The consequence

52 HSA 363-141, fol. 435r, par. 6: “y siendo irreparable el daño de la prision y sin comparacion mayor que la pena de muerte natural es muy conforme a derecho y raçon, que no se proceda aellas sin prueua muy calificada”.

53 HSA 363-141, fol. 184r.

54 HSA 363-141, fol. 356r; HSA 363-141, fol. 435v, par. 12.

55 HSA 363-141, fol. 434r.

of this, they alleged, was that the entire New Christian population suffered as a result of the guilt of a minority. To avoid this, the petitioners asked that those New Christians who were never *penitenciados*, that is, formally sentenced with any particular heresy or crime, should not be required to wear a *sambenito* or attend a public *Auto de Fé*.⁵⁶

The visibility of the participation in the public *Auto* and the wearing of the penitential garment probably tainted the already fragile reputation of the New Christians. In order to protect innocent New Christians, the petitioners asked the Inquisitor-General to regularly review the cases tried by the inquisitorial tribunals and thus make certain that no person was sentenced on the basis of false or inaccurate testimony.⁵⁷ Moreover, in order to be able to provide evidence of their innocence, the petitioners requested to see the documents of the trials of the Inquisition and even asked the Inquisitor-General to publish his reviews of inquisitorial tribunals, thus helping to clear their image and to restore their honor and reputation (*honra y fama*).⁵⁸

The End of Purity of Blood Laws

Apart from the question of honor and reputation, the petitions I have reviewed were also concerned with questions pertaining to the legal status of the New Christians in Portuguese society and to minimizing the distinctions between Old and New Christians. This, they say, would create social unification and make people leave their erroneous ways and make everyone – even those originated from the Nation – conform to the same norms. The most significant of these requests addressed the Purity of Blood statutes that prevented individuals with supposed Jewish ancestry entering various institutions. More specifically, the petitioners asked the crown to prohibit the creation of new confraternities that required its members to possess “clean” lineage, that is, free of Jewish (or Muslim) blood.⁵⁹ One petition even asked, somewhat unrealistically, that the king prohibit persons from publicly slandering individuals as Jews or New Christians. Another asked that courts of law or other government institutions refrain from using terms such as *Cristãos novos* or *homens de nação* in their proceedings. Rather, it requested that individuals be identified simply as “so-and-so citizen” (*fulano vecino*)

⁵⁶ HSA 363-141, fol. 436r, par. 21.

⁵⁷ HSA 363-141, fol. 356v; Fol. 435v, par. 11.

⁵⁸ HSA 363-141, fol. 354v; Fol. 357r.

⁵⁹ HSA 363-141, fol. 435r, par. 4.

from a particular city or town.⁶⁰

According to the petitioners, these discriminatory laws had an impact not only on their social integration, but also on their mercantile activity. A recurring complaint throughout the petitions is that freedom of movement and freedom to sell their merchandise in all of the realms of the Spanish empire are deprived of them.⁶¹ In addition, they claim that various taxes are imposed on them and on them only. Even more important, they suffer from unexpected confiscations of their goods and property. At times they describe this as a problem of sustaining credit.⁶² This, they complain, has a devastating effect on their commercial practice. “There are no financial guarantees (*seguridades*) in Spain”, they argue in one petition, pointing to the things a merchant needs to do in order to get his merchandise safe in the lines of trans-oceanic trade.⁶³ Such commerce depended to a great extent on such guarantees in order to ensure the flow of goods and capital. With respect to early modern networks of merchants of Jewish or New Christian origin, it has been argued that extended kinship ties provided the guarantees needed for the security of investment and long-distance trade.⁶⁴ Without entering the complicated debate about pre-modern credit and non-institutional economic guarantors, it seems that at least according to the way the petitioners describe it, the mercantile activity of the New Christians of Iberia was heavily affected by the state and the institution of the Inquisition.

Writing these petitions, the New Christians raised their complaints and requests in front of the Spanish monarch. Whether in stopping inquisitorial persecution, establishing their reputation, or abolishing discriminatory laws, the New Christians had a lot to gain from the Crown's attention and intervention. In sum, their request could be described as a plea for reform in their status as subjects of the Crown. They presented themselves as sincere Catholics and loyal and useful vassals, and they wished to be regarded as fully equal

60 HSA 363-141, fol. 434, par.1-3.

61 HSA 363-141, fol. 435r, par. 4; fols. 186v-187r. It should be noted that New Christians were allowed to leave Portugal by Philip III in the negotiations of 1605 and emigrated to the New World. It seems that that policy was not followed, or was followed in a non-consistent way.

62 *REJ* 49 (1904), p. 64.

63 *REJ* 49 (1904), p. 57.

64 See Studnicki-Gizbert, *A Nation Upon the Ocean Sea*; Bernardo López Belinchón, “Familia, negocios y sefardismo,” in *Familia, religión y negocio: El sefardismo en las relaciones entre el mundo ibérico y los Países Bajos en la Edad Moderna*, ed. Jaime Contreras et al. (Madrid: Fundación Carlos de Amberes, 2002), pp. 343-364, and other essays in this anthology. But see now Francesca Trivellato, *The Familiarity of Strangers: The Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period* (New Haven: Yale University Press, 2009), in which she criticizes the the overemphasis on kinship as an explanation for the formation of commercial networks.

subjects, thus ameliorating their life within Iberia.

The King's Benefit and Obligation

Sotomayor, the members of the Junta, and the king did not dismiss the complaints of the petitioners. Rather, there is clear evidence that the king, his confessor and other members of the Junta discussed at least some of these petitions and occasionally offered a response. Evidence for this comes from both the documents produced by the Junta and the correspondence of Philip IV and Sotomayor. In a document I have consulted in the HSA, we can find a summary of one of the discussions of the Junta. The Junta considered claims made by those opposing any relief for the New Christians – predominantly Portuguese inquisitors – but also dealt with every major claim of the New Christians: the methods of the Portuguese Inquisition, the problem of supposedly false testimonies, Purity of Blood laws, and the rules prohibiting New Christians to leave the kingdom of Portugal and to sell their real estate. Moreover, the Junta discussed whether the Crown should grant an Edict of Grace to the “New Christians of Portugal”.⁶⁵ Certainly, there is some distance between discussing claims and accepting them. Yet, there are reasons to think that at least formally, the Junta did take the petitioners' claims with serious consideration. Moreover, it appears that the king himself was very much involved in this. In their correspondence, Philip and his confessor exchanged their thoughts on the petitions of the New Christians in length. Sotomayor also informed the king of at least two meetings he held with representatives of the New Christians.⁶⁶

What reason, however, had the Crown to listen to these people? Why should the king and his Junta even consider intervening for them? Scholarship on the Portuguese New Christians in Spain under Philip IV tends to focus on the practical reason for the Crown's attention to the New Christians, seeing it only in relation to the negotiations over loans. The petitions analyzed here do not deal directly with the financial negotiations between the Crown and the bankers. But even in these petitions, a manifest material logic is revealed to the Crown's

⁶⁵ See HSA 363-141, fol. 360r. On the edict of grace, see below. There are still much more related documents of the Junta in the HSA, yet to be analyzed.

