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*IN SERVITIO DEI: FRAY DIEGO DE LANDA, THE FRANCISCAN ORDER, AND THE RETURN OF THE EXTIRPATION OF IDOLATRY IN THE COLONIAL DIOCESE OF YUCATÁN, 1573–1579**



“My dear spiritual brothers and fathers, you whose relationship to me is closer than that of my own blood. . . . Even though my present position as Bishop might appear to separate me from you, I swear that it cannot divide me from you, because I have and always will be a son of our Father Saint Francis. . . . Now that I have returned, I come to you not as bishop, but rather as a son of this holy province into whose brotherhood I once again seek to incorporate myself. . . .”

—Fray Diego de Landa, October 1573
 (Spoken before the Franciscan congregation of friars in Mérida
 upon his arrival as the second bishop of Yucatán)

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“And of the idolatries that there were, I say that those who have procured to discover these idolatries and expose them and with great zeal for the honor of God those who look for idolatry and denounce it to the judges so that they can be punished, they are none other than the same religious friars of the order of Saint Francis . . .”

—Bishop of Yucatán, Diego Vazquez de Mercado, 1603

INTRODUCTION

On the afternoon of June 15, 1574, the conflict between the Franciscan Order and the local governor of the province of Yucatán intensified. A heated controversy had emerged between the recently appointed bishop of Yucatán, Fray Diego de Landa, and the provincial governor, Francisco Velázquez de Gijón. On that afternoon, the dean of the cathedral of Mérida, *Licenciado* Cristobal de Miranda, went to the home of the provincial governor with a message from the bishop. The governor had recently received an order of excommunication issued by the bishop for his actions against several Franciscan friars.

Velázquez had been appointed governor just before Landa's arrival in Yucatán in October 1573.¹ Early in 1574, two Franciscan friars openly preached against the governor, stating that he inhumanely exploited the Indians. Governor Velázquez responded by formulating a civil trial against the two Franciscan friars and demanding that the bishop hand them over to the secular authorities.² The bishop quickly excommunicated the governor and the secular authorities and placed the city of Mérida under a total interdict.

That summer afternoon, the dean of the cathedral, under direct instructions from the bishop, had come to reason with the governor and convince him to seek absolution and render obedience to the Church. Bishop Landa also instructed Miranda to order the governor to hand over the legal proceedings he had drawn up against several Franciscan friars. The two men met outside of the governor's home near the central plaza of the city of Mérida and they exchanged heated words. The discussion grew more boisterous as they began to argue. Finally, when asked to hand over the docu-

¹ Crescencio Carrillo y Ancona, *Historia del obispado de Yucatán* (Merida: Fondo Editorial de Yucatán, 1979), Tomo I, p. 299.

² See “Pleito entre Don Francisco Velázquez de Gijón, gobernador de Yucatán, y el obispo Fray Diego de Landa, 18 de Junio 1575,” Archivo General de la Nación [hereafter AGN], Ramo de Inquisición, Vol. 117; a brief extract of the document was published and entitled “Pleito entre gobernador y obispo de Yucatán 1574,” No. 7, Colección Siglo XVI (Mexico, Librería de Porrúa, 1960), 13 pp.

ments, an enraged governor Velázquez replied in anger: "I'd rather be torn to pieces than hand over those papers!"³ When Miranda insisted, reminding Velázquez of his excommunication and the bishop's orders, the governor grew even more enraged. Instead of complying with the request, the governor angrily exclaimed in the presence of the dean,

By the body of Christ . . . Now the bishop again . . . If he has two balls I have four, and I swear to God if I could I would mount him and his Fray Gregorio . . . and I swear I would lock them within a room and let them die of hunger . . .⁴

These inflamed words earned the governor the lifelong animosity of Bishop Landa and the Franciscan order, resulting in a later ecclesiastical trial for blasphemy and disobedience to ecclesiastical orders.

At first glance, the apparent cause of the dispute centered on the governor's attempt to initiate legal proceedings against two Franciscan friars. Earlier in the month, the governor had attacked Fray Melchor de San José and Fray Pedro de Noriega for inflammatory words that they had preached in the pulpit against the Spanish *encomenderos* for their abuses of the Maya. According to witnesses, the Spanish citizens of the city of Mérida complained in September 1573 to the new governor who had only recently arrived.⁵ The governor sought to comply with the citizens' requests by initiating proceedings against the two friars. However, both of these friars, close friends and lifelong companions of the new bishop, had been following the bishop's instructions. A series of heated petitions and requests on the part of the governor had been ignored by the bishop, who continued to offer shelter to his Franciscan companions.

After his encounter with the dean, Governor Velázquez, angered with the bishop over other issues, quickly escalated the violence and went to the bishop's residence to force Landa to exile the two Franciscan friars. In the company of many constables, a few citizens, and a locksmith, Governor Velázquez quickly marched his small group into the bishop's home to arrest the friars who had sought sanctuary within the episcopal residence. The governor ordered the locksmith to break the locks and forcibly enter the bishop's private chambers. The locksmith hesitated but obeyed even under

³ "Pleito entre Don Francisco Velázquez de Gijón, gobernador de Yucatán, y el obispo Fray Diego de Landa," 18 de Junio 1575, AGN, Ramo de Inquisición, Vol. 117, folio 1.

⁴ See "Pleito entre Don Francisco Velázquez de Gijón, gobernador de Yucatán, y el obispo Fray Diego de Landa," 18 de Junio 1575, AGN, Ramo de Inquisición, Vol. 117, folio 2-3.

⁵ "Carta y petición de los vecinos de la ciudad de Mérida en contra de los sermones infames que predicaron Fray Melchor de San Jose y Fray Pedro Noriega," 1574, Archivo General de las Indias [hereafter AGI], Audiencia de Mexico, 359.

the threat of excommunication. Landa, however, proved more intelligent than his adversary. The bishop had secreted the two friars out of the province, sending them to the city of Mexico to give notice to the royal court of the audiencia and the viceroy concerning the governor's violation of the sanctity of church property.⁶

Although this violation of the sanctity of the episcopal residence appears at first sight to have been the culmination of a dispute between the governor and the bishop over the two friars, the real reason behind their mutual animosity lay much deeper.⁷ Other contemporary documents, moreover, indicate that this apparent cause was not the most important factor in the dispute between the bishop, his Franciscan order, and the state. Instead, as we will see, the dispute's pivotal central cause revolved around the extirpation of idolatry or the organized persecution of traditional Maya religion.

THE LONG SHADOW OF THE AUTO DE FE AT MANÍ AND THE FRANCISCAN ORDER'S LATER ROLE IN THE EXTIRPATION OF IDOLATRY

This 1574 instance was not the first in the long conflict between the governors of Yucatán and Bishop Landa. Within two short years after his arrival in the diocese of Yucatán, Landa had once again managed to scandalize the colony with his rash actions. In 1562, Landa had held an unprecedented and unparalleled *auto de fe* in which he and other members of the Franciscan order assumed the inquisitorial powers of a bishop and punished the Maya for worshipping their traditional gods, a crime that the church considered idolatry.⁸

On July 12, 1562, hundreds of Maya prisoners crowded around a large bonfire in the central plaza of the town of Maní. Serving as the local Franciscan provincial, Landa forcibly gathered the Maya to receive punishment at this official auto de fe. The Maya watched as the provincial ordered more than 20,000 idols and other ritual paraphernalia tossed into the fire. Along

⁶ See "Carta de Cristobal de Miranda, Dean de la Catedral de Mérida, sobre ciertas quejas del obispo Fray Diego de Landa en contra del Gobernador por haber entrado en su casa," 19 de Julio, 1574, AGN, Ramo de Inquisición, Vol. 90, Exp. 18, 4 folios.

⁷ See "Pleito entre el gobernador y obispo de Yucatán, 1574," No. 7, Colección Siglo XVI (Mexico: Librería de Porrúa, 1960), 13 pp.

⁸ For the best and most complete coverage of the inquisition at Maní, see France V. Scholes and Ralph Roys, *Fray Diego de Landa and the Problem of Idolatry in Yucatán* (Washington, D.C.: The Carnegie Institution, 1938). For the original documents concerning the whole event and the subsequent legal proceedings against Landa, see France V. Scholes and Eleanor B. Adams, *Don Diego Quijada, Alcalde Mayor de Yucatán, 1561-1565*, 2 Vols. (Mexico: Editorial Porrúa: 1938). For a more popular account of the whole event, see Inga Clendinnen, *Ambivalent Conquests: Maya and Spaniard in Yucatán, 1517-1570* (Cambridge, 1987).

with the idols went forty Maya codices, or books, “written on bark paper and deer hides.”⁹ With one single bonfire, centuries of Maya culture and religion perished forever. Landa himself later wrote, “Finding in these books nothing more than the deceit of the devil, we had them burned. . . .”¹⁰ This *auto de fe* and the subsequent destruction of Maya religious implements made Landa infamous, securing him a polemical place in history.

Upon arriving in the province of Yucatán in 1563, the first bishop, Fray Francisco Toral, became haunted by the specter of Landa’s improvised Franciscan inquisition against Maya idolaters and the *auto de fe*. Not unfamiliar with the problems of Indian idolatry, Bishop Toral had earlier in 1556 participated in a gathering of clerics and clergy concerning the idolatry of the Indians of New Spain under the guidance of Archbishop Alonso de Montufar.¹¹ Immediately upon his arrival in April 1563, Bishop Toral took charge of the still ongoing investigations into Maya idolatry. He began by being lenient with the Maya idolaters, immediately reversing many of the sentences passed by Landa and his judges against the Maya idolaters. Toral believed that Landa had usurped the bishop’s ordinary jurisdiction and had surpassed his mandate in the extirpation of idolatry by exercising great cruelty, especially during the taking of confessions.

Colonial missionaries often used corporal punishment on their Indian converts. As early as 1539, the leaders of the three missionary religious orders in New Spain met with Bishop Fray Juan de Zumárraga, himself a Franciscan, and together they decreed that missionary clergy had the right to administer “light punishments” on their Indian converts.¹² Toral, however,

⁹ For descriptions of the later confiscation of other codices as well as other campaigns of extirpation, see “Testimonio de Gregorio de Aguilar, presbitero, en la ynformación presentado por el Doctor Pedro Sanchez de Aguilar,” 6 de diciembre, 1608, AGI, Audiencia de Mexico, 299, 8 folios; also see “Testimonio del capitan don Juan Chan yndio principal del pueblo de Chancnote, en la probanza de los méritos y servicios del Dr. Pedro Sanchez de Aguilar,” 5 de noviembre, 1608, AGI, Audiencia de Mexico, 299, 5 folios; “Testimonio de Don Francisco Chan, gobernador del pueblo de Cehac, en la probanza de los méritos y servicios del Dr. Pedro Sanchez de Aguilar,” 5 de noviembre, 1608, AGI, Audiencia de Mexico, 299, 6 folios; “Testimonio de Juan Gutierrez Coronel en la ynformación presentado por el Dr. Pedro Sanchez de Aguilar,” 9 de diciembre, 1608, AGI, Audiencia de Mexico, 299, 8 folios; and finally “Testimonio de don Pedro Dzib, gobernador del pueblo de Chancnote en la probanza del Dr. Pedro Sanchez de Aguilar,” 4 de diciembre, 1608, AGI, Audiencia de Mexico, 299, 5 folios.

¹⁰ Fray Diego de Landa, *Relación de las Cosas de Yucatán* (Mexico: Edición de Porrúa, 1986), pp. 31-32.

¹¹ See Stela María Gonzalez Cicero, *Perspectiva religiosa en Yucatan, 1517-1571* (Mexico: El Colegio de Mexico, 1978), p. 162; also see Victoria Hennessey Cummins, “After the Spiritual Conquest: Patrimonialism and Politics in the Mexican Church, 1573-1586,” Ph.D. Dissertation, Tulane University, 1979.

¹² See Inga Clendinnen, “Disciplining the Indians: Franciscan ideology and missionary violence in sixteenth-century Yucatán,” in *Past and Present*, vol. 94 (Feb. 1982), pp. 27-48. Clendinnen cites Izca-balceta’s publication of the *consulta* between Bishop Zumárraga and the heads of the three missionary

found Landa's actions excessive, and he disagreed with Landa's harsh treatment of the natives.¹³ He challenged the provincial's jurisdiction, arguing that he alone as bishop could establish an ecclesiastical court. Moreover, the Franciscan provincial, Landa, refused to hand over the records of the completed trials against the Maya idolaters to the Bishop's fledgling episcopal court.¹⁴ Instead, Landa handed over only the records of those idolatry trials that remained incomplete. Bishop Toral took this refusal by the Franciscan provincial as an act against Toral's episcopal authority. By the end of April 1563, Bishop Toral succeeded in forcing Landa to leave the province and return to Spain to answer against accusations drawn up against him.¹⁵

Bishop Toral quickly sided with the local secular authorities and complained to the crown of what he saw as Landa's "excessive desire for power and authority."¹⁶ Toral promptly freed hundreds of Maya whom Landa and the other friars had imprisoned. The bishop and other Spaniards accused Landa of abusing his rights as provincial and usurping inquisitorial jurisdiction, not explicitly his by law. In his defense, Landa wrote,

Fray Francisco Toral arrived . . . He came as bishop of Yucatán, and based on the information written by the Spaniards and on the basis of the complaints of the Indians, he undid what the friars had done and ordered the prisoners released and concerning all of this he injured the provincial who determined to go to Spain . . . and thus he came to Madrid, where those of the Council of the Indies treated him poorly, arguing that he had usurped the office of bishop and inquisitor, but in so doing he alleged the faculty that his religious order had for operating in those parts, conceded by Pope Adrian . . .¹⁷

The legal battle went on as Landa continued to defend himself in Spain before the Council of the Indies. He was not without friends and allies who "said that the provincial [Landa] acted justly in the auto de fe and in the other

orders (Franciscans, Dominicans, and Augustinians) in 1539 (see p. 94). For more descriptions of Franciscan missionary methods, especially those concerned with missionary's use of corporal punishment, see Pedro Bordes, *Métodos misionales en la cristianización de America: siglo XVI* (Madrid, 1960), pp. 119-136; for information on Franciscan missionary education and discipline, see Daniel D. McGarry, "Educational methods of the Franciscans in Spanish California," in *The Americas* 6:3 (Jan. 1950), pp. 335-358.

¹³ Crecencio Carrillo y Ancona, *El Obispado de Yucatán: Historia de su fundación y de sus obispos desde el siglo XVI hasta el XIX*, Primera Edición (Mexico: Fondo Editorial de Yucatán, 1979), Tomo I, pp. 179-180; also for an examination of Toral's life and term as bishop, see Gonzalez Cicero, *Perspectiva religiosa en Yucatán, 1517-1571* (Mexico: El Colegio de Mexico, 1978).

¹⁴ Gonzalez Cicero, *Perspectiva religiosa en Yucatán*, p. 163.

¹⁵ Ibid., p. 164.

¹⁶ See France V. Scholes and Elenore B. Adams, *Don Diego de Quijada, Alcalde Mayor de Yucatán*, doc. XXXI, pp. 249-289.

¹⁷ Diego de Landa, *Relación de las cosas de Yucatán* (México: Editorial Porrúa, S.A., 1986), p. 33.

things concerning the punishment of the Indians.”¹⁸ Landa won his case at court and later returned to Yucatán in 1572 with an appointment as bishop.

A decade earlier, as Landa battled back in Spain for official pardon for his supposed excesses, his beloved Franciscan order became the focus of a concerted attack by the new bishop. By 1563, the Franciscan order had come into open conflict with the secular authorities, and Bishop Toral quickly realized that to establish his episcopal jurisdiction effectively, he had to have the cooperation of the governor. Opting for first institutionalizing his own episcopal court, he sacrificed any continued investigations into the idolatry of the Maya, instead remedying the most blatant acts of idolatry with minor admonishments and a few lashes.

By late April 1563, Bishop Toral firmly established his plan for the governing and administration of justice in his bishopric. To avoid future problems of excessive missionary violence, Toral decided to remove the Franciscan missionary clergy from the administration of ecclesiastical justice. In that month, he issued instructions for the secular parish priests and local vicarios concerning the administration of the sacraments and the execution of ecclesiastical justice.¹⁹ In contrast with the Franciscan's earlier policy of mass baptisms, Toral urged his secular clergy to convince the Maya to give up their idolatries before baptizing them. He also urged the priests that they should require the Maya to confess any acts of idolatry they had committed after being baptized and denounce any idolater who lived in their homes or that they knew personally.²⁰

Bishop Toral also established the first parishes controlled by the secular clergy. Establishing the vicarias of Peto (1568), Acanceh (1570), and Tecoh (1570), the bishop removed these towns from Franciscan administration. Toral named one of his first ordained secular parish priests, Andres Mexia, to the position as *Cura Beneficiado y Vicario* of the region in 1570.²¹ Bishop Toral

¹⁸ Ibid., p. 33.

¹⁹ See “Avisos del muy Ilustre y reverendisimo señor Don Fray Francisco de Toral, primer obispo de Yucatán, Cozumel, y Tabasco, del consejo de Su Magestad, para los padres curas y vicarios de este obispado y para los que en su ausencia quedan en las iglesias,” 1563, AGI, Audiencia de Mexico, 369, published in Scholes and Adams, *Documentos para la Historia de Yucatán, Vol. II La Iglesia en Yucatán, 1560-1610* (Mérida, 1938), pp. 25-34.

²⁰ See Scholes and Adams, *Documentos para la historia de Yucatán*, p. 29. Toral urged them “en especial si despues de su bautismo tornó a idolatrar invocando al demonio, quemándole copal u ofreciendo alguna cosa, que se acuerde bien de todo y le pese grandeamente de ello. Y si tiene alguna cosa dedicado al demonio que la de luego, o diga adonde esta, y decalre si hay algun idolatra en su casa o en otro alguno, que todo lo dicga y declare para su descargo. . .”

²¹ See “Relación de los méritos y servicios de Andres Mexía,” 1580, AGI, Audiencia de Mexico, 285.

thus began the institutionalization of ecclesiastical justice by establishing these first jurisdictions of the secular clergy, effectively removing the Franciscans from any active role in the continued extirpation of idolatry, at least in theory.²² The shortage of secular clergy later forced the bishop to rely on Franciscan friars once again. By 1565, Toral found himself in the precarious position of having to name Franciscan friars as commissary judges of idolatry. The Franciscans, in turn, accepted these commissions, and many of them exercised their right to extirpate idolatry beyond their commissions. Nevertheless, Bishop Toral found himself forced to name Franciscans as special commissary judges to defend his fledgling episcopal court. Soon, Franciscan commissary judges began to overstep the limitations of their commissions, effectively usurping the power of the bishop, as Landa had done in 1562.

Facing rising Franciscan opposition and their encroachment on his own powers as chief ecclesiastical judge, Bishop Toral confronted opposition from the provincial authorities. Unluckily for Toral, Governor Luis de Céspedes y Oviedo (1565–1571) became a staunch enemy of the bishop, and even attempted to nullify the bishop's episcopal jurisdiction in cases against Maya idolaters.²³ In one case, Fray Alonso Thorál, the Franciscan *doctrinero* of the Campeche and Champotón region, had administered several punishments of lashes against unruly Indian idolaters in 1566.²⁴ He had done so under direct commission and license from the bishop, who as ordinary had the power to commission the punishment of Indian idolaters. Other Franciscan *guardianes* of the provinces also began to formulate trials against the Maya and punish idolaters with corporal punishments and even banishment. Many of these friars had conducted these trials without explicit permission from the Bishop. Governor Céspedes and the secular cabildo of Mérida quickly challenged the bishop and the friars who punished the Maya. The secular officials attacked the very ecclesiastical jurisdiction that permitted the bishop to punish Indian idolaters. On March 19, 1566, Céspedes drew up official charges against the bishop and his ecclesiastical judges for usurping the royal jurisdiction.²⁵ The governor accused the bishop and his commissary judges of illegally arresting and formulating trials against Indians and

²² See Sergio Quezada, "Jurisdicciones Religiosas en Yucatán: Ca. 1656" [Unpublished Manuscript], p. 3.

²³ See "Diligencias del gobernador Don Luis Céspedes de Oviedo para que el Obispo y sus jueces no procedan contra los indios," 1566, AGI, Audiencia de Mexico, 359, 5 folios.

²⁴ "Carta de Fray Alonso Thorál al rey sobre los abusos del gobernador Don Luis Céspedes y Oviedo," 18 de Julio, 1566, AGI, Audiencia de Mexico, 359, FVSC, Tulane University, LAL.

²⁵ See "Razon y diligenicas del gobernador de Yucatán, Don Luis Céspedes y Oviedo, para que el Obispo y sus jueces no procedan contra los yndios y da por ningunos los procesos que contra ellos hubiere hecho," 19 de Marzo, 1566, AGI, Audiencia de Mexico, 359, FVSC, Tulane University, LAL, folios 201-203.

sentencing them with corporal punishments without first notifying and receiving the aid of the secular authorities.²⁶ Toral, unable to control the actions of the Franciscan friars, became powerless to defend himself. Moreover, in 1567, a group of Maya caciques also complained that the bishop and his local vicarios and ecclesiastical judges illegally arrested and punished them without the “auxilio” of the secular arm. The Maya *caciques* wrote,

The bishop and the other ecclesiastics . . . arrest us without asking for the “auxilio” of Your Majesty’s royal justices, punishing us with pecuniary fines and exile from our villages and homes and we do not know what could be the cause for it all . . .²⁷

Governor Céspedes even protested against Bishop Toral’s naming of a *fiscal de vara* for his episcopal court in Mérida, an action that was justified by royal law.²⁸ Toral appointed his fiscal, but Céspedes refused to give his authorization to the nomination, arguing that he had to consult first with King Philip.²⁹

By the end of his tenure, Bishop Toral’s hands became tied in matters of Maya idolatry. He had very few secular clergymen in the bishopric on whom he could rely for the successful administration of ecclesiastical discipline. Moreover, his lenient stance toward idolatry and his reversal of the Franciscans’ early sentences against the idolaters of Maní, combined with his failure to defend his order from the abuses of the governor, all earned him the animosity of the Franciscan order. Surrounded on all sides by enemies who attacked his episcopal authority, Bishop Toral sought the solace of his Franciscan convent in central Mexico. On March 6, 1569, Toral wrote to the crown, requesting permission to renounce his bishopric.³⁰ Not waiting for a reply, Toral left the province in 1570 on the pretense of an illness, never to return to Yucatán. He died in Mexico City in April 1571, leaving the episcopal seat vacant for two years.

²⁶ “Información hecha por el gobernador para que conste que Fray Alonso tenia una carcel y prisiones y azotaba a los indios,” 1566, AGI, Audiencia de Mexico, 359, 10 folios.

²⁷ See “Carta de los indios caciques gobernadores de los pueblos de esta gobernación de Yucatán para su Magestad, escrita en lengua y traducida por Alonso de Arévalo,” Marzo 1567, AGI, Audiencia de Mexico, 359, FVSC, Tulane, LAL.

²⁸ Concerning the dispute over the “Fiscal,” see Carrillo y Ancona, *Historia del obispado de Yucatán*, Tomo I, pp. 204-205; for the royal law that permitted the bishops the power to create an ecclesiastical court and name a “Fiscal de vara” in the city of their Cathedral, see *Recopilación de las leyes de indias*, Libro I, Título VII, Ley XXIII, “Que los Prelados no crien fiscales de vara sino en las cabezas de sus Obispos,” p. 141.

²⁹ See Carrillo y Ancona, *Historia del obispado de Yucatán*, Tomo I, p. 204.

³⁰ See Gonzalez Cicero, *Perspectiva religiosa en Yucatán, 1517-1571*, p. 205.