⁶⁶ For the exchange of impressions regarding the Portuguese New Christians' petitions and the meetings (probably held at Sotomayor house in Madrid), see: *REJ* 49 (1904), pp. 67-72 (doc. 8); *REJ* 50 (1905), pp. 216-217 (doc. 13), pp. 222-236 (docs. 15-17, 19, 21).

attentiveness to the New Christians. For instance, the petitioners point to the losses for the royal economy resulting from the “extortions” New Christians suffer in Portugal. Merchants, they assert, were leaving Lisbon and taking their business to Flanders, France, Venice, and other places. Moreover, they say, Spain did not offer them any “financial guarantees” for the merchandise coming from “the Indies, India, Rio de la Plata, Brazil, Cape Verde [...] and the rest of the ultramarine commerce.” For that reason, they had to travel through the Netherlands. There, they unwillingly gave information to the Dutch, who used it against the Spanish monarchy. Thus, they write, foreign and hostile provinces were enriched while the royal economy (*real hazienda*) and the trade with the Indies were damaged.⁶⁷

In addition, the petitions offer a negative depiction of the Genoese bankers, the former *asentistas* of the Crown. The authors question the motives of Genoese, claiming that the king of France and the Duke of Savoy stood behind them. The petitioners were reminding the Crown of the satisfaction of the loans made by them, and in particular the fact that the monarch could supply his armada without taking foreign money, realizing that he had in Spain such “mighty *vassals*, with so much credit, so that without foreign assistance they could provide all the loans necessary.”⁶⁸ The New Christians depict the Crown's intervention on their behalf as matter of *razón de estado* and at the same time, stress the important role they play in the *republic*:

One of the principals in the preservation of a republic is commerce, and much of it is retained by the Men of that Nation [...] it appears that expelling the men of commerce will cause the republic to fade, like a body without soul.⁶⁹

This petition, evidently written by individuals associated with the bankers, also presents an argument for the wider population of the Portuguese New Christians. The petitioners claim that if only 10 or 12 business houses of Genoese could have taken the role of *asentistas*, so a bigger number of Portuguese New Christians could supply more and safer credit, due to its origin in intelligent and loyal vassals (*intelligentes y fieles vassallos*). Furthermore, they say that if some moderation of the excesses and injustice took place in Spain, the

⁶⁷ HSA 363-141, fol. 185v.

⁶⁸ HSA 363-141, fol. 186r: “*Vassallos* tan caudalosos y de tanto credicto que sin ayada destaños pueden hazer todos los asientos necesarios” [emphasis added].

⁶⁹ HSA 363-141, fol. 186v: “en las republicas para conserbarse una de las prencipales partes es el comerçio y queste todo de conserba en los hombres de la d[ic]ha naçion [...] pareçe que expulsos los hombres de negocios que daria la republica desbaneçada y como un cuerpo sin alma”.

Portuguese New Christians living in foreign provinces would come back to their homeland.⁷⁰

A different potential benefit that the Crown could attain from the New Christians was greater control over the Portuguese Inquisition. According to the petitioners, the majority of the troubles they have been through were caused by self-interested and greedy Portuguese ministers. For that reason, they would like to offer the king “a very substantial relief” with an undisclosed sum of double-plated Ducats – there is a blank in the place of the actual sum – with which the Crown could pay the salaries of the three tribunals of the Portuguese inquisition (Lisbon, Coimbra, and Évora). The authors also suggested that the king should take hold of the goods confiscated by the Inquisition, and from that resource pay the inquisitors.⁷¹

Significantly, this offer – which appears in three of the petitions – is articulated as a “contribution” (*donativo*) to His Majesty's regime in exchange for the king's “favor” (*merced*). These offers are accompanied by an insistence on their honest Christian intentions, as they ask the king to take the appropriate measures for guarding their conscience, the proper service of God and the Catholic religion, as well as the good of the monarchy. They do not fail to suggest that the king inspect their requests with the assistance of learned men, so that no harm to religion be made.⁷² The language of humility and service to the king, the monarchy and the Catholic faith is in fact recurring in all of the petitions. Thus, for instance, the petitioners depict themselves pleading while “prostrating at the feet of his majesty with due humility and abidance”, an address very similar to the formula of address in a petition to the Pope.⁷³ In another petition they open with the following formula: “we plea humbly to His Majesty, may it will serve his royal clemency and benignity, to order to try to give remedy to the said prisoners, in the manner most suitable to be of service to God and his majesty, and to the appeasement of that kingdom [...]”.⁷⁴

In these passages a particular relationship is depicted between the Portuguese New Christians and the king. It is a reciprocal relationship between loyal vassals and their powerful lord: they humbly offer him a

⁷⁰ HSA 363-141, fol. 187v.

⁷¹ *REJ* 49 (1904), p. 56; HSA 363-141, fol. 184v; HSA 363-141, fol. 433r, in which they emphasize that the confiscated goods could be of use to support the war against the heretics and the royal armada.

⁷² See, for instance: HSA 363-141, fol. 185r.

⁷³ *REJ* 49 (1904), p. 58: “postrada a los pies de V Mg(d) con la humildad y acatamiento que deve”.

⁷⁴ HSA 363-141, fol. 433r: “supp(an) a V Mag(d) humilm(te) sea seruido de su real clemencia y benignidad mandar tratar de remedio de los dhos presos en la forma que mas conueniente sea el seruicio de dios y de V Mag(d) y sosiego de aquel reyno [...]”.

service and he, in exchange, will protect and do justice to them. At times, this relationship is articulated in obliging terms. Asking the king to intervene and change their state in Portugal, the New Christians write:

This matter is of such importance for the very Catholic faith, as well as for public good, peace, honor of the Crown, and is such a service for His Majesty, who, as a king and lord, *has an obligation to hear these people and to remedy every ill he can*; those, being his subjects, his vassals, sons to the Catholic, apostolic, and Roman church, going through the most miserable state which one can read in divine and human histories, and on account of that they beg His Majesty, for the blood of Christ, [that] it would be of use to demand to see what they propose and to provide with justice that which is most suitable to the service of God and His Majesty.⁷⁵

True, these passages are written in formulaic language and portray an idealized state of affairs. The fact that the petitioners were manipulating rhetorical strategies does not, however, exclude the possibility that this rhetoric coincided with some normative framework. As a matter of fact, Iberian legal tradition emphasized the ruler's obligation to listen to his subjects, as one of the foundations of his legitimate sovereignty. Thus, for instance, in Alfonso X's *Siete partidas*, the most important compilation of laws of late medieval Castile, the king's vassals were allowed to approach him, though humbly, in order to receive a royal favor. The king, for his part, was expected to listen to them, thus attaining their love, respect, and loyalty; and in consequence, the securing of his rule.⁷⁶ These prescriptive norms for ideal kingship continued to influence legal and political discourse in the early modern period and were presented in various theatrical works of the seventeenth century – the aforementioned *Fuenteovejuna* is only one example to this – a phenomenon that in one way or another shows that these ideals were still taking hold in popular imagination.⁷⁷

The king's obligation to listen to his subjects was not only a legal discourse or a theatrical image. It was a defining ideal for the king. Writing to his spiritual advisor Sor María de Ágreda, with whom he had private correspondence for more than twenty years, Philip outlined his understanding of the role of the monarch: “The

75 HSA 363-141, fol. 434r-434v: “Este negocio es detanta calidad, assi respecto dela misma fee catholica, como del bien publico, paz, y honra de aquella corona, y de tanto seruicio de V Mag(d) que como rey y señor *tiene obligacion de oir esta gente y remediar tanto mal puede* / estos siendo sus subditos, sus vasallos, hijos de la iglesia catholica, apostolica y romana, se ven en el mas miserable estado que en historias diuinas y humanas se ha leydo, por lo qual suplican a V Mag(d) por la sangre de christo sea seruido mandar ver lo que proponen y proueer con justicia lo que mas conueniene al seruicio de dios y de V Mag(d)” [emphasis added].

76 *Las Siete Partidas*, III: 811.