CONTINUED FRANCISCAN EXTIRPATION AND THE RETURN OF
FRAY DIEGO DE LANDA

The Franciscans did not actively begin to investigate Maya idolatry again until Toral's death and the interim direction of the bishopric by the dean of the cathedral, Cristobal de Miranda. Facing a power vacuum caused by the bishop's death, in 1571 the Franciscan provincial, Fray Juan de Armellones, asserted his jurisdictional powers by commissioning various Franciscan friars in the province of Maní as commissary judges against Maya idolaters. The notice of continued acts of idolatry and sacrifice to clay and wooden idols alarmed him. Seeing that the bishop had died and that the governorship of the bishopric lay in the hands of the cathedral chapter, the Franciscan provincial pursued this campaign of extirpation based on his own powers as the only legitimate prelate. Acting with the same justification used ten years earlier by Fray Diego de Landa, Armellones' commissary judges held many trials, arresting more than one hundred Maya idolaters whom they held prisoner within the Franciscan convent of Maní.³¹ The governor quickly met the provincial's actions with disapproval, but the Franciscan order's greatest ally in their war on Maya idolatry returned: Landa. As bishop, Landa struggled to ensure the continued Franciscan domination over the administration of ecclesiastical justice in the diocese. He even went to the extent of sacrificing much of his own episcopal power in favor of the local Franciscan guardians.

By 1573, Landa was back and re-vindicated after the brief period of exile and ill fame. Most traditional historical scholarship argues that when Landa returned as the second bishop of the province of Yucatán, he did so a broken man, beaten by his enemies, and limited in his powers.³² Nothing could be further from the truth. Landa would go on during his tenure as bishop to prosecute more Maya for the crime of idolatry than he had done during his infamous 1562 auto de fe. The only difference was that now, as their bishop, he returned with the legal power to punish the Maya. He quickly aided ongoing Franciscan investigations into Maya idolatry that had begun under the Franciscan provincial, Armellones, a friar Landa had earlier trained in the Maya language and instructed in the techniques and methodology of Franciscan missionization.³³

³¹ See "Carta del Geronimo de Villegas, sobre el castigo de la idolatria en el pueblo de Maní," Junio 1571, AGN, Ramo de Inquisición, Vol. 90, 2 folios.

³² Very little is known and less has been written concerning the actual period of the bishopric of Fray Diego de Landa. For a few sources, see Gonzalez Cicero (op. cit.), Carrillo Ancona (op. cit.), Cogolludo (op. cit.), and several others.

³³ Fray Juan de Armellones arrived in Yucatán in 1551 as one of the Franciscan friars attached to the expedition led by the Franciscan commissary Fray Lorenzo de Bienvenida. See "Relación de los quince

The church-state conflict over the extirpation of idolatry that had evolved during Toral's tenure as bishop grew increasingly more acute with the new Franciscan bishop's arrival. The situation escalated that summer of 1574 to a state of open violence. Although conflicts between the church and state over this issue would continue with many of the succeeding governors, special circumstances made this issue central to church-state relations during Bishop Landa's tenure. Although earlier reprimanded for his harsh campaigns of extirpation in the Maya town of Maní in 1562, Landa had now returned with all the powers to conduct Episcopal extirpation campaigns legally. As with many other aspects of ecclesiastical government, the decade of the 1570s and Landa's bishopric remained pivotal in the formation and institutionalization of the ecclesiastical court that held the ultimate jurisdiction over Maya crimes against the Catholic faith: the *Provisorato de Indios*.³⁴

Thus, the root cause of the violence that occurred on June 15, 1574, can be traced back to the beginning of the summer when Governor Velázquez had engaged in a violent exchange with the bishop and his ecclesiastical officials about the issue of ecclesiastical jurisdiction over idolatry. Only months after his arrival from Spain, Bishop Landa became embroiled in a new controversy focusing on the extirpation of Maya idolatry. The governor had forbidden the bishop's chief ecclesiastical judge, the *Juez Provisor*, from arresting a number of Maya accused of committing idolatry. The governor alleged that the bishop and his *provisor* had usurped the royal jurisdiction and had assumed more powers for their ecclesiastical jurisdiction than those provided by law.

As we have seen, similar accusations leveled against Landa while he served as Franciscan provincial in 1562 had forced him to return to Spain and defend himself at court. This time as well, the governor's complaints reached the viceregal authorities in Mexico City, and eventually the audiencia and the viceroy issued decrees that Franciscan friars should not engage in the open arrest and punishment of the Maya without the aid of the secular authorities. The audiencia issued a provision against Bishop Landa, but before the audiencia's royal order arrived, the bishop sent the dean of the cathedral to request that the governor seek absolution for his violation of the ecclesiastical jurisdiction.

frailes que vinieron junto con Fray Lorenzo de Bienvenida en su expedición a la provincia de Yucatán," 1551, AGI, Audiencia de Mexico, 2999.

³⁴ For a complete discussion of this ecclesiastical court that oversaw and administered the extirpation of Maya idolatry, see John F. Chuchiak, "The Indian Inquisition and the Extirpation of Idolatry: The Process of Punishment in the Provisorato de Indios in the Diocese of Yucatán, 1563-1821." Ph.D. Dissertation, Tulane University, 2000.

*IN SERVITIO DEI: FRAY DIEGO DE LANDA, THE FRANCISCAN ORDER,
AND THE CONTINUED EXTIRPATION OF IDOLATRY*

The Franciscan order's renewed powers in the continuing extirpation of Maya idolatry came shortly after Landa's return. Upon his arrival in Yucatán, Bishop Landa held a private meeting within the Franciscan convent in the capital of Mérida and declared his alliance and his allegiance to the order. Landa swore to his fellow Franciscans that before considering himself a bishop he considered himself a Franciscan.³⁵ Landa assured his fellow Franciscans, "even though my present position as Bishop might appear to separate me from the order, I swear that it cannot divide me from you . . . I have and always will be a son of our Father Saint Francis. . . . Now that I have returned, I come to you not as bishop, but rather as a son of this holy province. . . ." ³⁶ He also promised them that together, united in alliance, they would labor in the service of God (*in servitio dei*).

The service that Landa saw as most urgent remained his old obsession with the extirpation of Maya idolatry. During his brief tenure as bishop, he exclusively empowered the Franciscan order to conduct local campaigns of extirpation that far surpassed in magnitude and scope his earlier inquisition at Maní. Solidifying his alliance with the Franciscan order in this way, Landa armed the friars with his extensive powers as bishop and chief ecclesiastical judge of the province. The goals of these episcopal reorganizations focused on a new series of campaigns against both Maya idolaters and his old enemies who had helped to attack the Franciscan order during the previous bishopric of Fray Francisco Toral.³⁷ The extirpation of idolatry had returned with Landa, and this time, the Franciscan order would be at the forefront of an expanding series of campaigns led by Bishop Landa and his specially commissioned Franciscan commissary judges (see Map 1).

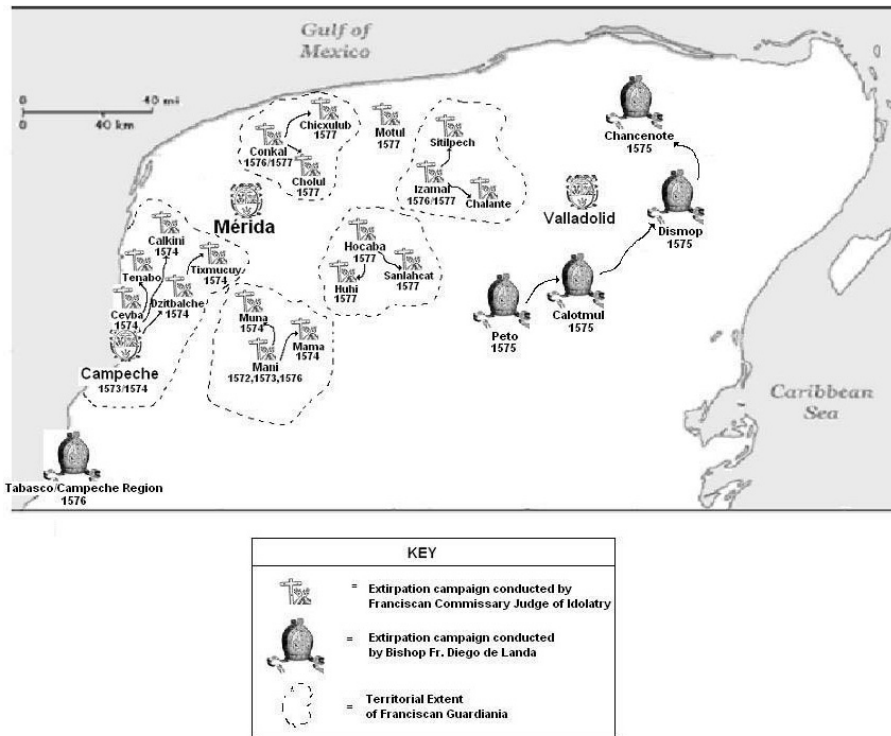
After his initial meeting with the Franciscans, Landa proceeded to throw out all friars from other religious orders that then resided in Yucatán.³⁸ As for the small group of secular clergy that he found on his arrival, he used a few who knew the Maya language to fill the positions of parish priests in the secular parishes. He ordered the rest of the secular clergy that he encoun-

³⁵ See Eligio Ancona, *Historia de Yucatán*, Tomo I, p. 74; also see Justo Sierra O'Reilly, *Los Indios de Yucatán*, Mexico, 1996.

³⁶ See Cogolludo, Tomo II, pp. 175-176.

³⁷ See Gonzalez Cicero, *Perspectiva religiosa en Yucatán*. Also see Chuchiak, "The Indian Inquisition and the Extirpation of Idolatry," pp. 75-79.

³⁸ Carrillo y Ancona, *Historia del obispado de Yucatán*, Tomo I, p. 301.



Map 1.
Franciscan Campaigns of Extirpation During the Bishopric of
Fr. Diego de Landa, 1573-1579

tered to leave the province.³⁹ Still, Landa had his enemies. The secular authorities attacked him repeatedly, fearing that Landa would continue his violent campaigns against idolaters.

The provincial authorities' worst fears materialized when the first systematic campaigns against Maya idolatry occurred early in 1573, just months after Bishop Landa's arrival. Investigations and local trials of Maya idolaters first occurred in several Franciscan guardianias. Throughout the rest of the year, a number of friars conducted small-scale extirpation campaigns in the convent regions of Maní, Conkal, and Izamal. However, neither the campaigns nor the church-state conflict reached their height until the next year (1574).

³⁹ Ibid., p. 301.

Through various reports from both secular and ecclesiastical officials in the region around the town of Campeche, notices of widespread Maya idolatry came to the attention of Bishop Landa. Now with the official power to punish idolatry, Landa wasted no time in commissioning a *Visitador y Juez de Comisión de la idolatria*, or a commissary judge to punish idolatry. Landa commissioned a fellow Franciscan and long-time companion, Fray Gregorio de Fuente-Ovejuna, as a commissary judge of idolatry and sent him into the Campeche region (see Map 1). Throughout the year 1574, Fray Fuente-Ovejuna launched an exhaustive campaign, investigating cases of idolatry in the villages of Campeche, Tixmucuy, La Ceyba, Pich, Calkini, Dzitbalche, Xpocomuch, Pocoboc, and Tenabo.⁴⁰ Fuente-Ovejuna and his companions scoured the villages and countryside of the region searching for hidden idols and accomplices to the crimes of idolatry and sacrifice. During the investigations, he discovered that even several of the Indian caciques, *alcaldes* and other officials in the towns appeared guilty of idolatry. The Franciscan arrested almost one thousand idolaters, including the cacique of Campeche, Francisco May; the governor of the village, Pablo Qui; and his lieutenant governor, Juan Canche. After a brief summary trial, Fuente-Ovejuna imposed harsh corporal punishments and even banishment on a majority of the idolaters. Accusing them of concubinage, witchcraft, and having committed idolatry by use of the native intoxicant *balché*, the ecclesiastical judge sentenced them to imprisonment in the Franciscan monastery at Campeche, placing them within public stocks.⁴¹ During the public *auto de fe* that he held in Campeche, the commissary judge ordered the Indian officials stripped of their staffs of office, which he and the other Franciscans broke before the Indian officials. Then Fuente-Ovejuna had them publicly flogged with whips made of four pointed tails. In this manner, the one hundred blows they received actually contained four hundred lashes. The Franciscan judge also ordered the officials to suffer public humiliations, with each of the Maya idolaters forced to wear heavy strings of cow horns as a symbol of shame.⁴² He

⁴⁰ See Carrillo y Ancona, *Historia del Obispado de Yucatán*, Tomo I, p. 304; also see Eligio Ancona, *Historia de Yucatán*, Tomo II, pp. 78-79; also see the royal provision of the Audiencia concerning these villages, "Cedula real del rey y provision real del Audiencia de Mexico sobre que los religiosos no tengan cepos, ni carceles," 12 de Agosto, 1574, cited in Pedro Sanchez de Aguilar, *Informe contra idolorum cultores*, pp. 201-203.