77 See Luis R. Corteguera, “King as Father in Early Modern Spain,” *Memoria y Civilización* 12 (2009), pp. 49-69.

best way seems to me [is] to have my ears open for all those who want to speak with me in public and private audiences, as I always did, without depriving this from anyone who will ask me, nor obliging him to address [his plea] to his immediate minister [...]"⁷⁸

The New Christians did not only ask the king to listen to them. They attempted to stress Philip's obligation to do justice with his loyal and useful vassals. The recurring plea in the petitions for a remedy (*remediar*) is interesting in that regard. Covarrubias attributes in his *Tesoro* the verb *remediar* to St. Jerome and defines it as "to relieve something that went wrong, and hence it is said remedy, the means one takes to repair harm".⁷⁹ The concept thus invokes a notion of amending wrongful actions or procedures, and a return to the right order of things. In contrast to the general request of the petitioners to receive equal privileges and rights as other subjects of the king, with their plea for remedy they invoke a notion of justice closer to the concept of corrective justice, going back to Aristotle's *Nicomachean Ethics*, a text widely read in ruling circles in Spain since the fifteenth century and discussed by important jurists, especially from the "Salamanca" school.⁸⁰

The obligation of the king to act as provider of justice was based on an ancient tradition of political philosophy, fused since the medieval era with Christianity. Authors of Mirrors of Princes, theologians and jurists constructed a notion of Christian kingship in which the ruler, as a vicar of Christ, was supposed to take care of the public good and wellbeing of his subjects. This tradition was reinvigorated in early modern Spain and was in contrast to what was referred to as "Machiavellian" politics.⁸¹

78 "Autosemblanza de Felipe IV" in *Cartas de Sor María de Ágreda de Jesús y de Felipe IV*, ed. Carlos Seco Serrano, Biblioteca de autores españoles 109 (Madrid: Atlas, 1958), appendix II, p. 232: "[...] así me pareció el mejor camino tener los oídos abiertos para todos los que me quisiessen hablar en audiencias públicas y particulares, como lo he hecho siempre, sin negarla a nadie que me la pidiese, ni obligarle a registrarla con el ministro más inmediato [...]"

79 Covarrubias, *Tesoro de la lengua castellana, o española*, p. 1256: "remediar, del verbio remedio, as, de que vso San Geronimo por remediar, que es socorrer alguna cosa que yva mal, y de alli se dixo remedio, el medio q[ue] se pone para reparar algun daño".

80 The petitioners invoke in their letters notions of corrective and distributive justice, both discussed by Aristotle in book V of his *Nicomachean Ethics*. See Aristotle, *The Nicomachean Ethics*, trans. David Ross, rev. Lesley Brown (Oxford & New York: Oxford University Press, 2009 [1975]), pp. 80-101. For the circulation of Aristotle's ideas in Spain, see A. R. D. Pagden, "The Diffusion of Aristotle's Moral Philosophy in Spain, ca. 1400 – ca. 1600," *Traditio* 31 (1975), pp. 287-313. Pagden notes that Olivares owned a copy of Aristotle's text in Greek besides the translation: *ibid*, p. 296. For a survey of the discussions over Aristotle's concepts of justice by theologians and jurists (many of them Spanish) in the sixteenth and seventeenth centuries, see Izhak England, *Corrective and Distributive Justice: From Aristotle to Modern Times* (Oxford & New York: Oxford University Press, 2009), pp. 27-78.

81 The topic of Christian kingship and the related topic of divine kingship in pre-modern Europe deserve much more room than possible here. Ernst H. Kantorowicz's *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton: Princeton University Press, 1997 [1957]) is still a fundamental starting point. On Christian kingship in early modern Catholicism, see: Robert Bireley, *The Counter-Reformation Prince: Anti-Machiavellianism or Catholic Statecraft in Early Modern Europe* (Chapel Hill & London: The University of North Carolina Press, 1990).

Although there is an obvious distance between prescriptive literature and mythical ideals on the one hand, and actual behavior on the other hand, the Crown's attention to the complaints of the Portuguese New Christians was related to this normative framework. There is evidence that Philip IV endeavored to live up to this standard, as one note scribbled in the margin of a letter suggests:

... and thus the reason for having heard them [the New Christians] and why I will always hear them, is [my desire] to imitate from a distance what is lawful to Our Lord Jesus Christ by hearing, reasoning and doing justice equally among the grandees and the most humble, among the purest and most erroneous, giving each one a punishment or reward, as he deserves.⁸²

While it is obvious that notions of reason of state figured prominently in the king's willingness to review and consider such petitions, some sense of moral obligation on the part of the monarch was also involved. Philip's preoccupation with doing justice, as a Christian king ought to, and the Portuguese New Christians self-depiction as loyal, humble, beneficial and Catholic vassals, helps to account for the Crown's attentiveness. Through listening to these people, the king enacted his sovereignty and power; he maintained justice and order. Yet, as a Catholic prince, he was also obliged to defend the faith against the dangers of heresy, blasphemy and sacrilege.⁸³ The opponents to a favorable policy towards the New Christians did not fail to stress this aspect of the monarch's responsibility.

The New Christian Danger

As already demonstrated, the creation of the Junta headed by Sotomayor prompted New Christians to submit their claims for justice directly to royal officials in Madrid. The majority of the letters the Junta received, however, came from individuals staunchly opposed to granting New Christians relief of any sort. A comprehensive treatment of these letters and the arguments they expressed is beyond the scope of the present

⁸² Quoted in Pulido, *injurias*, pp. 87-88, n. 138: "Y así la razón de haberles oído y la porque les oiré siempre, es por imitar en la distancia que me es lícito a Nuestro Señor Jesucristo en oír y hacer razón y justicia igual entre los mayores y los más humildes, entre los mejores y los más errados, dando a cada uno lo que le toca de castigo o premio".

⁸³ Already in the *Policraticus* of John of Salisbury (d. 1180), one of the most influential political treatises of the medieval era, one of the prince's duties is to defend the church against sacrilege. See in general Lester Kruger Born, "The Perfect Prince: A Study of Thirteenth and Fourteenth Centuries Ideals," *Speculum* 3:4 (1928), pp. 470-504.

essay, but in the following pages I will offer a close look on one New Christian, João Baptista d'Este, whose solution to the New Christian “problem” had little in common with those I have addressed so far. Rather, it underscores the extent to which the population of Portuguese New Christians was far from a unified group.

João (or Juan) Baptista d'Este was born in Ferrara as Abraham Bendanan Serfatim to an affluent family of ex-Portuguese Jews. Details about his early life are few, but it is known that he was a merchant dealing with precious stones and jewelry. This trade took him to various parts of Europe and eventually to Lisbon, a city which he entered while hiding his Jewish identity.⁸⁴ The following is not entirely clear, but once in Lisbon he became an informer of the Portuguese Inquisition, testifying against fellow merchants who supposedly brought Jewish calendars to the local crypto-Jewish community. D'Este was not an ordinary informer. After being baptized by archbishop Teotónio of Bragança sometime prior to 1602, he became a fervent anti-Jewish author. He is mostly known through his two works of Christian apologetics: *Christian Consolation and Light for the Hebrew People* (1616) and *Dialogue between a Disciple and a Master Catechizer* (1621).⁸⁵ The first work is dedicated to the duke of Bragança and the second to Philip III. Both present Jews as enemies of the Catholic faith and were modeled on existing apologetic literature. In addition to these treatises, d'Este also wrote a number of memorials and at least two summaries of Jewish festivals and rituals.

Surprisingly enough, d'Este's conversion to Christianity and career as an anti-Jewish author did not cause him to hide his ancestry. In fact, he emphasized his prestigious pedigree, presenting himself as “Juan Baptista d'Este of the Hebrew Nation, of the rightful lineage of the tribe of Judah [and] of the illustrious family of Benvenisty”.⁸⁶ D'Este's family background was indeed notable. The Benvenistes were rabbis, physicians, and prominent courtiers in medieval Iberia, and Diaspora leaders and powerful merchants throughout the early

⁸⁴ Though the name of d'Este is recurring in broad surveys of Portuguese anti-Judaic literature of the early modern period, there are only two short studies dedicated to his intriguing figure. See José Alberto Rodrigues da Silva Tavim, “Jews in the Diaspora with *Sepharad* in the Mirror: Ruptures, Relations, and Forms of Identity. A Theme Examined through Three Cases,” *Jewish History* 25 (2011), pp. 175-205, here at pp. 181-186; David Graizbord, “Pauline Christianity and the Jewish 'Race': the Case of João Baptista D'Este,” in *Race and Blood in the Iberian World*, ed. Max S. Hering Torres, Maria Elena Martínez, & David Nirenberg (Berlin: LIT Verlag, 2012), pp. 61-79. A more extensive study is prepared now by Tavim. On the phenomenon of descendants of ex-Iberian *judeoconvertos* who returned to Iberia and re-embraced Catholicism, see David L. Graizbord, *Souls in Dispute: Converso Identities in Iberia and the Jewish Diaspora, 1580-1700* (Philadelphia: University of Pennsylvania Press, 2003).

⁸⁵ João Baptista d'Este, *Consolaçam Christã, e Lvz para o Povo Hebreo* (Lisbon: Pedro Crasbeeck, 1616); *idem*, *Dialogo entre Discipulo e mestre catechizante* (Lisbon: Geraldo da Vinha, 1621).

⁸⁶ HSA 363-141, fol. 409r: “Juan Baptista d'Este de nacion hebrea de la lignea derecha de la tribu de Iuda de la yllustre familia de los Bienvenistes”.

modern period. Especially known were d'Este's relatives Don Yosef Nasi, a close counselor of the Ottoman Sultan, who eventually granted him the title of the Duke of Naxos, and Doña Grazia Nasi, an eminent matron and the head of a mercantile and political network, including a base in Lisbon, in which she was linked with the merchant family of the Mendes.⁸⁷ The Portuguese New Christian merchants and bankers that d'Este was arguing against were in many ways his socio-cultural peers, perhaps even members of the same extended family. D'Este's proclamation of Jewish lineage should be understood as an attempt to fashion himself as an authentic, authoritative source on Judaism and Jews, an attractive quality for someone working for the Portuguese Inquisition.⁸⁸ Along the same lines, his memorial to the king acquires a unique truth-value as testimony from within.

The first half of the petition emphasizes the danger in making any concessions towards the New Christians. For instance, d'Este criticizes the Crown's dependency on the loans provided by New Christian merchants, and warns that they will eventually support infidels and rebellious countries, probably hinting at the insurgencies in the Low Countries. Moreover, d'Este warns that the incorporation of the New Christians would taint the purity of the nobility. Since the nobility lacks wealth, he argues, its members intermarry with the rich New Christian merchants. In this way, he concludes, it is very difficult to detect *hidalguia*, that is, a noble lineage. Another danger d'Este points to is that the New Christians not only live in perfidy in the realms of the king, but they are also putting “the evangelical law and the sacraments of the church to mockery”. In fact, he writes, their attempts to ridicule and destroy Christian life is without a parallel in other societies in which Jews are living. In the lands of Turks and “Moors,” d'Este claims, they Men of the Nation do not put to mockery the prophet Mohammed.⁸⁹

87 On the Benveniste highly influential clan, see: Renata Segre, “Sephardic Refuges in Ferrara: Two Notable Families,” in *Crisis and Creativity in the Sephardic World, 1391-1648*, ed. Benjamin R. Gampel (New York: Columbia University Press, 1997), pp. 164-185; Herman Prins Salomon & Aron di Leone Leoni, “Mendes, Benveniste, de Luna, Micas, Nasci: The State of the Art, 1532-1558” *The Jewish Quarterly Review* 88 (1998), pp. 135-211. Members of this family were involved in the negotiations of 1605 and in those of the 1620's.

88 I follow here Graizbord's argument: Graizbord, *Pauline Christianity and the Jewish 'Race'*, pp. 67-68. D'Este's mention of his illustrious pedigree could also be seen in the context of the tendency of Sephardi Jews to emphasize their lineages. This “genealogical mentality”, as David Nirenberg has labeled it, coincided with the attempts of “Old Christians” to construct their pure – i.e. free of taints of Jewish or Muslim past – lineages. This phenomenon was particularly prevalent in fifteenth century Iberia, but persisted among Sephardi Jewry afterwards. See Nirenberg, *Mass Conversion and Genealogical Mentality*.

89 HSA 363-141, fol. 409r.

D'Este dedicates the second half of his petition to a more systemic, tripartite solution to the New Christian problem. The first solution is to treat the “Men of the Nation” with favor as long as they live as good Christians and loyal vassals of the king. Yet, he warns that this particular way of treating the New Christians is likely to have unfortunate consequences, among them the intermarriage between Old and New Christians and the persistence of Judaism. The second solution he surveys is to “punish this Hebrew Nation after they fall [i.e. when they return to perform Jewish rites] with a mixture of severity and Christian compassion”. In this context he praises the work of “apostolic inquisitors” and the benefits of “Autos de Fé”.⁹⁰ Once again, however, d'Este believes that attempts to educate the Men of the Hebrew Nation and the willingness to absolve their sins have their limits and actually enabled them to maintain their religious practices and to reject Christianity.⁹¹

D'Este's third method of dealing with the New Christians and the one he especially recommends is expulsion. Here, he points to the precedent Philip III set in his decision to expel the *Moriscos* (descendants of converted Muslims) from his Spanish kingdom in 1609. He also suggests that several previous rulers, including King Sebastião and Philip II, had also contemplated the wholesale removal of New Christians from the kingdom. D'Este then takes the argument to another plane by referring to a claim he attributes to Machiavelli, according to which a diversity of beliefs (*cre[en]ças*) in a composite monarchy has negative results.⁹² He even presents “evidence” from *De bello Iudaico* of the Jewish-Roman historian Josephus (d. ca. 100 CE), pointing especially to the section where Josephus explains the destruction of Jerusalem by the Romans and the resulting exile of the Jews as a well-deserved divine punishment.⁹³ In the same context, d'Este draws upon a late medieval anti-Judaic

90 HSA 363-141, fol. 409v: “castigar a este naçion hebrea despues de cayda con seueridad mezclada con blandura cristiana, de la qual hasta agora tuuieron y tienen los ynquisidores appostolicos tanto cuidado como testefican tantos autos de la fee [...]”

91 D'Este's argument resonate here and throughout his petition the ancient theological tradition regarding the stubborn rejection of Christianity by the Jews. This tradition goes way back to Paul, but was reiterated by major Church authors throughout the middle ages. See Jeremy Cohen, *Living letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999).

92 HSA 363-141, fol. 410r. D'Este mentions Machiavelli's “writings of the State” (*las suyas d'estado*). It seems that he refers to Machiavelli's discussion of “mixed principalities,” in which he claims that the consequences of annexing a territory which differs in language, customs and laws from those of the central possession of the prince is troublesome. See Niccolò Machiavelli, *The Prince*, ed. & trans. Robert M. Adams (2nd ed.; New York & London: W.W. Norton & Company, 1992 [1977]), p. 6.

93 HSA 363-141, fol. 410r-410v. D'Este point to book 6, chapter 16 in *De bello Iudaico*. In the English modern translation the passage appears in book 5, chapter 13. Josephus was first translated to Castilian by the chronicler Alfonso de Palencia in the fifteenth century. The only study of Josephus' influence in early modern Spain I am aware of is María Rosa Lida de Malkiel, “Túbal, primer poblador de España,” *Ábaco* 3 (1970), pp. 11-48.

libel to find further support for his recommendation to expel the New Christians:

Suffice then the evidence with which it could be inferred that the intention of those Hebrew people in the aforesaid kingdoms is nothing but to live in their Judaic perfidy. Because this way of life impaired them and more than this influenced very pious and Christian Portuguese [to sin], as all the world knows. They are putting to mockery the evangelical law and the sacraments of the Catholic Church. And they are causing continuous sacrileges and killing Christians when they can, not pardoning even the lives of kings, as in the case of a physician honored and favored by King Henry III of Castile. This much honored and favored Jew killed him [the king], confessed later, and was sentenced for this in Segovia.⁹⁴

Put simply, d'Este deploys various evidences to support his contention that the only workable way to solve the New Christian problem is expulsion. Anything short of those measures, he contends, will allow for the continuation of both Judaism and Jews within the kingdom, a danger he seeks to avoid. Whether pointing to contemporary concerns or to historical precedents, he concludes that the kingdom's Catholic community is endangered by the presence of the Men of the Nation, who by nature are known to be disloyal. And it is the king's obligation to defend his Catholic subjects from this danger:

On account of these reasons I secretly offer His Majesty this [method of] expulsion [which] is a unique and necessary remedy to the happenings of his loyal vassals in the said kingdoms, and to the clear and present danger which weakens [the loyal vassals] more each day, with this moth which consumes them and with this contagion infecting noble blood, eventually bringing destruction and ruin to all.⁹⁵

In sum, d'Este's arguments are the polar opposite of those outlined in the petitions of the other New Christians I have previously discussed. All demand action on the part of the monarch, albeit action of radically different sorts. D'Este appeals to Philip as the head of Spain's Catholic monarchy whose primary responsibility is to defend the strength and integrity of the community of Christians over which he rules. The New Christians, in

94 HSA 363-141, fol. 409r: "Baste pues la evidencia en que se colige que el intento desta gente hebrea en los dichos reynos no es solo vivir en su perfidia judaica ; porque esta modo de vida a ellos prejudicava [=perjudicaba] i mas aun alyentar a los portugueses tan pios y christianos como todo el mundo sabe, motejando y burlandose de la ley euangelica y de los sacramentos de la yglesia catholica y haziendo continuos sacrilegios, y matando a los christianos que pueden, no perdonado las vidas hasta a los reyes, como hizo un medico aqui en el rey Enrique 3 de castilla hauia echo muchas honras y mercedes, este judio tan agradecido y honrado lo mató y el mismo lo confesso despues y por esso fue justiciado en Segobia".