⁴¹ For more specific information on Maya idolatry, and the use of the ritual intoxicant *balché*, see John F. Chuchiak, "'It Is Their Drinking That Hinders Them': Balché and the Use of Ritual Intoxicants among the Colonial Yucatec Maya, 1550-1780" in *Estudios de Cultura Maya*, Vol. XXIV, Centro de Estudios Mayas, México: Instituto de Investigaciones Filológicas (Fall 2004), pp.137-171.

⁴² For information concerning ecclesiastical censures and punishments in colonial New Spain, see Inga Clendinnen, "Disciplining the Indians: Franciscan ideology and missionary violence in sixteenth-century Yucatán," in *Past and Present*, vol. 94 (Feb. 1982), pp. 27-48; also see Pedro Borges, "El sentido trascendente del descubrimiento y conversión de Indias," in *Missionalia Hispanica*, Consejo Superior

ordered others tarred and feathered with honey and birds' feathers. The Indians' local defender, Pedro de Medina, thinking that the punishments appeared too severe, requested that the commissary judge not inflict them. Angered by Medina's interference, the commissary judge ordered the defender stripped of his office.⁴³ Expanding his investigations to other towns, Fuente-Ovejuna sought and received Landa's permission to send fellow Franciscans out as commissary judges in other regions.

These Franciscan commissary judges kept few if any records of their trial proceedings in which they routinely administered torture to their prisoners.⁴⁴ Both the trials' procedures and the punishments meted out to the Maya far exceeded the legal limits of such ecclesiastical cases.⁴⁵ The almost total disregard of all legal and juridical procedures seemed reminiscent of Landa's

de Investigaciones Científicas, 13:37 (1956), pp. 141-177. For more information on Franciscan administration of ecclesiastical discipline, see Jose Navarro, *Los franciscanos en la conquista y colonización de América, fuera de las Antillas* (Madrid: Ediciones Cultura Hispánica, 1955). For an excellent examination and step-by-step discussion of the procedures and punishments of the Holy Office of the Inquisition and the ecclesiastical courts, see Joaquín Pérez Villanueva and Bartolomé Escandell Bonet, *Historia de la Inquisición en España y América*, Tomo II: *Las Estructuras del Santo Oficio* (Madrid: Biblioteca de Autores Cristianos, Centro de Estudios Inquisitoriales: 1993), section entitled "La estructura del procedimiento inquisitorial" pp. 342-558; also for a brief procedural explanation of the monastic Inquisition in New Spain, see John F. Chuchiak, "The Inquisition in New Spain" in *Encyclopedia of the History of Mexico*, Fitzroy Dearborn Publishers, edited by Michael Werner, 1997. For the specific case of ecclesiastical discipline in colonial Yucatán, see John Chuchiak, "The Indian Inquisition and the Extirpation of Idolatry," pp. 222-241.

⁴³ See text of the Royal Provision issued by the Audiencia on August 12, 1574 in Sanchez de Aguilar, *Informe contra idolorum cultores*, pp. 201-203.

⁴⁴ Few references to these actual trial proceedings exist. Fortunately, many of the Franciscan friars who conducted these campaigns as commissary judges of idolatry wrote and presented Relaciones de Meritos y Servicios (RDMs) in Spain. For more information on idolatry trials and materials preserved in these RDMs, see John F. Chuchiak, "Toward a Regional Definition of Idolatry: Reexamining Idolatry Trials in the *Relaciones de Meritos* and their role in defining the Concept of *Idolatria* en Colonial Yucatán, 1570-1780," in *Journal of Early Modern History* 6:2, pp. 1-29. Also for more information on the nature of RDMs and the material contained in this document genre, see Murdo Mcleod, "Self-Promotion: The Relaciones de Méritos y Servicios and Their Historical and Political Interpretation" in *Colonial Latin American Historical Review*, 76:1 (Winter 1998), pp. 25-42.

⁴⁵ Ecclesiastical regulations and rules concerning correct juridical procedures for ecclesiastical cases against crimes such as idolatry were compiled based on tenants of Canon Law and the laws of the Indies referring to the ecclesiastical jurisdiction. For fuller information and discussion of these various offenses against the faith, see Angel Martínez Gonzalez, *Gobernación espiritual de las Indias* pp. 184-187; also see *Recopilación de las Leyes de Indias*; as well as various other books on Canon Law and Church Councils such as Ignacio López de Ayala, *El Sacrosanto y Ecuménico Concilio de Trento Traducida al idioma Castellano* (Méjico: Librería de Garnier Hermanos, 1855); also see Mariano Galvan Rivera, *Concilio III Provincial Mexicano celebrado en Mexico el año de 1585* (Mexico: Eugenio Mallefert y Compañía, Editores, 1859); for a book on Canon Law as it was practiced in the Spanish provinces, see *Diccionario de Derecho Canonico arreglado a la jurisprudencia eclesiástica Española antigua y moderna* (Paris: Librería de Rosa y Bouret, 1853).

earlier *auto de fe* at Maní.⁴⁶ During Landa's inquisition at Maní, he argued that he had to dispense with the formalities of proper judicial procedures in Inquisition cases because of the expediency and gravity of the idolatry offenses. Landa justified his actions stating that in the case of the idolaters at Maní, "It was impossible to proceed strictly juridically with them . . . because if we had proceeded with all according to the order of the law, it would be impossible to finish with the province of Maní alone in twenty years. . . ."⁴⁷ Landa's and Fuente-Ovejuna's actions in 1573 argued louder than words that the Franciscans had returned less than ten years later to finish the job begun at Maní. It is perhaps not surprising that several of the campaigns of extirpation during Landa's bishopric focused on the same guardianía of Maní (see Map 1).⁴⁸

Justifying the Franciscan commissary judges' violation of strictly delineated ecclesiastical juridical procedures, Landa again argued that the "expediency and seriousness of the crimes warranted the measures used."⁴⁹ Other Franciscans, similarly appalled by the extent of the acts of idolatry among the Maya, echoed his arguments. Apparently, both Landa and the Franciscan order continued to use this argument in their continued campaigns of extirpation.

Throughout Landa's tenure as bishop, Franciscan investigations into Maya idolatry often included the use of torture during confessions and summary judgments based on little evidence.⁵⁰ The final sentences and punish-

⁴⁶ Several contemporary officials complained about these Franciscan commissary judges and their procedures, citing that they appeared reminiscent of Landa's earlier *auto de fe*. See "Carta del Juan de Prado con información contra los Franciscanos por el abuso de autoridad," 14 de Julio 1574, AGN, Inquisición, Vol. 75, Exp. 5, 7 folios. Also see "Carta del gobernador Don Francisco Velásquez de Gijón en contra del los frailes franciscanos por abusos," 1574, AGI, Audiencia de Mexico, 359, 4 folios.

⁴⁷ Original citation found in Petition of Fray Diego de Landa, 15 September 1562, in Scholes and Adams, *Don Diego Quijada*, p. 171; as cited in Clendinnen, "Disciplining the Indians," p. 35.

⁴⁸ Fray Diego de Landa did not create any new secular parishes during his tenure as bishop, but he did establish several new Franciscan *guardianías*, subdividing others, in Landa's own words, "to better administer the natives and be more diligent in the extirpation of their vices. . . ." For more information on Landa's creation of Franciscan convent guardianías, see Fray Francisco de Ayeta, *Ultimo Recurso de la Provincia de San Joseph de Yucatán*, Madrid, 1693, folios 1r-16v.

⁴⁹ See "Carta del Obispo de Yucatán, Fray Diego de Landa sobre el estado de su iglesia," 1574, AGI, Audiencia de Mexico, 369, 4 folios. For other examples of Landa's justifications for these measures and other repressive punishments, see "Carta del Obispo Diego de Landa al Comisario de la Santa Inquisición," AGN, Ramo de Inquisición, 1578, Vol. 89, Expediente 51, folio 164v.

⁵⁰ Fray Diego de Landa and the Franciscans' activities in the extirpation of idolatry during this period were not unique. Even into the eighteenth century, reports of Franciscan use of torture and summary corporal punishments on the Maya of their guardianías remained common. For several examples, see "Carta del Obispo don Diego Vazquez de Mercado sobre las idolatrías de los Indios de Yucatán y los castigos de ellas," 1606, AGI, Audiencia de México, 359, ff. 818-820; also see "Testimonio de Fray Juan de Santa Maria, juez de comisión de la idolatria, ante el presencia del Fray Pedro de Matas, guardian del convento

ments appeared so brutal that even the chief ecclesiastical judge of the archbishopric in Mexico called them “cruel and excessive. . . .”⁵¹

What could explain the Franciscans’ excessive measures in dealing with Maya idolaters? To answer this specific question, we must remember that in scholastic training and practical influences, almost all of the Franciscan friars conducting these extirpation campaigns had been students, protégés, or colleagues of Landa. His earlier role in the initial linguistic and missionary instruction of all newly arrived Franciscan friars likely influenced new missionary friars’ mindsets and their attitudes toward the Maya.⁵² Moreover, Landa sought

de Conkal,” 14 de septiembre, 1613, AGN, Inquisición, 302, Exp. 11; as well as “Carta del Obispo Don Gonzalo de Salazar a su Magestad,” 1625, AGI, Audiencia de México, 369, ff 438-440. Similarly, see “Carta del Obispo don Marcos de Torres y Rueda a su Magestad sobre algunos idolatrías que hacen los indios de la provincia de Valladolid,” 1646, AGI, Audiencia de México, 369, ff. 549-552.

⁵¹ The *Juez Provisor* of the Archbishopric of Mexico, the highest ecclesiastical judge in the Kingdom of New Spain, condemned Landa and his Franciscan commissary judges’ methods, and their punishments as “excessive.” See “Informacion que hizo el provisor de los indios naturales de Mexico, sobre la usurpación que hacen los frailes del orden de San Francisco,” 23 de Julio, 1574, AGI, Indiferente General, 1009.

⁵² Landa had, since his earliest days in the Province of Yucatán, excelled in the study of the Yucatec Maya language. He became so proficient that many later Franciscan provincials ordered him to take sole charge of training and instructing newly arrived friars in Maya linguistics and missionary methods. Several generations of Franciscan friars received their initial Maya linguistic training, and missionary methodologies directly from Landa. For more information on Landa and other Franciscan contributions to Maya linguistics, see Ralph L. Roys, “The Franciscan Contribution to Maya Linguistic Research in Yucatán,” in *The Americas* 8 (1952), pp. 417-429. Along with new Franciscan recruits, a large number of Franciscan friars from the provinces of Spain also arrived with Landa. Many of them came especially from the Franciscan convents of San Juan de los Reyes in Toledo and San Juan de Calabra, both convents in which Landa had served as master of “novices.” For information on the linguistic abilities of Franciscans trained by Landa in Toledo, see “Petición del Obispo de Yucatán en que habla de la buena obra que han hecho allí los Franciscanos y suplica que se envíen mas, principalmente los que de allí han ido a estas partes que eran lenguas y se hallaran en la provincia de Toledo,” 4 de Mayo, 1567, AGI, Audiencia de Mexico, 359, 3 folios. In her article “Disciplining the Indians,” Inga Clendinnen overestimates the influence of the Franciscan ideology and training received by most of the first Franciscan missionaries trained in the Spanish province of San Gabriel. These men, more idealistically and apocalyptically motivated, had received European training for their missionary experience. Landa and his followers and protégés who came from Toledo received and created their own missionary methods based on actual in-country experiences. No doubt the specter of the trials at Maní, and Landa’s own sense of horror at the betrayal of many of his own Maya assistants, shaped the way in which he trained all subsequent Franciscans who arrived in the provinces. Franciscan missionary methodology in colonial Yucatán was, for all extents and purposes, shaped, formed, and created by Landa himself. The often-surprising lack of mobility (within New Spain) of Yucatán Franciscans may be a result of the perceived excessiveness of Landa and his protégés by their fellow Franciscans in the rest of New Spain. For more information on the Franciscan missionaries methods and the influences behind their actions, see Lino Gómez Canedo, *Evangelización y conquista: experiencia franciscana en Hispanoamérica* (México: Editorial Porrúa, 1977). For more in depth information on the training and backgrounds of early Franciscan friars, see Francisco Morales, *Ethnic and social background of the Franciscan friars in seventeenth-century Mexico*, Washington, D.C., Academy of American Franciscan History, 1973. Also see Francisco Morales, “Evangelización y culturas indígenas: reflexiones en torno a la actividad misionera de los franciscanos en la Nueva España,” in *Archivo Franciscano de Historia* 85:1/4 (Jan./Dec. 1992), pp. 123-157.

out and commissioned Franciscan friars in the province who had proved themselves his most loyal supporters during his troublesome times as Franciscan provincial in 1562. Almost exclusively, Landa selected his commissary judges during his bishopric from among the sixteen Franciscan friars who had agreed earlier to stand beside him. Many of his later commissary judges of idolatry had earlier signed a petition “declaring their refusal to administer the sacraments to the Indians of the province on the grounds of the ‘pertinacious idolatry’ of so many Indians and the lack of remedy for such activities. . . .”⁵³

During the early months of 1574, those Maya who received the harshest punishments quickly organized themselves to resist. Protesting against the Franciscans’ sentences, the Indian officials, led by Cacique Francisco May of Campeche, wrote several letters of complaint that they entrusted to a Spaniard named Rodrigo Franquez. Franquez secreted their petitions out of the colony and presented their case to the viceregal audiencia in Mexico City.⁵⁴ The caciques and Maya officials complained against the visitador and the bishop, stating that the punishments had been very harsh and given without sufficient cause. They also claimed that the bishop and his commissary judge had usurped the royal jurisdiction without requesting the *auxilio* or aid of the secular arm.