95 HSA 363-141, fol. 410v: "Por las quales razones y otras que me ofresco dezir a V. Mag. en secreto esta expulcion es unico y necessario remedio de los trabajos que sus leales vassallos en los dichos reynos padeçen y del peligro clarissima ia esta quasi de debelitarse cada dia mas con esta polilla que los consume y dese contagion con ella toda la sangre noble dellos, y finalm.te destruyrse y aruynarse del todo".

contrast, envision a looser, more elastic political community in which all the king's vassals, regardless of their ancestry, enjoy equal rights. If in d'Este's petition the king is expected to take drastic measures in order to push the enemy away from society, in the New Christians' petitions he is expected to protect them and to remove the impediments to their social integration. On a different note, it is not entirely clear what effect this recommendation might have on d'Este, a New Christian himself. Most probably, he aspired to be granted an exceptional status due to his manifest loyalty to his inquisitorial patrons.

Between Crown and Inquisition

Whatever the personal considerations underpinning d'Este's arguments for expulsion, his petition needs to be understood within the context of the Portuguese Inquisition's increasing opposition to the idea of offering any relief to the New Christians. As indicated earlier, the reign of Philip III, starting in 1598, brought with it growing tension between the Spanish monarchy and the Portuguese clergy. One of the major points of contention was the status of the Portuguese New Christians, who became a site for the struggle over authority and jurisdiction. This growing anti-New Christian activity was partly in response to the perceived favorability of the Crown's policy toward the New Christians. On June 26, 1627, Philip IV signed a *Carta Regia* ordering the Portuguese Inquisition to publish an Edict of Grace. The Edict was valid for three months, during which those who willingly presented themselves to the Inquisition could confess their crimes without the risk of further punishment.⁹⁶ In contrast to a general pardon – granted only by the Pope – the Edict of Grace was a minor achievement, yet it still had an impact. Francisco Bethencourt argues that the Edict made possible the exoneration of individuals already imprisoned by the Inquisition.⁹⁷ In contrast, Pulido argues that the Edict of Grace was a pyrrhic victory, since it drew more accusations due to people coming to confess, thus endangering the entire New Christian population.⁹⁸ In any case, it is important to highlight the fact that the Edict addressed the entire Portuguese New Christian population, not only the bankers with whom the Crown was in contact.

⁹⁶ Azevedo, *História dos Cristãos Novos Portugueses*, pp. 186-187.

⁹⁷ Francisco Bethencourt, *The Inquisition: A Global History, 1478-1834*, trans. Jean Birrell (Cambridge & New York: Cambridge University Press, 2009), p. 185.

⁹⁸ Pulido, *Injurias a Cristo*, pp. 91, 105-108.

Under the leadership of the Portuguese Inquisitor-General Francisco Mascarenhas (1616-1628) and his successor Francisco de Castro (1628-1653) the Portuguese Inquisition increased its fight against the enemies of the faith and held more than twenty public *Autos de Fé*. These were accompanied by a proliferation of printed sermons, treatises and pamphlets, all with an unmistakably anti-Judaic air.⁹⁹ The counter-efforts of the Portuguese clergy then consolidated in a special Junta, which was in some respects the equivalent of the Junta headed by Sotomayor. From May 23 to August 6, 1629, a Junta of some twenty ecclesiastical dignitaries and professors of theology and canon law assembled at the city of Tomar, northeast of Lisbon. A treatise written by two anonymous participants which was destined to be read by the Spanish monarch reveals a clear objection to any concessions made towards the New Christians. The authors of this text repeatedly refer to the threats of Judaizing, impure blood, and disloyalty.¹⁰⁰

The intensification of the Portuguese Inquisition's opposition to the Spanish Crown was accompanied by new cases based on allegations of sacrilege. A laconic entry in a Portuguese archival register tells one such story: “Sacrilege committed in the Church of Santa Engrácia of Lisbon during the night of January 15 to 16 and a theft of the Most Holy Sacrament, removed in a tortoise shell ciborium, which was found [later] in the Seco river near Alcantara in a quarry on January 29, 1631, by Dom João de Castello Branco, oldest son of the Count of Sabugal”.¹⁰¹

99 Lists of Autos – with names of the sentenced – were recorded in a text published as *Lists of the Portuguese Inquisition, vol. 1: Lisbon, 1540-1778*, ed. Joy L. Oakley (London: The Jewish Historical Society of England, 2008). On the Portuguese sermons, see: Bruno Feitler, “O catolicismo como ideal: Produção literária antijudaica no mundo português da Idade Moderna,” *Novos Estudos* 72 (2005), pp. 137-158; Edward Glaser, “Portuguese Sermons at Autos-da-Fé: Introduction and Bibliography,” *Studies in Bibliography and Booklore* 2 (1955), pp. 53-78; João Francisco Marques, *A Parenética Portuguesa e a Dominação Filipina* (Porto: Instituto Nacional de Investigação Científica, 1986), pp. 166-172; Moises Orfali, “Jews and Judaism in Christian Polemics in Portugal,” in *Portuguese Jewry at the Stake* [Hebrew], pp. 143-168; Robin J. Vose, “The Inquisition in Its Own Words: Portuguese *Auto-da-Fé* Sermons as Historical Sources,” in *Strategies of Medieval Communal Identity: Judaism, Christianity and Islam*, ed. Wout J. van Bekkum & Paul M. Cobb (Leuven: Peeters, 2004), pp. 87-107.

100 This extensive manuscript (137 folios) was never published. Martin A. Cohen provides an introduction and summary to the text. See his *The Canonization of a Myth: Portugal's “Jewish Problem” and the Assembly of Tomar, 1629* (Cincinnati: Hebrew Union College Annual, 2002). The manuscript is housed today in the Arquivo Nacional da Torre do Tombo in Lisbon, cod. 1508. Two existing translations to Castilian are in the British Library (additional manuscripts, 28462) and at the Biblioteca Ets Haim – Livraria Montesinos in Amsterdam (HS, EH 48 d 26). Pulido mentions a possible related treatise at the University of Salamanca, see *injurias*, p. 96, n. 161.

101 “Sacrilegio que se cometeo na Igreja de Sancta Engrácia de Lisboa naoute de 15 para 16 de Janeiro de 1630, e roubo que se fez do S.mo Sacramento, levando-o em hum cofre de tartaruga que foi achado no rio Seco junto a Alcantara em hua pedreira em 29 de Janeiro de 1631 por Dom João de Castello Branco, filho do Conde do Sabugal o mais velho”. Quoted by Saraiva, *The Marrano Factory*, p. 201, n. 27. Saraiva refers to a volume entitled *Nomes dos homens culpados depois do Perdão Geral que se publicou em 15 de Janeiro do anno de 1605* at the Arquivo Nacional da Torre do Tombo (Lisbon, Portugal), but gives no specific references. See also Arthur Lamas, *O desacato na igreja de Santa Engrácia e*

The thin description of the event is somewhat misleading. The story of the “profanation of Santa Engrácia” quickly dispersed to the rest of the country and elicited a widespread response against New Christians, who were blamed for the sacrilege. In Coimbra, Lisbon, Évora and Braga students boycotted classes, demanding the expulsion of New Christian students. Eventually, a man named Simão Pires Solis was arrested by the Portuguese Inquisition and interrogated under torture. He was charged with Judaizing and the theft of the Host from Santa Engrácia. Pires Solis' end was an unfortunate one. After being condemned to death, his hands were amputated and only then he was burned alive at the stake. Yet, as was the case in the affair in Madrid, the Santa Engrácia case did not end with the execution of the alleged culprit. The story of the profanation, unexpected rediscovery of the Host by a member of the ruling elite, and the castigation of the New Christians was commemorated for years, as Portuguese sermons reveal.¹⁰² Even more interesting from our point of view is that it also became an object of contestation in the debate over the status of the New Christians in Iberia.