This brief campaign against idolatry inspired such great fear that many of the Maya in the region fled into the forest to avoid any further punishments by the bishop’s commissary judges. To make matters worse for the Maya, the notice of these acts of idolatry aroused the further wrath of Bishop Landa. He began to plan for his own episcopal visitation of the province to investigate Maya idolatry.

On August 12, 1574, the audiencia reviewed the case and issued a royal provision to the governor and the bishop. The audiencia reminded Bishop Landa of a royal cedula dated September 4, 1570, which prohibited the friars from having “irons, chains and prisons in their monasteries.”⁵⁵ The audien-

⁵³ The petition alluded to is found in Scholes and Adams, *Don Diego Quijada*, and cited in Inga Clendinnen, “Disciplining the Indians,” p. 36. Many of the surviving friars who signed this petition later served as commissary judges of idolatry under Landa, including Fray Francisco de la Torre, Fray Andres de Bruseles, Fray Diego Perez, Fray Juan de Escalona, Fray Francisco de Miranda, Fray Tomas de Arenas, Fray Alonso Herrera, and Fray Antonio de Tarancon.

⁵⁴ Carrillo y Ancona, *Historia del obispado de Yucatán*, p. 304.

⁵⁵ See “Cedula real para que no tengan cepos y prisiones en sus monesterios los religiosos,” 4 de septiembre 1570, cited in Pedro Sanchez de Aguilar, *Informe contra idolorum cultores*, pp. 204-205. For a complete discussion of Viceroy Enríquez’ efforts at the enforcement of royal jurisdiction over Indian affairs in the colony see Philip Wayne Powell, “Portrait of an American Viceroy: Martin Enríquez, 1568-1583” in *The Americas* 14:1 (July 1957), pp. 1-35.

cia also reminded Landa that he should protect the Indians as “minors in the faith” and that he and his friars should not bother the Indians with such severe punishments for their backsliding into idolatry.

At this point, the viceroy issued specific orders to the local governor to oppose the bishop’s continued campaigns against idolatry. Governor Francisco Velázquez de Gijón received direct orders that he should not permit the bishop or his commissary judges to arrest, torture, or punish any Indians with such severe punishments. The viceroy, Martin Enriquez de Almansa, also instructed Velázquez to ensure that the friars did not usurp the royal jurisdiction. Furthermore, the *audiencia* required the governor to release all the Indian prisoners that the bishop and his commissary judges still had imprisoned awaiting sentencing. Obeying this order, Velázquez forcibly released several hundred Maya from ecclesiastical prisons.

The church-state conflict escalated once again as Bishop Landa counter-attacked in a letter written to the crown. In this letter, Landa retaliated; complaining about Governor Velázquez’s many abuses of the natives. The bishop imputed that the governor suffered from a severe lack of moral character.⁵⁶ Landa went so far as to accuse Velázquez of being a bad Christian and of having committed adultery with a married woman. Landa claimed,

Concerning what touches on the honesty and public character of the governor, it is shameful and ludicrous to consider him a good man as your Lordship will see in the attached information that I am sending along with this letter . . . I send it in order to complain to God and to your Lordship of his many excesses and abuses of all types . . . I am shocked that one of Your Majesty’s judges would so shamefully mistreat me seeing that my person represents the authority of the Holy Gospel here . . . Also you must know that the governor is publicly living in infamous concubinage with a married woman whose husband is absent from the province and this has caused quite a public scandal . . .⁵⁷

The governor responded by launching accusations of his own against the bishop. One of the governor’s personal servants wrote a letter complaining about the bishop’s overzealous and conflicting character. Cristobal Tinoco wrote,

⁵⁶ See “Memorial para el muy Ilustrisimo y reverendisimo Señor Presidente del Consejo de las Yndias del obispo de Yucatán, Fray Diego de Landa, sobre los abusos del gobernador, Francisco Velázquez de Gijón,” 1574, AGI, Audiencia de Mexico, 282, folios 62-73.

⁵⁷ Similarly, see “Memorial hecho por el obispo de Yucatán, Fray Diego de Landa, sobre los abusos del gobernador Don Francisco Velázquez de Gijón,” 1574, AGI, Audiencia de Mexico, 282, folios 62-73.

The person who has made this province so scandalized is the Bishop and this is notorious because he does not have or keep any peace with the citizens here, nor does he keep the peace with the secular justices, nor will he ever have peace due to his terrible and conflicting nature and his unbridled ambition to wish to command and control everything!⁵⁸

Unthwarted by the *audiencia* and the governor's opposition, Landa continued to issue commissions to Franciscans to serve as commissary judges of idolatry. Once again, the Maya and their religious practices remained the focal point of church-state conflicts. In retaliation, the governor and his secular authorities constantly refused to give the bishop and his commissary judges the *auxilio* of the secular arm.

This standoff reached another climax in early 1575 when the bishop received notice of the existence of large numbers of Maya idolaters in one eastern region. Landa sent his chief ecclesiastical judge, the *Juez Provisor* y *Vicario General*, to Governor Velázquez to ask for the royal *auxilio* to apprehend the accused idolaters. The governor refused to give the bishop the *auxilio* and the *Juez Provisor* reminded Velázquez that he was obligated by law to administer the *auxilio* under the threat of excommunication. Angered by the *Juez Provisor*'s arguments, the governor ordered the provisor's arrest and sent him in chains to the public jail in the city of Mérida.⁵⁹

Infuriated by the arrest of his chief ecclesiastical judge and angered over the denial of the *auxilio*, Bishop Landa began a formal trial against the governor and excommunicated him. The governor responded by sending the *Provisor* in chains to Mexico City. Only after Velázquez had received word that the ship had left for Veracruz did he go to seek absolution from the bishop.

Governor Velázquez went to the bishop dressed in penitential clothes to request absolution. According to a later Franciscan historian, the encounter between the two was tense and filled with insults on both sides. At first the governor came on his knees and said, "My Lord, I come here in search of peace!" Landa reportedly replied sarcastically, "Oh! Your Grace appears to be like the King of France, sometimes you come seeking peace and other times seeking war!" The governor quickly rose up and retorted rudely in

⁵⁸ See "Carta del teniente del gobernador de Yucatán a los Inquisidores de Mexico con su parecer sobre una competencia de jurisdicción entre el Dean Lic. Cristobal de Miranda y el Obispo Fray Diego de Landa," 20 de Julio 1577, AGN, Inquisición, Vol. 83, Exp. 4, folio 6-7.

⁵⁹ For a complete description of the entire fiasco, see Carrillo y Ancona, *Historia del obispado de Yucatán*, Tomo I, pp. 305-307.

reply, "I am not the King of France, but rather the King of Spain!" Landa, losing his patience with the exchange, apparently replied, "What! Your Grace is neither the King of France, nor the King of Spain, nor even the King of Hearts! I advise you to be careful of what you say and look to your actions because you have scandalized the entire province!"⁶⁰ Not wishing to complicate the matter anymore, Bishop Landa finally absolved the governor, imposing a slight penance of offering some oil for the lamps of the *sagrario* in the Cathedral.⁶¹

Ignoring the governor's continued opposition, Landa initiated his own personal visitation of his bishopric in 1575. The bishop began the first part of his episcopal visitation in the region around the village of Peto. There, Landa discovered and summarily punished many Maya idolaters. During the investigations, Landa discovered a famous Maya priest and dogmatizer, or *Ah Kin*, and ordered him arrested.⁶² Landa felt that this Maya priest was the "cause" of the idolatry in the village of Peto. However, the accused Maya escaped the bishop's custody from his makeshift prison and fled into the forest.

Continuing on to the villages of Calotmul, Dzismop, and finally on to the village of Chancenote, the bishop uncovered even more idolaters that he ordered punished for their crimes.⁶³ In the village of Chancenote, Landa re-discovered the same Maya Ah Kin who had escaped in Peto. Further conflicts of jurisdiction with the secular authorities occurred when the bishop's constable, fearing the culprit's further flight, arrested the idolater without the aid of any secular officials. On route back to Mérida, the *alcalde ordinario*, or mayor, of the town of Valladolid intervened and removed the prisoner

⁶⁰ The entire exchange between the two men is recorded in the histories of both Fray Bernardo de Lizana and Fray Diego Lopez de Cogolludo. For a compilation of both versions, see Carrillo y Ancona, *El Obispado de Yucatán*, Tomo I, pp. 309-310.

⁶¹ *Ibid.*, p. 306.

⁶² For more specific information concerning the colonial survival of the Yucatec Maya priesthood, see John F. Chuchiak, "Pre-Conquest *Ah Kinob* in a Colonial World: The Extirpation of Idolatry and the Survival of the Maya Priesthood in Colonial Yucatán, 1563-1697" in Hostettler, Ueli, and Matthew Restall, eds., *Maya Survivalism. Acta Mesoamericana* Vol. 12 (Markt Schwaben, Germany: Verlag Anton Saurwein, 2001), pp. 135-160.

⁶³ Based on his discovery of widespread idolatry in Chancenote during his episcopal visitation, Landa began the process of creating a separate Franciscan convent and jurisdiction in the town of Chancenote to "better control the customs and Christianity of these natives. . . ." Instead of creating a secular parish that would have come under his direct control, he coordinated labors with the Franciscan provincial, and together they formulated and began the construction of a convent in Chancenote. In 1576, Landa formally founded the convent guardianía of Chancenote, with the visita towns of Cehac, Tixholop, and Emal. The goal of better extirpating idolatry, thus, served as the primary reason for creating this separate Franciscan administrative district. For more information on Landa's foundations of Franciscan guardianías, see Fray Francisco de Ayeta, *Ultimo Recurso por la Provincia de San Joseph de Yucatán*, 1693.

from the bishop's custody. The native priest once again escaped. Angered by the interference of the secular *alcalde ordinario* of Valladolid, Landa wrote a hasty and condemnatory letter to the commissary of the Inquisition. Complaining later about the infringement of civil authorities on his ecclesiastical jurisdiction, Landa sarcastically wrote,

Your Lordships should know that I have the necessity of almost having to kiss their feet so that they do not impede the remedy of so many great evils of idolatry and witchcraft that are in this land and none of the authorities wish to give me the "auxilio" if I do not first show them and read them my licenses and my letters of execution. . . .⁶⁴

Governor Velázquez supported the decision of the mayor of Valladolid and continued to thwart the bishop's attacks against Maya idolatry. During the years 1575 and 1576, while on his episcopal visitation of the province and that of Tabasco, Landa issued commissions as commissary judges of idolatry to Franciscans. Franciscan judges began punishing large numbers of Maya idolaters, many without the aid of the secular authorities, drawing renewed attention from the governor and the authorities in the viceregal capital. The governor composed another series of letters to both the crown and the *audiencia* in Mexico City complaining about Landa's abuses of the Indians and his usurpation of the secular jurisdiction. Velázquez proclaimed,

Things in this province are going from bad to worse . . . I cannot excuse myself from informing Your Majesty that for about six months several friars have gone about arresting and punishing the natives for their idolatries under the commission of the Bishop of these provinces . . . Worse yet, the Bishop commissions them as Inquisitors of the Holy Office of the Ordinary Inquisition, and they take along with them constables and notaries and they have hung, whipped and tortured a great number of Indians. . . .⁶⁵

The *audiencia* responded quickly with a letter of reprehension and a copy of a royal order directly sent to Bishop Landa that warned him to cease his issuing of commissions granting power to Franciscan friars to administer ecclesiastical justice. Before completing his episcopal visit, Landa realized that he had to go personally to the *audiencia* in Mexico to plead his case and defend himself against the calumnies of the governor and the secular authorities. A smooth talker, with the aid of his Franciscan allies in the viceroyalty, Landa once again

⁶⁴ See "Carta del Obispo Diego de Landa al Comisario de la Santa Inquisición," AGN, Ramo de Inquisición, 1578, Vol., Expediente 51, folio 164v.

⁶⁵ See "Carta del gobernador de Yucatán, Don Francisco Velázquez de Gijón a los inquisidores de Mexico sobre la usurpación del obispo de la jurisdicción del Santo Oficio en el castigo de la idolatría," Julio, 1577, AGN, Ramo de Inquisición, Vol. 83, Exp. 4, folios 8-9.

vindicated himself from all accusations. Upon his return in 1576 from Mexico City, Landa conducted the episcopal visitation of the region of Tabasco. During his visitation of Tabasco in the villages of Nacaxoxuca, Tamulte, and Guaymango, Bishop Landa discovered numerous Indian idolatries and much witchcraft. The great number of cases compiled against Indian idolaters and witches forced Landa to spend several months in the province of Tabasco. His laborious attempts at extirpation led a group of Maya from the region to formulate a plot to assassinate the bishop.⁶⁶ Several Chontal Maya priests and witches gathered to sabotage a local bridge. They planned to destroy the bridge and kill Landa while he crossed the most dangerous part of the river. Remarkably uninjured from the attempt against his life, Landa continued his persecution of indigenous witchcraft and idolatry. His exertions in the visitation of Tabasco and the neighboring province of Campeche, however, caused the bishop to fall ill with fever. The dean of the cathedral chapter later wrote to the church authorities in Mexico City that the bishop “has not yet returned to this city, instead he continues in the province of Tabasco pursuing certain cases of witchcraft and idolatry among the natives there . . .” Concerning the bishop’s absence, the dean added, “the bishop has not written me for almost eight days, and has fallen ill . . . Your lordships should write to him and urge him to return here to his Church and home, so that he can look after his health and maintain all good peace with his flock. . . .”⁶⁷ The dean insinuated to the authorities that the prelate should see to governing his bishopric back in Mérida, rather than continue in his fanatical extirpations that doubtless contributed to his illness.

At the same time, other Franciscan commissary judges of idolatry continued to punish the Maya for worshipping their traditional gods. During the period 1575 to 1576, more than one dozen Franciscan friars, and only one secular parish priest, Padre Leonardo Gonzalez, priest and vicario of the villa of Valladolid, conducted a long series of campaigns against Maya idolatry in the region.⁶⁸ In 1576 in the village of Tahmuy, Gonzalez received notice that many Maya of his vicaria conducted sacrifices, participating in acts of idolatry in and around the village. The vicario launched a widespread investigation throughout the forbidding countryside for the idols and their hidden shrines.⁶⁹ Searching through the brush and in the caves and cenotes

⁶⁶ See Cogolludo, *Historia de Yucatán*, Tomo II, p. 182.

⁶⁷ See “Carta del Dean de la Catedral de Mérida, Don Cristóbal de Miranda, sobre la visita del obispo Fray Diego de Landa a la provincia de Tabasco y otros asuntos,” 2 de Febrero, 1576, AGN, Inquisición, Vol. 90, exp. 26, folio 51.

⁶⁸ See “Relación de los méritos y servicios de padre Leonardo Gonzalez, cura beneficiado y Vicario de la villa de Valladolid,” 17 de enero, 1578, AGI, Audiencia de Mexico, 284, 54 folios.

⁶⁹ “Testimonio de Alonso de Villanueva en la probanza de los méritos y servicios del padre y Vicario Leonardo Gonzalez,” 20 de septiembre, 1577, AGI, Audiencia de Mexico, 284, 3 folios. This witness

of the region, Padre Gonzalez uncovered hundreds of idols and personally apprehended many idolaters. Adding to the conflict, under special orders from the bishop, Gonzalez, fluent in the Maya language, punished the Maya in several autos de fe without the aid of the secular authorities.⁷⁰ The case of a secular clergyman receiving a commission to extirpate idolatry remained the exception rather than the rule. Almost exclusively, Franciscan commissary judges pursued cases against Maya idolaters with the bishop's permission during his absence.

In several other instances, conflicts between Franciscan commissary judges and secular authorities occurred. Early in 1577, several Franciscan commissary judges discovered widespread idolatry in several Franciscan guardianias, or parishes. In that year, the Franciscan guardian of the convent of Conkal, Fray Alonso de Solana, discovered several acts of idolatry and formulated an initial trial that he submitted to the bishop. Upon receiving notice of the idolatry in Conkal, and still on his episcopal visitation of the province, Bishop Landa sent Solana a commission instructing him to further investigate and punish the idolaters himself. In open affront to the governor, Landa even authorized the friar to name his own constables, something that was specifically forbidden by law. After 1580, based on his experiences during the investigation of Maya idolatry, Solana went on to write a manuscript that is now lost, entitled "Noticias sagradas y profanas de las antigüedades y conversion de los Indios de Yucatán."⁷¹ He also used his experience in the extir-

testified that padre Gonzalez exerted much energy and zeal in "sacar los ydolos de los pueblos de los yndios de esta provincia con mucha diligencia . . . con mucho trabajo de su persona e hacienda . . . y sabe que la tierra de donde el dicho Padre sacaba los ydolos es trabajosa e montanosa y de muchos pedregales. . . ." Padre Gonzalez apparently remained the only secular clergyman to whom Bishop Landa issued an ecclesiastical commission as a judge of idolatry. However, this is not surprising given that Gonzalez had come to Yucatán as a member of the retinue of the new bishop, and thus, Landa must have considered him a man of confidence worthy of the commission. For information on Landa's companions during his arrival in Yucatán as bishop, see "Información al comisario general de Indias, Fray Francisco de Guzmán, para que escogiese 24 religiosos que fueran a Yucatán en compañía de Fray Diego de Landa y sus criados en la primera flota que saliese para la Nueva España," 1572, Indiferente General, 2869, folios 65v-66r. For specific information on Fray Diego de Landa's travel companions and servants, see "Orden a los oficiales de Veracruz para que pagasen a los maestros de las naves, o a sus dueños, el importe de los fletes de 24 religiosos y 3 criados que iban a Yucatán con el obispo Fray Diego de Landa," AGI, Indiferente General, 2869, ramo 1, folios 88v-89r. For specific information on Fr. Diego de Landa's travel companions and servants see "Orden a los oficiales de Veracruz para que pagasen a los maestros de las naves, o a sus dueños, el importe de los fletes de 24 religiosos y 3 criados que iban a Yucatán con el obispo Fr. Diego de Landa," AGI, Indiferente General, 2869, ramo 1, folios 88v-89r.

⁷⁰ See "Memorial con sus cualidades y méritos hecha por el clérigo Leonardo Gonzalez y sobre la noticia acerca de la ydolatria de los yndios de Yucatán que han hecho y hacen en aquellas provincias," 17 de enero, 1578, AGI, Audiencia de Mexico, 284, 2 folios.

⁷¹ See Alfred Tozzer's discussion of his bibliography of works written, Alfred M. Tozzer, *A Maya Grammar* (New York: Dover Publications, 1977), pp. 267-268. Fray Alonso de Solana is also credited with having written several other works on Maya culture and history including the following: Vocabulario

pation of idolatry to write another work on the spiritual conquest that is also presently missing, entitled “Apuntamientos historicos y sagrados de la promulgación del Evangelio en Yucathan, y sus misiones.”

Similar so-called “ordinary inquisitions” by commissary judges of idolatry occurred in the other Franciscan convent areas of Motul and Izamal. In the convent of Motul, Fray Luis de Bustamante received a similar commission from the bishop to conduct personal campaigns of extirpation in his *guardiania*. The friar, under commission as a commissary judge of idolatry, arrested and imprisoned several dozen Maya within the convent of Motul.⁷² At Landa’s old convent at Izamal, Fray Alonso Gutierrez, the guardian of the convent, similarly received a commission as a commissary judge of the *provisorato de indios* to punish the idolaters of his *guardiania*.⁷³

By the end of 1577, Landa’s commissary judges had imprisoned or punished several thousand Maya charged with committing idolatry. At the same time, Landa’s propaganda campaign against Governor Francisco Velázquez de Gijón finally succeeded. An official rebuke came from King Philip II himself. The crown issued an order rebuking the governor for his disputes with the bishop. The king wrote,

We have been informed that you have a great dispute with the bishop of that land and with the religious [Franciscans] who are there . . . seeing that this dispute is in great disservice to Our Lord God and our own service, we order that you should remain in all good order and peace with the bishop . . . instead of opposing him you should aid him and favor him in everything he should ask . . .⁷⁴

Landa apparently won the dispute because early the next year the governor was replaced. The growing conflict over the extirpation of idolatry, however, did not escape the new governor, Don Guillen de las Casas.

A NEW GOVERNOR AND RENEWED DISPUTES

As Governor Las Casas soon discovered, the bishop’s dispute with the secular authorities had not ended. Along with other secular officials, Las

muy copioso en lengua Española e Maya de Yucatán [1580]; Sermones de dominicas y Santos en lengua Maya [16th century manuscript now missing]; Apuntaciones sobre las antigüedades Mayas o Yucatecas [16th century manuscript now missing]; Estudios Historicos sobre los Indios [16th century manuscript now missing]; and Apuntes de las Santas Escrituras [16th century manuscript now missing].

⁷² “Relacion de los méritos y servicios de Fray Luis de Bustamante,” 1583, AGI, Indiferente General, 192.

⁷³ Relacion de los méritos de Fray Alonso Gutierrez, 1585, AGI, Indiferente General, 192.

⁷⁴ See the Royal Order [*Real Cedula*], cited in Carrillo y Ancona, Tomo I, p. 311.

Casas complained of the bishop's continued commissions granting the friars the right to conduct "ordinary inquisitions," and even naming their own "fiscales and notaries."⁷⁵ Governor Las Casas quickly proved to be no friend of Landa. Las Casas too interfered in continued Franciscan campaigns of extirpation of idolatry shortly after his arrival in 1577. The issues of conflicting jurisdictions and complaints against the bishop and his friars' campaigns of extirpation continued throughout the rest of Landa's tenure as bishop.

Landa's Franciscan commissaries' activities soon earned him the official censure of the audiencia and the crown again. The crown, through a royal accord with the Audiencia of Mexico, sent Landa a stern rebuke in November 1577, warning him not to continue in his policy of naming regular clergyman as ecclesiastical judges. The crown reprehended Landa:

It has come to our attention that You, the said Bishop of Yucatán, have given and continue to give many commissions to the religious friars of the order of Saint Francis residing in the monasteries of that province, so that they can proceed against the Indians of their towns and conduct trials for certain acts of idolatry that they have done since their infidelity . . . with these commissions and trials, they [the friars] bothered, tormented, and tortured the natives, imposing many very cruel and excessive punishments, forcing them to pay pecuniary fines, and seizing their goods and belongings, heaping upon them many other abuses and vexations which are all prohibited by our Royal Cédulas . . . In order to remedy these abuses, we order that from here onwards you should not give these commissions, nor any others to the said religious friars, nor should you consent that they use them, not even those which you have already given . . . and we order you to revoke all of these said commissions and remove the commissary judges . . . and in other similar cases that touch upon your ecclesiastical jurisdiction, you and your secular judges should proceed against the Indians with all consideration of their limited capacity. . . .⁷⁶

The crown also explicitly ordered the governor of Yucatán to ensure that no Franciscan friar continued to use these commissions. Using this royal order as justification, Governor Las Casas publicly insisted that the punishment of Indian idolaters belonged to his jurisdiction. He began openly opposing Landa and his commissary's campaigns against Maya idolatry. Encouraging the

⁷⁵ See "Carta del gobernador de Yucatán Don Guillen de las Casas sobre la usurpación de la jurisdicción del brazo seglar por el Obispo de Yucatán," 1578, AGN, Ramo de Inquisición, Vol. 83, Exp. 4.