In 1631, just a few months after the Santa Engrácia sacrilege, while those accused in the *Cristo de la Paciencia* affair were already incarcerated by the Inquisition (but not yet accused of sacrilege), Portuguese Inquisitor-General Francisco de Castro wrote a petition to Philip in which he addressed a previous petition written by New Christians to the king. Refuting their claims of unjust persecution, Castro presented the case of sacrilege at Santa Engrácia as clear and convincing evidence against the New Christians:

For now enemies of the faith all over the country are committing public sacrileges against the image of Christ our Lord and against His very person in the most divine sacrament of the altar (outrage which Your Majesty's Catholic and holy zeal will want thoroughly investigated, promising rewards to whomever discovers their perpetrators). It would gravely scandalize the faithful and indeed the whole world to see that at the very instant this is going on, favors and recognition are being bestowed on the prime suspects of the desecrations. The high probability (not to say certainty) that

as insignias dos «Escravos do Santissimo Sacramento» (Lisbon: Imprensa Nacional, 1905).

¹⁰² See, for instance: Timóteo de Ciabra Pimentel, *Honda de David, con Cinco Sermones o piedras [...] contra Hereges Sacramentarios y Judios baptizados en el Reyno de Portugal [...] por la ocasion del robo sacrilego cometido en la Iglesia Parroquial de Santa Engracia en la Ciudad de Lisboa, predicados y compuestos por el Dotor Timotheo de Ciabra Pimentel Portugues, Predicador en la dicha Ciudad y Reyno de Portugal* (Rome: Giacomo Mascardi, 1631; Barcelona, Estevan Liberòs, 1631); Luis de Melo, *Sermones, que pregou o Doutor Dom Luis de Mello Deam de Braga Primás das Hispanhas, & Inquisidor apostolico da Inquisição de Lisboa [...] na festa do Santissimo Sacramento, que na mesma cidade em S. Engracia fas a nobreza deste Reyno, aos 16 de Janeiro de 636 por occasião do sacrilegio, que ahi cometerão os enemigos da nossa santa Fé* (Lisbon: Jorge Rodrigues, 1637); Christovam de Almeida, *Sermam do dezagravo de Christo Sacramentado na solennissima festa que no mes de Janeiro lhe faz todos os annos a nobreza de Portugal na igreja de Santa Engracia* (Lisbon: Ioam da Costa, 1671).

the People of the Hebrew Nation committed these offenses cannot be open to doubt. Crimes against the faith, crimes so heinous, are not committed by Catholics, but by enemies of the faith. Their authors have to be either Muslims, Protestant heretics or Jews. But Muslim are ruled out, because there are none in this country; Heretics? They are humble, poor folk, of low caliber, who would not dare to risk an outrage like the one on Santa Engrácia [...] The authors of these crimes are Jews, ubiquitous and oh so powerful in this country. With the blood of Christ our God still fresh and we with tears in our eyes to see him thus maltreated, what is the world to think when it sees favored the very people who (the public is convinced) shed this blood and who are already beginning to be punished for the strong probability of their guilt? Moses drew his sword and killed 22,000 idolaters [marginal note: Exodus 22].¹⁰³ God forbid that Your Majesty ever open your arms to them and favor them. That God forgives the injuries we do Him is not astonishing, for He is infinitely merciful and pardons personal injuries. But what reason can approve *our* letting them get off lightly? What reason is there for *us* to favor those who thus offend Him?¹⁰⁴

Castro's argument unites in one succinct statement the various connotations of the act of sacrilege. He views the offenses against images of Christ and the Host as an attack on the Catholic faith and the community of believers. These acts of sacrilege were proof that there were enemies in the Christian body politic, and that they were without a doubt Jews, the historical killers of Christ and the present day fifth column. Finally, the overarching moral lesson was that the crime of sacrilege, as exemplified by the story of Moses' fight against idolatry, demands earthly intervention. Since the king was obliged to protect the faithful and all of Christendom, Castro asserted, he must not favor the same people who were committing these crimes. Although it is not entirely clear whether Castro meant the Portuguese Inquisition in particular or the Catholics in general, it is certain that the Inquisitor's argument stressed the necessity of punishing the New Christians severely and defending the faith.

In contrast, the New Christians depicted the Santa Engrácia sacrilege differently and employed it for other purposes:

And His Majesty, having done a favor by ordering to abolish the prohibition which [the New Christians] had in leaving the realm and selling their real estate, raised such a sentiment in the people to see them

¹⁰³ Castro probably meant referring to Exodus 32: 26-29, when the Levites are slaughtering 3,000 people of the Israelites on the order of Moses, after the Golden Calf affair.

¹⁰⁴ "Report by Inquisitor General Francisco de Castro on a Memorial addressed to King Philip III of Portugal by the "Portuguese Men of Commerce residing in Spain" in 1630," Biblioteca Nacional de Lisboa, cod. 868, fols. 138-157, published in Saraiva, *The Marrano Factory*, appendix 5, pp. 354-376, here at pp. 355-356.

[the New Christians] liberated from such servitude, that they [the people] attempted to bring them to their ultimate ruin. And on account of that, they seized upon the opportunity of the sacrilege committed in the Santa Engrácia church in the theft of the container of the most holy sacrament. And they attributed the crime to these people, whose perpetrator was not known, neither [had they] any clue nor presumption against them. Many have thought that they had no part in that wickedness. The apostolic preachers favored from their pulpits the popular voice, which attributed this crime to the people [i.e the New Christians], the subject of their hatred. They [i.e the preachers] instigated the people to ensanguine their hand with them [the New Christians]. The ministers of justice imprisoned men of that stock for that crime without proof, nor legitimate occasion, only due to their origin [...] In this state those people live (if one can call what happens between affront, disgrace, and danger a life) [...].¹⁰⁵

While in the case of Castro sacrilege demonstrated that the New Christians were the enemies of the Christian community, in the New Christians' petition the Santa Engrácia sacrilege was depicted as a false accusation and the cause of their unjust sufferings. Therefore, unlike Castro's attempt to convince the king to withhold any favor from them, the New Christians tried to convince the king to intervene on their behalf. Besides pointing to the preachers as the provokers of the anti-New Christian propaganda, the New Christian attributed the riots and imprisonment to a former, supposedly favorable, policy of the king toward them. This can be understood as an expression of a quietist voice, calling the king to return things to their former order and thus not to provoke any antagonistic sentiment against them.