⁷⁶ See "Cedula real sobre que el Obispo de Yucatán no excede en su castigo y reprehensión de los indios idolatras y que no le permite dar comisiones de jueces de idolatrias a los frailes del orden de San Francisco," 1577, AGI, Audiencia de Mexico, 364, 4 folios.

Maya to come and denounce the bishop's abuses, Las Casas ordered the Indians to advise him of any cases of idolatry and not report them to the bishop.⁷⁷

Thus, church-state conflicts continued under the new governor. Moreover, the Maya benefited from the conflict by pitting both the church and the state against each other. Maya natives went to both sides and declared openly against the other in an attempt to pit Spaniard against Spaniard. Governor Las Casas' usurpation of the ecclesiastical jurisdiction soon earned him the enmity of Bishop Landa and the friars. This animosity later culminated in an accusation of witchcraft and an Inquisition trial against the governor conducted by the local Inquisition commissary in 1583 (also a Franciscan).⁷⁸

Disregarding the royal order, Landa continued issuing commissions to Franciscan commissary judges of idolatry. What soon angered Landa even more than the governor's opposition was that, early in 1578, in the provinces a civil corregidor apprehended, tried, and punished a Maya idolater who had already been taken prisoner by the Franciscan guardián of his region. Although the local corregidor had the law on his side, this action served as an open affront to the ordinary powers of the bishop, and Landa considered it a gross infringement on his ecclesiastical jurisdiction. To add insult to injury, the governor condoned the actions of his corregidor and openly proclaimed that "it was well done and he could do so."⁷⁹ Both Las Casas and the local corregidor acted in the spirit of the royal orders to oppose any further actions by Franciscan commissary judges.

Bishop Landa was not thwarted by the governor's usurpation of his ecclesiastical jurisdiction, and he ordered his local ecclesiastical judges to continue their investigations and punishment of Indian idolatry. On many occasions, however, the civil authorities openly tried to subvert Landa's local ecclesiastical judges in their investigations. In one instance, another corregidor, Rodrigo de Escalona, openly attempted to convince the Maya of his district not to testify in the case that their local ecclesiastical judge had begun. Escalona threatened the Maya with imprisonment and flogging if they went to swear their oaths before the ecclesiastical judge. Escalona exhorted them:

⁷⁷ See "Carta del Comisario de la Inquisición con quejas sobre el gobernador don Guillen de las casas," 1578, AGN, Ramo de Inquisición, Vol. 90, Exp. 48, folio 141v-142r.

⁷⁸ See "Información contra Don Guillen de las Casas, Gobernador de la Provincia de Yucatán, por Brujo y Hechicero," 1583, AGN, Ramo de Inquisición, Exp. 76.

⁷⁹ "Carta del Comisario de la Inquisición don Cristobal de Miranda a los Inquisidores de Mexico, AGN, ramo de Inquisición," Vol. 90, Exp. 48, folio 142v.

Who do you think that these ecclesiastical judges are who come in secret and who do not come before we who have the “vara” or staff of the King . . . Those judges who have the staff of the King come publicly and are received with trumpets . . . these ecclesiastical judges come under the cover of night in secret . . . Do not trust them!⁸⁰

The corregidor also ordered the villagers not to testify before any ecclesiastical judge without his personal permission. Furthermore, he required them to come to him, and not to the local clergymen, with any news of future idolatries.

The conflict between the Franciscan order and the secular authorities over the issue of the extirpation of Maya idolatry did not end until Landa’s death on April 29, 1579, but the governor and his allies continued to attack Landa even after his death.⁸¹

FRAY DIEGO DE LANDA, THE FRANCISCAN ORDER AND THE EVOLVING ADMINISTRATION OF ECCLESIASTICAL JUSTICE

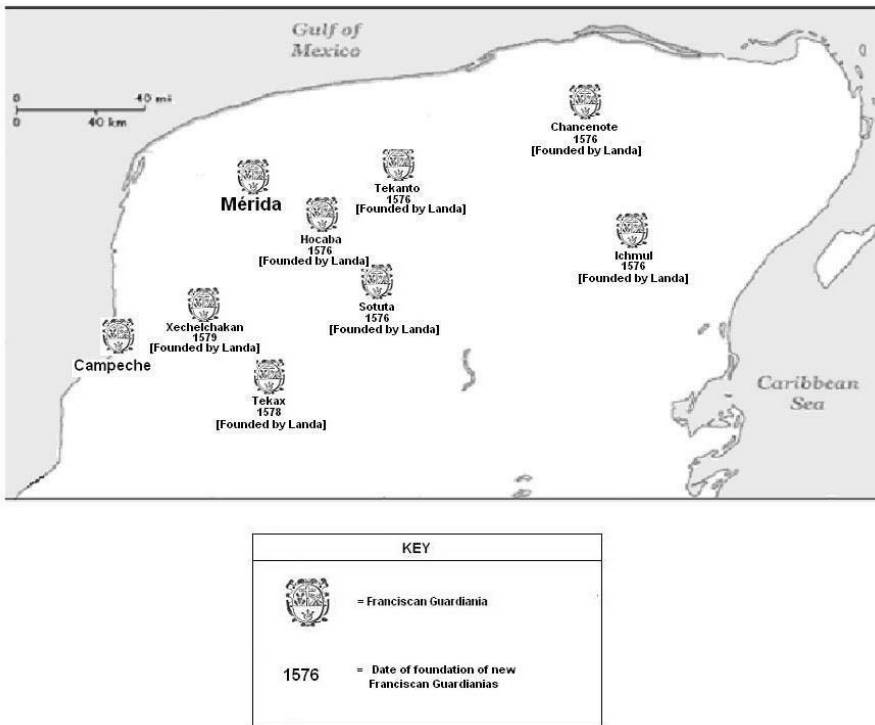
The province-wide campaigns against Maya idolaters did not seriously begin until the bishopric of Fray Diego de Landa. Bishop Landa relied almost entirely on his fellow Franciscans for the extirpation of idolatry, naming only Franciscans to the positions of commissary judges. Moreover, Landa journeyed from Spain in the company of more than thirty Franciscan friars that he had personally requested and selected from various convents throughout Spain. These friars, owing their careers to the bishop, became his avid soldiers in his ongoing war against Maya idolatry, which he called their “service to God.” Landa also favored his Franciscan order by seizing and handing over to the friars some of the existing secular parishes administered by the secular clergy, such as the partidos of Ichmul, Tixchel, Tixkokob, Hocaba, Tizimín, Homun, and Champotón (Map 2).⁸²

Regardless of Bishop Toral’s earlier efforts to firmly establish episcopal authority over the punishment of idolatry and to institute a strong secular clergy, the Franciscan order remained the main extirpators of idolatry. Bishop Landa had no problems in sacrificing a great part of his episcopal powers in favor of his fellow Franciscans. Thus, the extirpation of idolatry during Landa’s bishopric reverted to a Franciscan monopoly.

⁸⁰ Ibid., folio 142v.

⁸¹ See “Cartas en defensa del Dean de la Catedral de Mérida, Lic. Cristobal de Miranda, contra la persecución que le hizo el Obispo de aquella diócesis, Fray Diego de Landa,” 1579, AGN, Inquisición, Vol. 83, Exp. 4, folios 128-147.

⁸² Ibid., p. 341.



Map 2.

The Franciscan Province of San Joseph de Yucatán and New Franciscan Guardianias Founded During the Bishopric of Fr. Diego de Landa, 1573-1579

However, Landa's tenure as bishop seemed plagued from the outset by jurisdictional conflicts, and often violent encounters, as with his struggle with Governor Francisco Velázquez de Gijón. The 1571 institution of a commissariat of the Inquisition in the province of Yucatán further compounded Landa's conflicts of jurisdiction. To confuse matters more, the inquisitors in Mexico nominated the dean of the cathedral chapter, Licenciado Cristobal de Miranda, as their local Commissary of the Inquisition in the Province of Yucatán.⁸³ In instituting another ecclesiastical tribunal in Yucatán, some confusion arose over the exact jurisdictions of the two ecclesiastical tribunals. At first, Bishop Landa wrote incessantly trying to claim many of the jurisdictions of the Holy Office for himself and his fellow Franciscan commissary judges. Landa began usurping some of the Inquisition's jurisdiction

⁸³ See "Nombramiento original de Comisario de la Santa Ynquisición de Mérida al Dean de la Catedral de Mérida, don Cristobal de Miranda por el Arzobispo Pedro Moya de Contreras," 27 de noviembre, 1571, AGN, Ramo de Inquisición, Vol. 83, Exp. 30, folio 160r.

when he issued commissions to his friars and commissaries instructing them, in their edicts against public sins, to include the crimes of heresy (by Spaniards and mixed castes) in the ecclesiastical crimes punishable by the bishop's courts. Similarly, the Inquisition commissary also attempted to punish Indians under his own mandate.

On April 28, 1574, Inquisitor Bonilla in Mexico City wrote to the local Inquisition commissary, Miranda, instructing him to advise the bishop that in his edicts and commissions he should not place nor reserve cases of heresy for his own episcopal jurisdiction, and reminding him that now cases of heresy would be tried by the Holy Office and its commissaries.⁸⁴ In the same letter, the Inquisitor also warned his commissary not to infringe on those cases reserved for the episcopal jurisdiction. The crown, in an attempt to remedy the problem of such ecclesiastical conflicts of jurisdiction, issued a *cedula* in 1575 that declared that all cases against Indians were to be left to the cognizance of the bishops as ordinaries.⁸⁵

Even this royal *cedula* was not enough at first to clear up the confusion of jurisdictions.⁸⁶ A somewhat virulent dispute between the bishop and the dean of the cathedral chapter evolved, and they continually accused one another of usurping each other's jurisdictions. Earlier an ally of Landa's struggles with governor Velázquez, Miranda, upon his appointment as Inquisition commissary, became one more threat to the bishop and the Franciscans.⁸⁷ In a letter to the inquisitors in Mexico City dated January 25, 1578, Miranda wrote,

Concerning this business that has existed between the Bishop and myself, I can only say that the Bishop, now as always continues to conduct himself in this business with passion . . . now he accuses me of having a secret friendship with the new governor and forming an alliance with the said governor . . . Based on his hatred of the governor, he is currently forming proceedings

⁸⁴ See "Carta del Inquisidor Bonilla al Señor, Don Cristobal de Miranda, Dean y Comisario de la Santa Inquisición en Mérida, sobre casos reservados a la Santa Oficio y casos del Obispo y sus vicarios," 28 de abril, 1574, AGN, Ramo de Inquisición, Vol. 84, Exp. 28, folios 143r-144v.

⁸⁵ See *Recopilación de las leyes de indias*, Libro VI, Título I, Ley XXXV, Tomo II, "Que los Ordinarios eclesiásticos conozcan en causas de Fe contra los indios," folio 192r.

⁸⁶ For the best discussion of the conflicts of jurisdictions between the episcopal courts and the Inquisition, see Richard E Greenleaf, "The Inquisition and the Indians of New Spain: A Study in Jurisdictional Confusion" in *The Americas* 22 (1965), pp. 138-166.

⁸⁷ It is interesting to note that after the tenure of Dean Cristóbal de Miranda, the position of Inquisition commissary was held almost exclusively by local members of the Franciscan order. No doubt Landa and his friars' complaints and urgings led the Inquisitors in Mexico City to see the utility of maintaining a Franciscan in the post of Inquisition commissary in the province.

against me and my person. . . . As long as he remains here as Bishop, there will not be any peace in this province. . . .⁸⁸

So great was the dispute that both men drew up “ynformaciones,” accusing one another of being bad Christians guilty of corruption. This dispute only ended with Landa’s death, although the Inquisition commissary continued to attack Landa even after his death.⁸⁹

Throughout his bishopric, Landa struggled to impose and firmly establish royal recognition of the episcopal jurisdiction over Maya idolatry. Thanks to his efforts and many petitions, the Royal Audiencia of Mexico and the Council of the Indies finally issued a provision in 1582 that officially recognized the exclusive ecclesiastical jurisdiction of the ordinary’s courts to punish Indian idolatry.⁹⁰ Although Landa chose to name Franciscans as judges of his ordinary episcopal court almost exclusively, he unwittingly created the Franciscan order’s greatest obstacle: an institutional episcopal court soon to be dominated by the secular clergy.

Nevertheless, with Bishop Landa’s death, the final chapter in the Franciscan monopoly on the extirpation of idolatry ended. Never again would the Franciscan order enjoy such complete control over the indoctrination and punishment of Maya idolatry. Subsequent bishops broke the Franciscan monopoly, naming instead secular clergymen to the positions of commissary judges of idolatry. Upon his arrival in Yucatán, Landa’s replacement, Fray Gregorio de Montalvo, was the first bishop to fully rely on the secular clergy in the extirpation of idolatry. A member of the Dominican order, Bishop Montalvo was not a natural friend of the Franciscans. During his period as bishop, the extirpation of idolatry first began to be wrested away from the Franciscan order. Bishop Montalvo focused on institutionalizing the secular clergy and firmly establishing the powers of the episcopal office. As one of the Mexican bishops who presided over the Third Provincial Mexican council in 1585, he served as the first bishop of Yucatán to celebrate a diocesan synod in which he codified the laws of the bishopric based on the Mexican provincial council and the council of Trent.⁹¹ In all his participation in these

⁸⁸ “Carta del dean y comisario del Santo Oficio, Cristobal de Miranda sobre varios pasiones entre el obispo y el gobernador,” 25 de enero, 1578, AGN, Inquisición, Vol. 90, Exp. 44

⁸⁹ See “Cartas en defensa del Dean de la Catedral de Mérida, Lic. Cristobal de Miranda, contra la persecución que le hizo el Obispo de aquella diócesis, Fray Diego de Landa,” 1578, AGN, Inquisición, Vol. 83, Exp. 4, folios 128-147.

⁹⁰ See Pedro Sanchez de Aguilar, *Informe Contra Idolorum Cultores del Obispado de Yucatán*, pp. 46-47.

⁹¹ See Carrillo y Ancona, *Historia del obispado de Yucatán*, Tomo I, pp. 321-322.

church councils, Bishop Montalvo attacked the powers of the mendicant religious orders, especially the Franciscans.

During Montalvo's bishopric, the number of secular parishes and vicarias increased. The Franciscan order in 1581 ceded the parish of Chancénote that Landa had created in 1576 because of a lack of friars to attend to the region. Bishop Montalvo then made the region a parish and a vicaria and gave it a secular cura beneficiado and a vicario.⁹² This increased the number of parishes administered by the secular clergy, adding Chancénote to the partidos of Peto, and the villas of Campeche and Valladolid. In 1582, Montalvo secularized several more Franciscan doctrinas, establishing the new vicarias of Bacalar, Yaxcabá, and Sotuta. Finally in 1583, he also made the island of Cozumel into a secular parish and a vicaria, including the coastal towns of Ppöle and Dzama on the mainland.⁹³ This increased the territory directly controlled and administered by the secular clergy and also increased and further institutionalized the jurisdiction of the bishop's courts.

The struggles between the governors and the bishop that were characteristic of the previous two bishoprics ceased during the tenure of Bishop Montalvo. Governors Francisco de Solís [1582-1585] and Antonio de Voz Mediano [1586-1593], regarding the bishop an enemy of the Franciscan order, allied themselves with the bishop in a common cause. Moreover, the governors during this period readily aided the bishop in his campaigns of extirpation, and even in cases where he did arrest idolaters himself, they did not complain of his usurpation of the royal jurisdiction. This amicable relationship continued when the royal visitador, Dr. Diego García del Palacios arrived in 1583 for the visitation of the province on behalf of the Audiencia de los Confines of Guatemala. The royal visitador even aided the bishop by lending the auxilio during his own episcopal visitation of the province.

By the time of Bishop Fray Juan de Izquierdo (1590-1603), the institutionalization of the secular clergy and the beginning of the secularization of Franciscan *doctrinas* began. Izquierdo completely removed the Franciscan order from the extirpation of idolatry during his tenure as bishop. Although he was himself a Franciscan, Bishop Izquierdo did not issue a single commission to a Franciscan in Yucatán. He also complained to the crown about the Franciscan's usurpation of his episcopal jurisdiction and their illegal trials against Indian idolaters. Many of the same Franciscans who had

⁹² Ibid., p. 326.

⁹³ For a description of the founding of this secular "Vicaria de Cozumel," see Ralph L. Roys, *Report and Census of the Indians of Cozumel*, p. 9.

enjoyed commissions as commissary judges of idolatry under Bishop Landa now found themselves under attack for continuing their extirpation. They had thought that, as a Franciscan, Bishop Izquierdo would favor them. They could not have been more wrong. Instead, Izquierdo wrote to the crown,

[The Friars] take more power than the Pope or Your Majesty have given them by their office which is to only administer the sacraments and to do no other thing . . . They mix themselves in other affairs here, making themselves Judges of Idolatries, Concubinages and other crimes that their Indians commit. All of this I have reprimanded them for in the past, persuading them that they can not do so, and with the governors they have also had many problems concerning these very things. . . .⁹⁴

Izquierdo also often came into conflict with the Order of St. Francis over the matter of secularization. During his bishopric, the Franciscans lost even more of their doctrinas. After long years of petitioning the crown and the Council of the Indies for the restitution of the secular parishes that Bishop Landa had earlier returned to the Franciscan order, Bishop Izquierdo finally received his request. In 1602, shortly before his death, the bishop received the Franciscan doctrinas of Ichmul, Tixkokob, and Hocaba as secular parishes. In the same year, wasting no time in extending his jurisdiction over the areas, Izquierdo made each of these regions a vicaria each with its own vicario. Thus, by the beginning of the seventeenth century, the secular clergy had expanded from the initial three parishes they had under bishop Toral to more than nine parishes and vicarias by the end of Bishop Izquierdo's tenure. Similarly, by the time of Bishop Landa's death, the Inquisition's commissariat had been institutionalized and its jurisdictions firmly entrenched. Later bishops received, in their licenses, strict delineations of their own jurisdictions and warnings not to usurp the jurisdiction of the Holy Office.

CONCLUSION

The cases of open and often violent conflict among provincial governors and the local bishop and the Franciscan order described above exemplify the extent to which church-state conflicts occurred over the issue of the extirpation of Maya idolatry. These conflicts inevitably occurred when particularly zealous churchmen, such as Fray Diego de Landa, embarked on violent and sustained campaigns against Maya heterodoxy. Throughout Landa's bishopric, the Church struggled to impose and firmly establish royal recognition

⁹⁴ "Carta del obispo de Yucatán, Fray Juan de Izquierdo al rey sobre los abusos de los Franciscanos en los doctrinas de indios," 1 de abril, 1598, AGI, Audiencia de Mexico, 369, 10 folios.

of the ecclesiastical jurisdiction over the crime of Maya idolatry. Thanks to his efforts and many petitions, the Royal Audiencia of Mexico and the Council of the Indies finally issued a provision in 1582 that officially recognized the exclusive jurisdiction of the ecclesiastical authorities to punish Maya idolatry.⁹⁵ The issue of conflict later focused on the Franciscan order's questionable role in the continued extirpation of idolatry. Using his episcopal prerogatives and openly favoring his own Franciscan order, Bishop Landa made the extirpation of idolatry an almost exclusively Franciscan monopoly. Nevertheless, continued conflicts with succeeding colonial governors in the province of Yucatán made the implementation and protection of this exclusive Franciscan jurisdiction over idolatry impossible, and the issue of extirpation remained an area of conflict throughout the colonial period.

In the final analysis, the clash between church and state in this era can be best characterized as the conflict between the pragmatism of the secular authorities and the unbending idealism of Landa and the Franciscan order. As I have earlier argued, and as many other cases show, the Maya, as often as not, exploited the schism between their secular and religious conquerors to their own benefit. Encouraging conflict between church and state became one way that the Maya preserved their traditional religion and culture despite their supposed subordination. Under the Franciscan Bishop Landa, Franciscan control over the organized extirpation of idolatry had returned, but the return of the Franciscan extirpation did not last long. Although Landa and the Franciscan order labored "in the service of God" against Maya heterodoxy, Landa's bishopric marked the twilight of Franciscan control of the administration of ecclesiastical justice.

The Maya, who remained largely under the control of Franciscan missionary regions until late in the colonial period, benefited from the removal of the Franciscan order from the ecclesiastical discipline. Traditional Maya religion, although targeted by sporadic but often organized campaigns of extirpation by the secular clergy, remained alive and vibrant in Franciscan missionary regions. To the dismay of later Franciscan missionaries, nothing could be done to reproach the Maya for their idolatries without engaging in jurisdictional conflict or open confrontations with the colonial bishops and secular authorities. The issue of the extirpation of idolatry had become a divisive political issue. Unwittingly, Landa's and the Franciscans' obstinate defense of their right to their continued administration of ecclesiastical discipline did more than anything else to perpetuate traditional Maya religion

⁹⁵ See Sanchez de Aguilar, *Informe Contra Idolorum Cultores del Obispado de Yucatán*, pp. 46-47.

in Franciscan missionary regions. In the end, politics and the jurisdictional disputes initially caused by Landa did little to end Maya idolatry. Instead, Landa's efforts actually helped preserve traditional Maya religious practices that have persisted to the present day.

The clash between church and state in colonial Yucatán stemmed from the very different priorities of the secular and religious authorities. The religious orders, especially the Franciscans, considered the extirpation of idolatry as the most pressing goal in the occupied Maya territories. This goal of extirpation, however, conflicted with the goals of the secular authorities, particularly the provincial governors, who sought to pacify the region and extract enough revenues from the Maya to enrich both themselves and the coffers of Spain. The colonial authorities quickly realized that the Franciscan and secular clergy's campaigns to eradicate pre-Columbian culture and religion provoked widespread disorder and disobedience as large numbers of Maya fled into the wilderness while others openly rebelled. The governors' efforts to restrain and control the clergy's aggressive religious campaigns led them into direct conflict with the church in colonial Yucatán.

The Maya quickly perceived the divisions between their military and spiritual conquerors and exploited them to their own advantage. Maya rebellions and the continued worship of traditional Maya deities in the province of Yucatán attempted to achieve multiple goals.⁹⁶ The Maya first sought to overthrow both their religious and secular oppressors. Failing this, Maya rebellions and Maya resistance encouraged the Spanish secular authorities to curtail the highly aggressive activities of the church, especially extirpation campaigns led by Franciscan commissary judges of idolatry. Behind every governor's letter of complaint against the church and the Franciscan order was the report and testimony of a group of Maya petitioners. The Maya then used the confusion and divisions among their conquerors as a means of defending themselves. Secular authorities protected them from the full onslaught of both religious conquest and the religious authorities protected them from full-fledged enslavement and economic exploitation by the secular authorities. The Maya sought to cultivate exactly this open church-state conflict to better their own plight in a repressive colonial system. By playing a delicate balancing act between a full-scale revolt against secular authorities and total submission to religious authorities, the Maya preserved

⁹⁶ For more information on the religious motivations for colonial Maya rebellions, see John F. Chuchiak, "*Cuius Regio Eius Religio*: Yucatec Maya Nativistic Movements and the Religious Roots of Rebellion in Colonial Yucatán, 1547-1697." Paper presented before the American Society for Ethnohistory, London, Ontario Canada—20-24 October 2000.

their unique culture and civilization against all odds. The early conflicts between Landa, the Franciscan order, and the state thus had the ironic final effect of making Spanish secular authorities the chief defenders of Maya cultural practices in the early colonial period.

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