The way the petitioners frame their relationship with the king is worthy of further scrutiny. In the narrative they deploy, they point to the favors Philip, their liberator, granted them in the past as an example to the justice they – his loyal and unjustly persecuted vassals – are asking him to do once more by protecting them. Yet what should motivate Philip to do so? By articulating their plea in melodramatic tones, the petitioners probably

105 *RÉJ* 49 (1904), p. 58: “Y es que abiendole V. Mg(d) hecho merced de mandar derogar la prohibicion que tenian de salir del reyno y vender sus bienes raizes, causó en el pueblo tanto sentimiento el verlos libres de aquella esclavitud que trataron de su ultima Ruina; y para ello se valieron de la ocasion del sacrilegio, que se cometió en la Iglesia de santa Engracia en el hurto de la Custodia del Santissimo Sacramento, imputando a esta gente el delicto, de cuyo Author no constó, ni de indicio, o presumpcion alguna contra ella; antes ay muchos, que persuaden no aver sido complice an aquella maldad; la qual voz popular, que impuso este crime a la gente como sujeto de su odio, faborecieron los Predicadores Apostolicos en los pulpitos, concitando el pueblo a que ensengrantasse en ella los manos; y los ministros de la Justicia, haziendo prisiones de gente de esta qualidad, por el dicho delicto, sin prueba, ni ocasion legitima, mas que la qualidad de genero [...] en este estado vive aquella gente (si vida puede llamarse lo que se passa entre tanta afrenta, ignominia, y peligro) [...]. And see also Somoyaor's survey of their complaints in a letter to Philip, in which he inform the king that there are many reasons to believe that the Portuguese New Christians were involved in the Santa Engrácia sacrilege. See *RÉJ* 50 (1905), pp. 226-228 (doc. 17).

hoped to elicit a sense of sympathy and moral obligation. But they also implicitly draw on the rhetoric of a continual relationship between themselves and the king, as well as on Philip's obligation to protect his humble vassals; themes which are reinforced by citing past precedent.

It is difficult to say how effective this petition was or, on the other hand, how much influence Castro had on the fate of the New Christians. Without further evidence, we cannot point to a direct link between the case of sacrilege in Lisbon and the one in Madrid. Nevertheless, we should bear in mind the proximity in time and the direct link in the form of Sotomayor, head of the Junta, recipient of these petitions, and a key figure in the events in Madrid.

Sacrilege, Jews and New Christians

The problem of the New Christians was also of concern to ex-Portuguese New Christians who emigrated from Iberia and then lived as Jews. In the mid-Seventeenth century, the Santa Engrácia sacrilege and the *Cristo de la Paciencia* affair still captured the attention of some Jewish apologetic authors, who linked these events. Looking at the ways these authors discussed those cases of sacrilege will allow us to elucidate similarities and differences between the place of sacrilege in the debate as it took place within Iberia and outside of it.

The first author was Menasseh Ben Israel, a descendent of Portuguese New Christians and one of the leaders of Amsterdam's Jewish community. Ben Israel pointed to the case in his *Vindication of the Jews* (1656), a short treatise destined for the English Parliament in support of the readmission of Jews into England. While surveying popular stories of ritual crimes attributed to Jews, Ben Israel told the story of the case in Lisbon:

“A very true story happened in Lisbon, anno 1631. A certain church missed one night a silver pixe or box, wherein was the popish hosts. And forasmuch as they had seen a young youth of our nation, whose name was *Simao Pires Solis*, sufficiently noble, to passe by the same night, not farre from thence, who went to visit a Lady, he was apprehended, imprisoned, and terribly tortured. They cut off his hands, and after they had dragged him along the streets, burnt him. One year passed over, and a thief at the foot of the gallowes confessed how he himself had rifled and plundered the shrine of the host, and not that poor innocent whom they had burnt. This young men's brother was a Frier [sic], a great Theologist, and a

preacher; he lives now as a Jew in *Amsterdam*, and calls himself *Eliazar de Solis*”.¹⁰⁶

While the basic components of the case remain the same, Ben Israel turned the story into evidence of false accusations. Since he was attempting to convince his audience that the Jews were unjustly persecuted in Catholic lands, this was a reasonable choice. What is less self-evident is that Ben Israel's account of the story does not end with the miraculous rediscovery of the Host, but with the conversion of the friar to Judaism and his act of commemoration of Solis. In this version, the moral lesson is a critique of Catholicism and an affirmation of Judaism as the righteous way.

A second case is of Isaac Cardoso, author of the apologetic treatise *The Excellencies of the Hebrews* (1679).¹⁰⁷ Cardoso was a New Christian who was born in Portugal, became part of elitist circles of Madrid in the 1620's and 1630's, and eventually moved to Italy where he embraced Judaism. He addressed the accusations of both the Santa Engrácia sacrilege and the *Cristo de la Paciencia* affair in a chapter dedicated to accusations of sacrilege. Although the basic components of the story were the same, Cardoso's account of the Santa Engrácia case is different from Ben Israel's. First, in his story Solis is not going to visit a “lady”, but to play cards with his friends. Second, Cardoso does not mention the conversion of the friar. Instead, he argues that the real culprit was found later in Galicia. Once again, the moral lesson is the unjust persecution of the Men of the Hebrew Nation. Interestingly, he also concludes with a divine intervention:

And at the time which the Host disappeared from the church, the sentiment and rampage against the Hebrew Nation was so strong in the people that they were at the verge of sending them all to the gallows and executing their cruelties on the victims. But it was common knowledge that the judges involved in that death [sentence] were all dying shortly in terrible sickness and pains.¹⁰⁸

In considering the *Cristo de la Paciencia* affair, Cardoso argued that the “kids” testifying against the Portuguese New Christians were seduced with sweets and candies (*confites y golosinas*). In addition to

106 Menasseh Ben Israel, *Vindiciae Iudaeorum, or a letter in answer to certain Questions propounded by a Noble and Learned Gentleman, touching the reproaches cast on the Nation of the Jevves; wherein all objections are candidly, and yet fully cleared* (1656), p. 11.

107 Yshac Cardoso, *Las exelencias de los hebreos* (Amsterdam: David de Castro Tartas, 1679).

108 Cardoso, *Exelencias*, pp. 403-404: “y al tiempo que desapareció la hostia, de la Iglesia, fue tanto el sentimiento, y alboroto en el pueblo contra la Nacion Hebrea, que estuvieron à peligro de passarlos todos à cuchillo, y executar sus crueldades en los inocentes, pero los Juezes que intervinieron en este muerte fue fama comun que murieron en poco tiempo con terribles enfermedades, y dolores”.

discrediting the validity of the accusation, Cardoso claimed that evidence abounded to indicate that there was not any kind of image in the house at the Calle de las Infantas, much less the desecration of an image. Furthermore, he asserted, divine law prohibited Jews from making idols or from coming into contact, visual or physical, with them.¹⁰⁹ In the argument concluding his chapter, Cardoso delved into ancient times, claiming that the Israelites were prohibited from any desecration of images. His last remark, however, had a more existential quality as he questioned the specific role of the Jews in cases of sacrilege:

When the Calvinists, the Protestants or the Muslims drag the crucifixes, step on the Host, destroy the images, demolish the altars, there is no fabrication of those miracles [in which] figures [=images] speak and Hosts move and bleed. Only when in these inventions they attribute [the sacrilege] to the Jews, which as naïve sheep and meek lambs are without anyone to protect or defend them. For they lack the power to defend themselves and the voice to complain, that these are things [=graven images] which are strongly prohibited by God to see, to touch, to discuss and to commemorate.¹¹⁰

These lines of the ex-Portuguese New Christian, written in an emotional tone and in an apologetic context, portray a supposed connection made by the Christians between Jews, sacrilege and miraculous proofs for the veracity of the Catholic faith. He was not entirely incorrect. Narratives of sacrilege tended to entail a miracle following the act of violence against the sacred. This miracle, many times a bleeding Host or an animate image demonstrating the true doctrine of Transubstantiation, was then followed by a conversion or a punishment of the culprit. The final phase, as in the cases of Santa Engrácia and the *Cristo de la Paciencia*, contained rituals of penalization, purification and commemoration, usually together with the establishment of a cult. In that way, sacrilege in fact affirmed the sacred and the authority of those entrusted with it, that is, the Catholic Church. Furthermore, since the development of the cult of the Eucharist at the late medieval period – after the acceptance of the Transubstantiation in the Fourth Lateran Council (1215) – Jews were indeed associated more and more with acts of host theft and desecration.¹¹¹

¹⁰⁹ Cardoso, *Exelencias*, pp. 404.

¹¹⁰ Cardoso, *Exelencias*, pp. 407-408: “Quando los Calvinistas, ò los Protestantes, ò los Mahometanos arrastran los Xpos. Pisan las hostias, destroçan las imagenes, derriban los altares, no se fingen aquellos milagros de hablar las figuras, desaltar las hostias, y de teñirse en sangre, sino es quando estas invenciones se atribuyen à los Judios, que como son ovejas mudas, y corderos mansos no ay quien los ampare, ni defienda, que les falta el poder para defenderse, y la boz para quejarse, siendo estas cosas tan prohibidas por Dios à la vista, à la mano, à la habla, y à la memoria”.

¹¹¹ See in general Rubin, *Gentile Tales*, with further references to the extended literature on the topic.

We should nonetheless be careful in drawing a necessary link between Jews and host desecration or with sacrilege in general, and even more so in post-expulsion Spain.¹¹² There were also cases of Protestants, doubting Catholics, and Moriscos involved in sacrilege. In the early modern period it was not a crime exclusive to the Jews. Moreover, while the existence of crypto-Judaism cannot be completely rejected, we should remember that there were no declared Jews in early modern Spain.¹¹³ At the very end, the accused in the Santa Engracia case as well as in the *Cristo de la Paciencia* affair were New Christians, not Jews. Cardoso's conflation of New Christians and Jews is very similar in that sense to that of the former generation of historians, who saw in each *converso* a "Jew in potential", as Revah famously coined.¹¹⁴ It seems plausible to think that as an apologetic author embracing Judaism after his existence as New Christian, Cardoso was prone to such conflation. But at the same time, it could also have been the effect of the long tradition of associating the Jews with sacrilege, especially against the symbols of the body of Christ.¹¹⁵

Cardoso also points to the effect the accusation of sacrilege might have on the already problematic position Jews had in their host societies. The Jews depicted in his passage are passive victims of hostile Christians. They lack power or voice, and stand in constant need for external defense. Royal protection was one significant way to attain this, and Jews indeed tended to bypass local lords and approach directly to kings for defense. They even tended to idealize monarchs as their protectors.¹¹⁶ Did the New Christians inherit this position from their ancestors, or are we again witnessing the hasty link Cardoso drew between them and the Jews? Was the king's ambiguous attitude toward the New Christians a continuation of medieval monarchs'

112 In a different context, Caroline Walker Bynum has argued that late medieval Host accusations were not only the consequence of rising antisemitism and inner-Christian doubts on the Eucharist (and thus the accusations as some kind of projection of guilt). In addition to that, she argued, these stories also expressed "a frenzied conviction that the divine erupt into matter," thus pointing to a new kind of religiosity, centered on the material divinity. See Caroline Walker Bynum, *Wonderful Blood: Theology and Practice in Late Medieval Northern Germany and Beyond* (Philadelphia: University of Pennsylvania Press, 2007), pp. 80-81.

113 With the exception of the Jewish community of Spanish Oran (Algeria). See on this interesting phenomenon Jean-Frédéric Schaub, *Les juifs du roi d'Espagne. Oran, 1509-1669* (Paris: Hachette, 1999).

114 Revah, *Les Marranes*, p. 53.

115 From a wider perspective, David Nirenberg has recently traced the long Western intellectual tradition in which the "Jew" served as a hermeneutical tool, that is, a figure through which Westerners made sense of their world. David Nirenberg, *Anti-Judaism: The Western Tradition* (New York: W.W. Norton & Company, 2013). On a more specific level, Gilbert Dahan has talked about "Le juif théologique". See his *Les intellectuels chrétiens et les Juifs au Moyen Âge* (Paris: Éditions du Cerf, 1990), p. 585.

ambiguous attitude toward the Jews, as they both protected them and fought against them?¹¹⁷

While disagreeing on the guilt of the accused, these different parties – a Portuguese inquisitor, Portuguese New Christians pleading for justice, an anti-Judaic polemicist of Jewish origin, and Jewish apologetic authors – all agreed upon the grievousness of the offense of sacrilege. Moreover, they all used sacrilege, albeit in different ways, as a form of proof. At times, sacrilege is presented as proof of the danger of a population tainted with an unclear past and a suspicious present. Sacrilege, then, serves as evidence that these individuals are in fact Jews and therefore incites the call for royal defense of the endangered Christian community. In other instances, sacrilege is the harshest accusation possible, falsely attributed to otherwise loyal and honest Christian subjects. In that case, the false accusation of sacrilege stresses the lack of justice, and thus incites the call for royal intervention and correction. Finally, in the works of the Jewish apologetic writers, false accusations of sacrilege were given as evidence for unjust and continual hatred. Interestingly, the Jewish authors were including in their narratives a divine intervention, exemplifying with it some broader moral lesson on the existence of the Jews. Yet, the different meanings attributed to sacrilege show also the similar discursive framework. In all these cases, sacrilege was linked to discussions about the civil status of the New Christians, their place within wider Iberian society, and the ways the authority in charge of order should deal with them.



In early modern Iberia, incarceration and brutal interrogation of alleged Judaizers, widespread accusations of sacrilege, and public rituals of castigation and remembrance were recurring phenomena. It is tempting to see events like the Santa Engrácia sacrilege or the *Cristo de la Paciencia* affair from a structural point of view and to understand them as a consequence of a persecuting pre-modern Catholic society, defining itself against and at the expense of the Other. Following this line of argument, a case of sacrilege by the Portuguese New Christian was evidence of the danger these “impure” individuals posed, and the rituals of

116 See on this Yosef Hayim Yerushalmi, “«Serviteurs des rois et non serviteurs des serviteurs.» Sur quelques aspects de l'histoire politique des juifs,” *Raisons politiques* 7 (2002/3), pp. 19-52.

117 See on this the discussion in Nirenberg, *Anti-Judaism*, pp. 183-216.

castigation and commemoration – the purification of society and the imposition of authority. According to that view, the recurring accusations of sacrilege were a way to reaffirm the sacred in a context of doubt, unclear borders, and outward foes of Catholicism. One could even say that the act of sacrilege, and the ways early modern Iberian society dealt with it, are good examples to support Mary Douglas' claim that “ideas about separating, purifying, demarcating and punishing transgressions have as their main function to impose system on an inherently untidy experience”.¹¹⁸

At the same time, there were instances where shifts in the balance of power enabled the Other to plea, to object, and to negotiate its presence. In addition, structures of order were not based solely on exclusion and castigation, but also on concepts of justice and legitimate authority. One such structure that appears repeatedly in the context of the discussions mentioned above is the ideal reciprocal relationship between the king and his subjects, and the king's obligation – as the sovereign – to protect and do justice to them. The plea for the king's justice was without a doubt a rhetorical strategy, but it was a strategy with roots in legal tradition, political thought and notions of Christian kingship. This tradition influenced the king, who saw it as a part of his duty to listen to the petitioners. But it was not enough. The approach of the petitioners to Philip and his royal Junta failed. They achieved some momentary relief, and some individuals – in particular the wealthy bankers – benefited from their new status as the Crown's *asentistas*. Yet, as a whole, the Portuguese New Christians were not totally integrated in the Spain of Philip IV. Among many other reasons, this was on account of the monarch's commitment to defending the Catholic community. Understood against this backdrop, the *Cristo de la Paciencia* affair cannot be reduced solely to instrumental fabrication derived from court intrigues. The event was situated within a broader debate over the way Spain's Catholic Monarchy should deal with the New Christians in a time when faith and loyalty were put into question. The event, and the heated debate behind it, also reveal the unique role sacrilege played in sparking contrasting concepts of faith, justice and royal power in early modern Spain, and thus point to the fragile status of notions of sacrality and order in an era of change.

The *Cristo de la Paciencia* affair, then, was one fatal endpoint of the presence of Portuguese New Christians in the Spain under Philip IV. Yet, in order not to turn that endpoint into the emblem of what was in

¹¹⁸ Mary Douglas, *Purity and Danger: An Analysis of Concept of Pollution and Taboo* (London & New York: Routledge, 2002 [1966]), p. 5.

fact a multifaceted history, a better understanding of what exactly this presence entailed is needed. We should further investigate how other individuals made sense of the cases in Lisbon and Madrid. More broadly, cases of sacrilege demand a study which will investigate narratives and events for their own unique traits, but also will offer a comparative perspective which includes other minorities and individuals who were accused of sacrilege.